

Washington State Register

December 17, 2003

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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPLICATION 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 December 2003 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

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Code Reviser

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Chief Assistant Code Reviser

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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) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **EXPEDITED RULE MAKING**-includes the full text of the rule being proposed using the expedited rule-making process. Expedited rule makings are not consistently filed and may not appear in every issue of the register.
- (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].

2003-2004

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 -					
03 - 17	Jul 23, 03	Aug 6, 03	Aug 20, 03	Sep 3, 03	Sep 23, 03	Oct 21, 03
03 - 18	Aug 6, 03	Aug 20, 03	Sep 3, 03	Sep 17, 03	Oct 7, 03	Nov 4, 03
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03 - 22	Oct 8, 03	Oct 22, 03	Nov 5, 03	Nov 19, 03	Dec 9, 03	Jan 6, 04
03 - 23	Oct 22, 03	Nov 5, 03	Nov 19, 03	Dec 3, 03	Dec 23, 03	Jan 20, 04
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04 - 01	Nov 26, 03	Dec 10, 03	Dec 24, 03	Jan 7, 04	Jan 27, 04	Feb 24, 04
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04 - 06	Feb 4, 04	Feb 18, 04	Mar 3, 04	Mar 17, 04	Apr 6, 04	May 4, 04
04 - 07	Feb 25, 04	Mar 10, 04	Mar 24, 04	Apr 7, 04	Apr 27, 04	May 25, 04
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04 - 23	Oct 20, 04	Nov 3, 04	Nov 17, 04	Dec 1, 04	Dec 21, 04	Jan 18, 05
04 - 24	Nov 3, 04	Nov 17, 04	Dec 1, 04	Dec 15, 04	Jan 4, 05	Feb 1, 05

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;

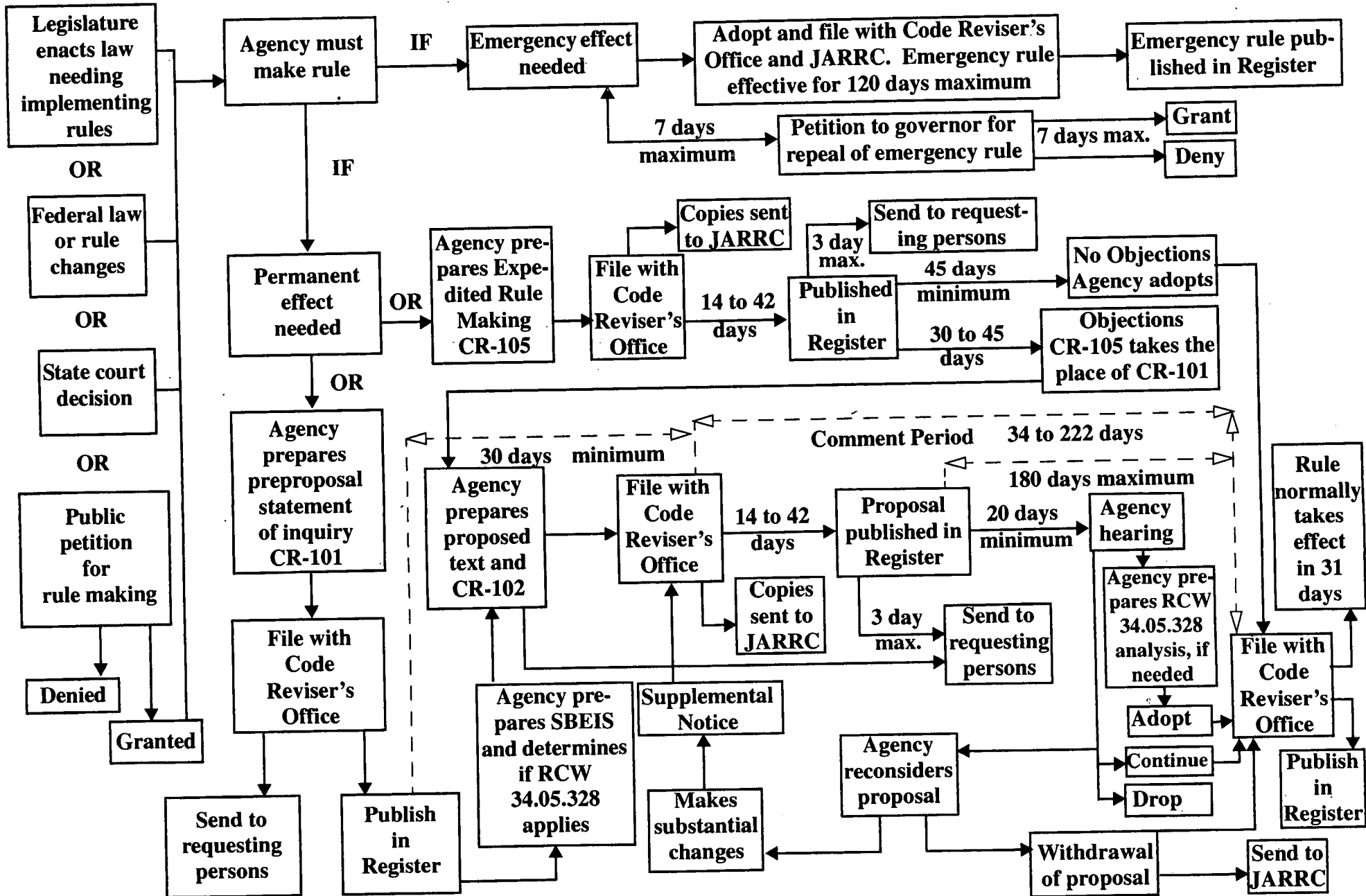
There is less than minor economic impact on business;

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



WSR 03-24-010**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed November 20, 2003, 2:07 p.m.]

Subject of Possible Rule Making: To create the commute trip reduction (CTR) performance grant program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.996.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Development of the rules will establish the commute trip reduction performance-based grant program and the parameters for private employers, public agencies, nonprofit organizations, developers, and property managers to participate.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Commute Trip Reduction Task Force (RCW 70.94.537) is charged with establishing the award rate for the grant program (RCW 70.94.996).

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 Brian Lagerberg, P.O. Box 47387, Olympia, WA 98504-7387, (360) 705-7878. The proposed rule will go through the public hearing process. Interested parties may request a meeting to discuss the various details of the proposed rule.

November 19, 2003

P. J. Hammond
Chief of Staff**WSR 03-24-047****PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed November 26, 2003, 2:16 p.m.]

Subject of Possible Rule Making: All licensees.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amend the time frame of when license renewal applications and renewal fees must be submitted.

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 Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Robert Berg, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; and Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

Meeting Dates and Locations: On January 9, 2004, at the Red Lion Hotel - SeaTac, 18220 International Boulevard, Seattle, WA 98188, (206) 246-5535, on February 13, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000, and on March 12, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000.

November 23, 2003

Susan Arland

Rules Coordinator

WSR 03-24-054**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed December 1, 2003, 9:18 a.m.]

Subject of Possible Rule Making: Chapter 308-56A WAC, Certificates of title—Motor vehicles, etc., to include but not limited to WAC 308-56A-030 and 308-56A-040.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as 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 Iyall 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, e-mail kvasquez@dol.wa.gov.

November 26, 2003

Deborah McCurley, Administrator

Title and Registration Services

WSR 03-24-069**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

(Physical Therapy)

[Filed December 1, 2003, 3:53 p.m.]

Subject of Possible Rule Making: WAC 246-915-XXX Inactive credential.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.74.073.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The laws relating to physical therapy allow physical therapists licensed under chapter 18.74 RCW who are not practicing physical therapy, or providing services, to place his or her license in an inactive sta-

tus. Rules need to be established for maintaining an inactive status and converting from an inactive or active status.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Health, Kris Waidely, Program Manager, P.O. Box 47868, Olympia, WA 98504-7868, (360) 236-4847, (360) 664-9077.

September 9, 2003
Kris Waidely
Program Manager

WSR 03-24-073

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF EDUCATION

[Filed December 2, 2003, 8:24 a.m.]

Subject of Possible Rule Making: Chapter 180-20 WAC, School bus driver qualifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.160.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, TTY (360) 664-3631. For telephone assistance contact Larry Davis at (360) 725-6024.

November 24, 2003
Larry Davis
Executive Director

WSR 03-24-074

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF EDUCATION

[Filed December 2, 2003, 8:26 a.m.]

Subject of Possible Rule Making: Chapter 180-51 WAC, High school graduation requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.230.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, TTY (360) 664-3631. For telephone assistance contact Larry Davis at (360) 725-6024.

November 24, 2003
Larry Davis
Executive Director

WSR 03-24-075

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF EDUCATION

[Filed December 2, 2003, 8:27 a.m.]

Subject of Possible Rule Making: WAC 180-16-225 Substantial lack of classroom space—Grounds and procedure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, TTY (360) 664-3631. For telephone assistance contact Larry Davis at (360) 725-6024.

November 24, 2003
Larry Davis
Executive Director

WSR 03-24-083

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT**

[Filed December 2, 2003, 1:15 p.m.]

Subject of Possible Rule Making: The Department of Community, Trade and Economic Development (CTED) proposes to adopt administrative rules to fulfill the mandates of chapter 70.103 RCW. Chapter 70.103 RCW directs CTED to establish a 'lead-based paint activities accreditation, training, and certification program' (RCW 70.103.010(4)) and to 'adopt rules that are consistent with federal requirements to implement a state program' (RCW 70.103.030(2)).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.103 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Administrative rules regulating the accreditation, certification, and administration of a lead-based paint program are required by the Environmental Protection Agency (EPA) of any state seeking federal authorization of a lead-based paint program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The EPA is the federal agency that administers the national lead-based paint program through 40 C.F.R. 745. The latter regulations provide for the authorization of a state lead-based paint program by EPA. As a prerequisite to such authorization, the applicant state's lead-based paint regulations must be at-least-as-protective of human health and the environment as the EPA regulations.

Process for Developing New Rule: Draft rules will be presented to a Lead-Based Paint Rules Task Force and mailed to other stakeholders. Written comments will be accepted, and oral testimony will be taken at two public hearings. CTED will consider comments from all affected parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Steve Payne, Managing Director, Housing Improvements and Preservation Unit, phone (360) 725-2950, fax (360) 586-5880, e-mail stevep@cted.wa.gov; or Michael Bergman, Lead-Based Paint Program Manager, phone (360) 725-2941, fax (360) 586-5880, e-mail michaelb@cted.wa.gov; mailing address: P.O. Box 48350, Olympia, WA 98504-8350. Draft rules will be mailed to current stakeholders and all other parties upon request. Written comments will be accepted, and oral testimony will be taken at two public hearings.

November 26, 2003
Stephen H. Buxbaum
Assistant Director

WSR 03-24-087

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed December 2, 2003, 2:31 p.m.]

Subject of Possible Rule Making: Rules pertaining to the control and prevention of shellfish pests and diseases.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.60.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Identify areas of oyster drill infestations and listing areas of Denman Island oyster disease infestation as prohibited areas and listing Denman surveillance areas to protect native shellfish stocks and the shellfish grower industry. These actions will help prevent the spread of drills and diseases from these infested areas.

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 Morris Barker, State Marine Resource Manager, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2826.

Contact by February 5, 2004. Expected filing date is February 6, 2004.

December 2, 2003
Evan Jacoby
Rules Coordinator

WSR 03-24-100

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

(Economic Services Administration)

[Filed December 3, 2003, 10:11 a.m.]

Subject of Possible Rule Making: The department plans to amend rules in chapter 388-446 WAC related to fraud and disqualification penalties for department programs and chapter 388-464 WAC regarding requirements to cooperate with the quality assurance review process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.500, 74.04.510, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must adopt rules to be consistent with federal regulations for food stamps and the temporary assistance for needy families (TANF) program. The amendments will update program language and clarify the impact of fraudulent actions or failure to cooperate with the quality assurance process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) publishes federal regulations for the food stamp program in the federal register. Rules published in the federal register are incorporated into the United States Code of Federal Regulations. FNS also issues administrative notices to inform states of new program requirements that are not yet in the United States Code of Federal Regulations.

DSHS incorporates these regulations and exercises state options by adopting administrative rules for food assistance benefits in Washington state. Rules for the TANF program are based upon regulations published by the United States Department of Health and Human Services, the Revised Code of Washington, and the department's TANF state plan.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. After the rules are drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making. A copy of the draft will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amber Gillum, Policy Analyst, Division of Employment and Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570, phone (360) 413-3089, fax (360) 413-3493, e-mail GILLUAE@DSHS.WA.GOV.

December 2, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

and commenting on drafts. DVR will route copies of drafts for informal review and comment to those who indicate an interest. Changes may be made to drafts based on the comments. The formal comment period begins when DVR files proposed rules and a notice of proposed rule making at the Office of the Code Reviser. DVR then sends a copy of the proposed rules for formal review and comment to everyone who participated in the informal comment period, everyone on the DVR mailing list and anyone requesting a copy. You may then send written comments and/or attend a formal hearing to give comments in person. After the hearing, DVR reviews the comments received, makes revisions if appropriate, and files the final rule for adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Hartman, Program Manager, (360) 438-8044, e-mail hartmse@dshs.wa.gov or Phyllis Hansen, Program Administrator, (360) 438-8047 (V/TTY), e-mail hansepa@dshs.wa.gov; Division of Vocational Rehabilitation, P.O. Box 45340, 1-800-637-5627 (V/TTY), fax (360) 407-3948.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-24-101

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Rehabilitation Services Administration)

[Filed December 3, 2003, 10:12 a.m.]

Subject of Possible Rule Making: Background checks for Division of Vocational Rehabilitation (DVR) service providers who have unsupervised access to DVR clients.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20A.310 Vocational rehabilitation, powers and duties of secretary or designee, 43.43.830 Background checks—Access to children or vulnerable persons—Definitions, 74.29.080(3) Rehabilitation and job support services—Procedure—Register of eligible individuals and organizations, 74.29.020(8) Powers and duties of state agency.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DVR needs to adopt new rules to comply with chapter 43.20A RCW regarding background checks for service providers who have unsupervised access to DVR clients.

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

- Washington State Department of Services for the Blind (DSB)
- Office of Superintendent of Public Instruction (OSPI)
- Washington State Patrol (WSP)
- Other administrations within DSHS

Consultation, review and comment will be used for coordinating the rule-making process.

Process for Developing New Rule: Contact one of the staff persons listed below if you are interested in reviewing

WSR 03-24-104

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF AGRICULTURE

[Filed December 3, 2003, 10:20 a.m.]

Subject of Possible Rule Making: On May 7, 2003, the department filed a CR-101 (WSR 03-10-102) to increase fruit and vegetable inspection program regular and overtime hourly inspection rates, adopt federal terminal hourly rates established by USDA/AMS/FPB and establish fees for fresh produce audit verification program for good agricultural practices (GAP) and good handling practices (GHP). In addition to those subjects of possible rule making, the department has decided to repeal chapter 16-400 WAC, Fruit and vegetable inspection fees and chapter 16-458 WAC, Fruit and vegetable inspection district boundaries and replace them with a new clearly written rule, chapter 16-390 WAC, WSDA Fruit and vegetable inspection districts, inspection fees and other charges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 15.17 RCW, specifically RCW 15.17.150, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since the department had already decided to amend chapter 16-400 WAC, the opportunity to rewrite its content in a clear and readable style and combine it with the content in chapter 16-458 WAC seem to be a logical extension of the original rule-making project. It also allows the department to comply with the clarity criteria in Executive Order 97-02 and the mandate in RCW 34.05.-220(5) which reads: "To the extent practicable, any rule proposed or adopted by an agency should be clearly and simply

stated, so that it can be understood by those required to comply."

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture (USDA) also regulates the subject of this rule project and the WSDA fruit and vegetable inspection program manager will coordinate with his federal counterpart on any issues that may arise with respect to this rule-making project.

Process for Developing New Rule: To the extent possible, the department will distribute a packet of information to those on its mailing list who use the hourly inspection rate schedule outlining the issues and the department's proposals and asking for written comment. Comments can be received via first class mail, e-mail, or fax, using the addresses provided below. In addition, information will be distributed to applicable agricultural organizations. Persons are encouraged to provide input to the department regarding the proposals outlined above.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Quigley, Program Manager, WSDA Fruit and Vegetable Inspection Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1833, fax (360) 902-2085, e-mail jquigley@agr.wa.gov; or George Huffman, Rules Coordinator, Department of Agriculture, Administration Regulations Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1802, fax (360) 902-2092, e-mail ghuffman@agr.wa.gov.

December 3, 2003
Robert W. Gore
Assistant Director

WSR 03-24-111

PREPROPOSAL STATEMENT OF INQUIRY FOREST PRACTICES BOARD

[Filed December 3, 2003, 11:36 a.m.]

Subject of Possible Rule Making: Experimental research treatments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The Forest Practices Board's authority to adopt forest practices rules is granted under RCW 76.09.040, [76.09].-050, and [76.09].370. The pilot project process is authorized by RCW 34.05.313.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Two adaptive management research projects to be conducted by the Cooperative Monitoring, Evaluation and Research (CMER) Committee require experimental forest practices riparian treatments that will develop information that will be used to evaluate the forest practices rules and may result in the development of new or modified rules through the adaptive management process: The bull trout overlay study and the hardwood conversion study.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There is consensus within both the CMER committee

and forests and fish policy that conducting these experimental treatments is a necessary part of adaptive management for the forest practices riparian rules. Both of these organizations include representatives of federal and state natural resource agencies including United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration (NOAA) Fisheries, United States Environmental Protection Agency, Washington Departments of Fish and Wildlife, Ecology, and Natural Resources, and tribes and tribal organizations. United States Fish and Wildlife Service and NOAA have provided letters related to the studies' affect on listed aquatic species. Coordination of the projects will occur via regularly scheduled CMER meetings; and the Forest Practices Board will be briefed on the progress and results of the studies.

Process for Developing New Rule: Pilot rule making. This is a pilot that tests the feasibility of different riparian management approaches than current rules to providing proper riparian functions. The pilot could result in new rules developed through the adaptive management process. See RCW 76.09.370(7) and WAC 222-12-045. Some of the forest practices conducted under this pilot could require waiver of certain specified existing forest practice rules (rules listed below) to execute the riparian treatments designated for a particular study site in the study. The Forest Practices Board determines that the waiver of specified rules is in the public interest and necessary to conduct the research projects.

Forest practices applications for study participants will only be approved for management practices consistent with the studies and this pilot CR-101 on the study sites identified by CMER. The forest practices applications will be designated as Class III for processing, and be approved or disapproved within thirty days of submittal of a complete application. The studies have been designed to minimize the potential for damage to public resources while furthering scientific experimentation. The length of the riparian areas that will be treated with the experimental prescriptions will be limited. Study sites will not include riparian areas adjacent to any 303d listed impaired waters, nor any areas that are subject to the Class IV-Special protections of WAC 222-16-050(1). If damage to public resources occurs from the harvest treatments, participating landowners will immediately consult with forest practices program, the adaptive management administrator, and Department of Ecology about possible resource mitigation that supports the research needs while limiting damage. The study sites in the projects will be closely monitored by CMER for several years.

The first project tests shade requirements within known bull trout habitat. The goal of this project is to determine whether the riparian prescriptions for the bull trout overlay area and the standard forest practices rules provide comparable protection for stream temperatures, and whether the prescriptions maintain riparian conditions that will meet water quality standards for temperature and bull trout thermal preferences. Riparian treatments will be harvested in accordance with all forest practices rules except (depending upon the particular study site's prescription), (1) the shade rule for the bull trout overlay, (2) the shade rule for streams outside the bull trout overlay, and (3) the RMZ inner zone widths, which will be forty-five feet regardless of actual stream size, to provide

consistency in prescriptions. WAC 222-30-040(1) states: "Within the bull trout overlay, all available shade will be retained within seventy-five feet from the edge of the bank-full width or the outer edge of the CMZ (whichever is greater) along Type S or F Waters." WAC 222-30-040(2) states: The temperature prediction method mentioned in subsections (2) and (3) of this section shall be used to determine appropriate shade levels along Type S and F Waters to prevent excessive water temperatures, which may have detrimental impact on aquatic resources. WAC 222-30-022 requires that streams greater than fifteen feet have a seventy-foot riparian inner zone. A detailed study plan is available that outlines specific objectives and the experimental design that will be used. The plan incorporated comments provided from an independent scientific peer review conducted by the University of Washington. The project is expected to be conducted on forty forest study sites under individual forest practices applications. The treatments will occur within the next three years and be monitored for several years.

The second project tests hardwood conversion within riparian zones. The purpose of this project is to conduct operational trials in riparian stands dominated by red alder to determine the effectiveness of silvicultural treatments in regenerating conifer trees and maintaining them until they are on trajectory to form the dominant stand component. Riparian treatments will harvest in accordance with all forest practices rules except the hardwood conversion rule, WAC 222-30-021 (1)(b)(i). The hardwood conversion rule sets limitations on management activities designed to convert hardwood-dominated riparian areas into conifer-dominated stands. A detailed study plan is available that outlines the specific objectives and treatments on a site specific basis. The project is expected to be conducted on approximately twenty forest study sites under individual forest practices applications. The treatments will occur within the next three years and be monitored for several years.

Landowners have volunteered to participate in these studies by providing study sites, access to study sites, performing forest management activities according to the study plan, and deferring management within research control areas for several years. Landowner participants in the bull trout study include: Boise, The Campbell Group, Empire Paper Company, Longview Fibre Company, Riley Creek Timber, Stimson Lumber Company, and the Washington Department of Natural Resources (state trust lands). Landowner participants in the hardwood conversion study include: Weyerhaeuser Company, Green Crow, Longview Fibre Company, Rayonier, and Merrill and Ring.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by mailing, faxing, or e-mailing comments to Patricia Anderson, Rules Coordinator, Forest Practices Board, Department of Natural Resources, Forest Practices Division, 1111 Washington Street S.E., 4th Floor, P.O. Box 47012, Olympia, WA 98504-7012, fax (360) 902-1428, e-mail forest.practicesboard@wadnr.gov.

December 2, 2003
Pat McElroy
Chair

WSR 03-23-112
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 18, 2003, 4:06 p.m.]

Original Notice.

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

Title of Rule: Amending WAC 388-310-1500 WorkFirst—Employment conditions, 388-310-2000 Individual development accounts (IDA), 388-410-0001 What is a cash/medical assistance overpayment?, 388-436-0040 Excluded income and resources for CEAP, 388-440-0001 Exceptions to rule, 388-444-0055 What are the penalties for refusing or failing to comply?, 388-450-0005 Income—Ownership and availability, 388-450-0165 Gross earned income limit for TANF/SFA, 388-466-0130 Refugee medical assistance (RMA), 388-478-0005 Cash assistance need and payment standards and grant maximum, and 388-484-0005 There is a five year (sixty-month) time limit for TANF, SFA and GA-S cash assistance.

Purpose: Correcting typographical errors and obsolete cross-references.

Other Identifying Information: The amended rules are being proposed without filing of a CR-101 Preproposal statement of inquiry. A CR-101 notice is not required for rules correcting errors or obsolete references to clarify the rule without changing its effect. See RCW 34.05.310(4).

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057.

Summary: Numerous typographical errors and obsolete cross-references have been identified in WAC and must be corrected.

Reasons Supporting Proposal: Use of correct cross-references in WAC is necessary to accurately determine eligibility and benefit levels. See Proposal Changes the Following Existing Rules below.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patti Clark, 1009 College S.E., Lacey, WA 98504, (360) 413-3084.

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: Rule: See Title of Rule above.

Purpose and Effect: See Purpose, Summary, and Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: The proposal includes the following corrections:

- WAC 388-310-1500 WorkFirst—Employment conditions, subsection (4)(b)(i) incorrect WAC 388-200-1100 to correct WAC 388-426-0005, and subsection (4)(b)(ii) incorrect chapter 388-08 WAC to correct chapter 388-02 WAC.

- WAC 388-310-2000 Individual development accounts (IDA), subsection (8) incorrect WAC 388-470-0065 to correct WAC 388-470-0045.
- WAC 388-410-0001 What is a cash/medical assistance overpayment, subsection (3)(a) incorrect WAC 388-418-0030 to correct WAC 388-418-0020.
- WAC 388-436-0040 Excluded income and resources for CEAP, subsection (1) incorrect WAC 388-470-0030 to correct WAC 388-470-0045, and subsection (12) incorrect WAC 388-470-0020 to correct WAC 388-470-0045.
- WAC 388-440-0001 Exceptions to rule, subsection (3) incorrect chapter 388-08 WAC to correct chapter 388-02 WAC.
- WAC 388-444-0055 What are the penalties for refusing or failing to comply?, subsection (9) incorrect WAC 388-08-413 to correct WAC 388-02-0080.
- WAC 388-450-0005 Income—Ownership and availability, subsection (3)(a) incorrect WAC 388-405-0100 to correct WAC 388-450-0100.
- WAC 388-450-0165 Gross earned income limit for TANF/SFA, subsection (3)(b) incorrect WAC 388-255-1050 through 388-225-1250 to correct chapter 388-473 WAC.
- WAC 388-466-0130 Refugee medical assistance (RMA), subsection (2)(a)(ii) incorrect WAC 388-466-0010 to correct WAC 388-466-0140.
- WAC 388-478-0005 Cash assistance need and payment standards and grant maximum, subsection (3)(c) incorrect WAC 388-478-0025 to correct WAC 388-468-0005.
- WAC 388-484-0005 There is a five year (sixty-month) time limit for TANF, SFA and GA-S cash assistance, subsection (4)(a) incorrect WAC 488-454-0010 to correct WAC 388-454-0010.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses, they only affect DSHS clients.

RCW 34.05.328 does not apply to this rule adoption. These amendments are exempt as allowed under RCW 34.05.328 (5)(b) which states in-part, "[t]his section does not apply to... (iv) [r]ules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect."

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on January 6, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 2, 2004, phone (360) 664-6094, TTY (360) 664-6178, e-mail FernAX@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., January 6, 2004.

Date of Intended Adoption: Not earlier than January 7, 2004.

November 14, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-10-027, filed 4/28/99, effective 5/29/99)

WAC 388-310-1500 WorkFirst—Employment conditions. (1) **If I am a mandatory participant, are there any limitations on the type of paid or unpaid employment I must accept?**

If you are a mandatory participant, you must accept paid or unpaid employment (including any activity in which an employer-employee relationship exists) unless the employment:

- (a) Is not covered by industrial insurance (described in state law under Title 51 RCW) unless you are employed by a tribal government or a tribal private for-profit business;
- (b) Is available because of a labor dispute;
- (c) Has working hours or conditions that interfere with your religious beliefs or practices (and a reasonable accommodation cannot be made);
- (d) Does not meet federal, state or tribal health and safety standards; or
- (e) Has unreasonable work demands or conditions, such as working for an employer who does not pay you on schedule.

(2) **Are there any additional limitations on when I can be required to accept paid employment?**

You must accept paid employment unless the job or the employer:

- (a) Pays less than the federal, state, or tribe minimum wage, whichever is higher;
- (b) Does not provide unemployment compensation coverage (described in state law under Title 50 RCW) unless you:
 - (i) Work for a tribal government or tribal for-profit business; or
 - (ii) Are a treaty fishing rights related worker (and exempt under section 7873 of the Internal Revenue code);
- (c) Requires you to resign or refrain from joining a legitimate labor organization; or
- (d) Does not provide you benefits that are equal to those provided to other workers employed in similar jobs.

(3) **How many hours of unpaid employment can I be required to perform?**

You can be required to work a set number of hours of unpaid employment each month. The number of hours required will not be more than your TANF, SFA or GA-S cash grant divided by the state or federal minimum wage, whichever is higher.

(4) **What safeguards are in place to make sure I am not used to displace currently employed workers?**

The following safeguards are in place to make sure you are not used to displace currently employed workers:

- (a) You cannot be required to accept paid or unpaid employment which:
 - (i) Results in another employee's job loss, reduced wages, reduced hours of employment or overtime or lost employment benefits;
 - (ii) Impairs existing contracts for services or collective bargaining agreements;
 - (iii) Puts you in a job or assignment, or uses you to fill a vacancy, when:
 - (A) Any other person is on lay off from the same (or very similar) job within the same organizational unit; or
 - (B) An employer ends the job of a regular employee (or otherwise reduces its workforce) so you can be hired.
 - (iv) Reduces current employees' opportunities for promotions.
 - (b) If a regular employee believes your subsidized or unpaid work activity (such as a community jobs or work experience position) violates any of the rules described above, this employee (or his or her representative) has the right to:
 - (i) A grievance procedure (described in WAC ((388-200-1100)) 388-426-0005); and
 - (ii) A fair hearing (described in chapter ((388-08)) 388-02 WAC).

(i) Results in another employee's job loss, reduced wages, reduced hours of employment or overtime or lost employment benefits;

(ii) Impairs existing contracts for services or collective bargaining agreements;

(iii) Puts you in a job or assignment, or uses you to fill a vacancy, when:

(A) Any other person is on lay off from the same (or very similar) job within the same organizational unit; or

(B) An employer ends the job of a regular employee (or otherwise reduces its workforce) so you can be hired.

(iv) Reduces current employees' opportunities for promotions.

(b) If a regular employee believes your subsidized or unpaid work activity (such as a community jobs or work experience position) violates any of the rules described above, this employee (or his or her representative) has the right to:

(i) A grievance procedure (described in WAC ((388-200-1100)) 388-426-0005); and

(ii) A fair hearing (described in chapter ((388-08)) 388-02 WAC).

(5) **What other rules apply specifically to subsidized or on-the-job training positions?**

If you are in a subsidized or on-the-job training position:

(a) WorkFirst state agencies must stop paying your wage or on-the-job training subsidy to your employer if your employer's worksite or operation becomes involved in a strike, lockout or bona fide labor dispute.

(b) If your wage subsidy or on-the-job training agreement is ended (and we stop paying any subsidies to your employer) because you were used to displace another employee, it will be up to you and the employer to decide whether you can (or want to) keep working there.

AMENDATORY SECTION (Amending WSR 01-03-042, filed 1/9/01, effective 2/9/01)

WAC 388-310-2000 Individual development accounts (IDA). (1) **What are individual development accounts?**

Individual development accounts (IDAs) are special savings accounts for people eligible for or receiving TANF or SFA. The IDA's will help families save money for qualified purchases that will help them become financially self-sufficient. Your IDA account may only be used for the following qualified purchase: Acquisition cost for a first home, post-secondary education expenses, or business expenses for self-employment. You may only deposit income that you have earned through work into an IDA, the state matches those funds, helping you reach your goal more quickly.

(2) **Who helps you set up an IDA?**

The state office of trade and economic development (OTED) administers the IDA program. OTED contracts with local nonprofit agencies to enroll participants in the IDA program, monitor account activity and provide training and other support services while you are enrolled.

(3) **Who can enroll in the IDA program?**

To enroll in the IDA program, you must receive (or be eligible to receive) TANF or SFA assistance, or post TANF

families with income below one hundred seventy-five percent of the federal poverty level. You may remain enrolled in the program for three years from the date of opening your IDA account.

(4) What happens once you enroll in the IDA program?

Once you've enrolled, your IDA contractor will help you develop an individual savings plan that identifies the steps you must take to earn the match. To earn the match you must:

(a) Attend financial skills classes to learn how to manage your personal finances.

(b) Open your savings account at a financial institution that is participating in the IDA program through an agreement with the IDA contractor.

(c) Deposit savings from earned income into your account on at least a quarterly basis.

(5) How are your IDA matching funds handled?

Your matching funds are held in a separate account until you are ready to make a qualified purchase. The IDA contractor provides you with monthly statements showing the amount of matching funds you have earned.

(6) How much money can you save with an IDA?

The state will give you up to two dollars for every dollar you save, up to a maximum match of four thousand dollars. So, if you save two thousand dollars (the maximum amount allowed), you could earn four thousand dollars in match, for a total of six thousand dollars.

(7) When can you withdraw money from your account?

When you have an IDA, you really have two types of accounts: your own savings account and a trust account holding your match funds.

(a) You can withdraw your own savings at any time - it's your money; but you will forfeit any match that was earned on those funds and could jeopardize your ability to stay in the program. You also need to report any withdrawals to your DSHS case manager if you are receiving any type of public assistance benefits.

(b) You cannot withdraw your match until you are ready to purchase your asset and have met all of the requirements in your individual savings plan. At that time, the IDA contractor will withdraw the matching funds and pay them directly to the person or organization that you are purchasing your asset from (such as the mortgage company, college, or bank).

(8) Will having an IDA affect your eligibility for other public assistance programs?

The funds held in your IDA cannot be taken into consideration when determining if you qualify for TANF, Social Security, Food Stamps, or Medicaid. However, if you withdraw savings from your IDA other than to purchase your asset, or if you leave the IDA program early, your eligibility could be affected. See WAC ((388-470-0065)) 388-470-0045 for more details about how IDAs affect your eligibility for other types of public assistance benefits.

AMENDATORY SECTION (Amending WSR 99-24-131, filed 12/1/99, effective 1/1/00)

WAC 388-410-0001 What is a cash/medical assistance overpayment? (1) An overpayment is any cash or

medical assistance paid that is more than the assistance unit was eligible to receive.

(2) There are two types of cash/medical overpayments:

(a) Intentional overpayments, presumed to exist when the client willfully or knowingly:

(i) Fails to report within twenty days a change in circumstances that affects eligibility; or

(ii) Misstates or fails to reveal a fact affecting eligibility as specified in WAC 388-446-0001.

(b) Unintentional overpayments, which includes all other client-caused and all department-caused overpayments.

(3) If you request a fair hearing and the fair hearing decision is in favor of the department, then:

(a) Some or all of the continued assistance you get before the fair hearing decision must be paid back to the department (see WAC ((388-418-0030))) 388-418-0020; and

(b) The amount of assistance you must pay back will be limited to sixty days of assistance, starting with the day after the department receives your hearing request.

(4) If you receive child support payments directly from the noncustodial parent, you must turn these payments over to the division of child support (DCS). These payments are not cash assistance overpayments.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-436-0040 Excluded income and resources for CEAP. Resources and income listed below will not be considered in determining need or payment for CEAP:

(1) A home as defined under WAC ((388-470-0030)) 388-470-0045;

(2) One vehicle, running and used regularly by the assistance unit, with an equity value not to exceed one thousand five hundred dollars);

(3) Household furnishings being used by the assistance unit;

(4) Personal items being used by members of the assistance unit;

(5) Tools and equipment being used in the applicant's occupation;

(6) The value of the coupon allotment under the Food Stamp Act of 1977, as amended;

(7) Benefits received under the women, infants and children program (WIC) of the child nutrition Act of 1966, as amended, and the special food service program for children under the National School Lunch Act, as amended;

(8) Energy assistance payments;

(9) Grants, loans, or work study to a student under Title IV of the Higher Education Amendments or Bureau of Indian Affairs for attendance costs as identified by the institution;

(10) Income and resources of an SSI recipient;

(11) Livestock when the products are consumed by members of the assistance unit;

(12) All resources and income excluded for the TANF program under WAC ((388-450-0015, 388-470-0020, and 388-470-0025)) 388-470-0045 and by federal law.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-03-034, filed 1/12/00, effective 2/12/00)

WAC 388-440-0001 Exceptions to rule. (1) The secretary of the department, or designee, authorizes department staff to request an exception to a rule in the Washington Administrative Code (WAC) for individual cases, except as noted in subsection (5) of this section, when:

- (a) The exception would not contradict a specific provision of federal law or state statute; and
- (b) The client's situation differs from the majority; and
- (c) It is in the interest of overall economy and the client's welfare; and
- (d) It increases opportunities for the client to function effectively; or
- (e) A client has an impairment or limitation that significantly interferes with the usual procedures required to determine eligibility and payment.

(2) The secretary or the secretary's designee makes the final decision on all requests for exceptions to a rule.

(3) Clients have no fair hearing rights as defined under chapter ((388-08)) 388-02 WAC regarding exception to rule decisions by department staff.

(4) Clients who do not agree with a decision on an exception to rule may file a complaint according to chapter 388-426 WAC.

(5) This section does not apply to requests for noncovered medical or dental services or related equipment. See WAC 388-501-0160.

AMENDATORY SECTION (Amending WSR 00-04-006, filed 1/20/00, effective 3/1/00)

WAC 388-444-0055 What are the penalties for refusing or failing to comply? (1) If you are nonexempt you must follow the food assistance work requirements as defined in WAC 388-444-0005 or 388-444-0030 unless you have good cause as defined in WAC 388-444-0050. If you do not follow these rules, you will become an ineligible assistance unit member as provided in WAC 388-450-0140. The remaining members of the assistance unit continue to be eligible for food assistance.

(2) If you do not follow these rules unless you have good cause, you cannot receive food assistance for the following periods of time and until you comply with program requirements:

- (a) For the first failure to comply, one month;
- (b) For the second failure to comply, three months; and
- (c) For the third or subsequent failure to comply, six months.

(3) If you become exempt under WAC 388-444-0015 and are otherwise eligible, you may begin to receive food assistance.

(4) If you are nonexempt and you do not comply with the work requirements of the following programs, you cannot receive food assistance:

- (a) WorkFirst;
- (b) Unemployment compensation;
- (c) The refugee cash assistance program.

(5) Within ten days after learning of your refusal to participate in your program, the financial worker will send you a

notice that your food assistance will end unless you comply with your program requirements.

(6) If you do not comply within ten days, you will be issued a notice disqualifying you from receiving food assistance until you comply with your program, or until you meet the FS E&T disqualification requirements in subsection (2) of this section.

(7) After the penalty period in subsection (2) of this section is over, and you have complied with your program requirements, and you are otherwise eligible, you may receive food assistance:

- (a) If you are alone in the assistance unit and apply to reestablish eligibility; or
- (b) If you are a member of an assistance unit, you may resume receiving food assistance.

(8) During the penalty period, if you begin to participate in one of the programs listed in subsection (4)(a) through (c) and that penalty is removed, the FS E&T disqualification also ends. If you are otherwise eligible, you may begin to receive food assistance.

(9) You have a right to a fair hearing as provided in ((WAC 388-08-413)) chapter 388-02 WAC.

AMENDATORY SECTION (Amending WSR 02-17-030, filed 8/12/02, effective 9/12/02)

WAC 388-450-0005 Income—Ownership and availability. This section applies to cash assistance, medical programs for children, pregnant women and families, and food assistance.

(1) The department counts all available income owned or possessed by a client to figure the client's eligibility and benefit level when:

- (a) You get or expect to get the income in the month.
- (b) It is income we must count under chapter 388-450 WAC.

(c) You own the income. We use applicable state and federal laws pertaining to property ownership to determine if you actually own the income. For married persons, ownership of separate and community income is determined according to chapter 26.16 RCW.

(d) You have control over the income, which means the income is actually available to you.

(e) You can use the income to meet your current needs. We count the gross amount of available income in the month it is received:

- (i) If the income is usually available on a specific day, we consider it to be available on that date.
- (ii) If you usually get the income monthly or semi-monthly and your pay date changes due to a reason beyond your control, such as a weekend or holiday, we count it in the month you actually get it.
- (iii) If you usually get the income weekly or bi-weekly and your pay date changes due to a reason beyond your control, we count it in the month you get it.

(2) We consider the income that is legally yours as available income, even if it is paid to someone else for you. For example, the father of your child has a court order to pay you two hundred fifty dollars per month in child support. Instead of giving the money directly to you (as required in the court

order), he gives the money to your landlord to pay part of your rent. We still count the two hundred fifty dollars as income even though you never actually got the money.

(3) We may also count the income of certain people who live in your home, even if they are not getting assistance. Their income counts as part of your income.

(a) For cash assistance, we count the income of ineligible, disqualified, or financially responsible people as defined in WAC ((388-405-0100)) 388-450-0100.

(b) For food assistance, we count the income of ineligible assistance unit members as defined in WAC 388-408-0035.

(c) For family and SSI-related medical assistance, we count the income of financially responsible people as defined in WAC 388-408-0055 and chapter 388-475 WAC.

(d) For long-term care services, we count the income of financially responsible people as defined in WAC 388-506-0620.

(4) If you have a joint bank account with someone who is not in your AU, we consider any money deposited into that account as your income unless:

(i) You can show that all or part of the funds belong exclusively to the other account holder and are held or used solely for the benefit of that holder; or

(ii) Social Security Administration (SSA) used that money to determine the other account holder's eligibility for SSI benefits.

(5) Potential income is income you may have access to that can be used to reduce the need for assistance. If we determine that a potential income source exists, you must make a reasonable effort to make the income available in order to get cash or medical assistance.

(a) We do not count that income until you actually get it; and

(b) You can choose whether to receive TANF/SFA or Supplemental Security Income (SSI) benefits.

(6) The income of an alien's sponsor is considered available to the alien under the rules of this chapter when determining the alien's eligibility and benefit level.

(7) For SSI-related medical:

(a) Income is considered available and owned when it is:

(i) Received; and

(ii) Can be used to meet the clients needs for food, clothing and shelter, except as provided in WAC 388-511-1130.

(b) Loans and certain other receipts are not defined as income for SSI-related medical purposes as described in 20 C.F.R. Sec. 416.1103.

(8) For medical programs, see WAC 388-561-0100 for more information about trusts.

(9) You may give us proof about an income source anytime, including when we ask for it or if you disagree with a decision we made, about:

(a) Who owns the income;

(b) Who has legal control of the income;

(c) The amount of the income; or

(d) The availability of the income.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-450-0165 Gross earned income limit for TANF/SFA. When applying the gross earned income limit as required under WAC 388-478-0035:

(1) "Family" means:

(a) All adults and children who would otherwise be included in the assistance unit under WAC 388-408-0015, but who do not meet TANF/SFA eligibility requirements;

(b) The unborn child of a woman in her third trimester of pregnancy; and

(c) The husband of a woman in her third trimester of pregnancy, when residing together.

(2) "Gross earned income" does not include excluded income, as provided in WAC 388-450-0015.

(3) The following amounts are disregarded when determining a family's gross earned income:

(a) Court or administratively ordered current or back support paid to meet the needs of legal dependents, up to:

(i) The amount actually paid; or

(ii) A one-person need standard for each legal dependent.

(b) Authorized ongoing additional requirement payment as defined in chapter 388-473 WAC ((388-255-1050 through 388-255-1250)).

AMENDATORY SECTION (Amending WSR 00-21-065, filed 10/16/00, effective 11/1/00)

WAC 388-466-0130 Refugee medical assistance (RMA). (1) **Who can apply for refugee medical assistance?**

Any individual can apply for refugee medical assistance (RMA) and have eligibility determined by the department of social and health services (DSHS).

(2) **Who is eligible for refugee medical assistance?**

(a) You are eligible for RMA if you meet all of the following conditions:

(i) Immigration status requirements of WAC 388-466-0005;

(ii) Income and resource requirements of WAC ((388-466-0010)) 388-466-0140;

(iii) Monthly income standards up to two hundred percent of the federal poverty level (FPL). Spenddown is available for applicants whose income exceeds two hundred percent of FPL (see WAC 388-519-0110); and

(iv) Provide the name of the voluntary agency (VOLAG) which helped bring you to this country, so that DSHS can promptly notify the agency (or sponsor) about your application for RMA.

(b) You are eligible for RMA if you meet one of the following conditions:

(i) Receive refugee cash assistance (RCA) and are not eligible for Medicaid or children's health insurance program (CHIP); or

(ii) Choose not to apply for or receive RCA and are not eligible for Medicaid or CHIP, but still meet RMA eligibility requirements.

(3) **Who is not eligible for refugee medical assistance?**

You are not eligible to receive RMA if you are:

PROPOSED

- (a) Already eligible for Medicaid or CHIP;
- (b) A full-time student in an institution of higher education unless the educational activity is part of a department-approved individual responsibility plan (IRP);
- (c) A nonrefugee spouse of a refugee.
- (4) If I have already received a cash assistance grant from voluntary agency (VOLAG), will it affect my eligibility for RMA?**

No. A cash assistance payment provided to you by your VOLAG is not counted in determining eligibility for RMA.

- (5) If I get a job after I have applied but before I have been approved for RMA, will my new income be counted in determining my eligibility?**

No. Your RMA eligibility is determined on the basis of your income and resources on the date of the application.

- (6) Will my sponsor's income and resources be considered in determining my eligibility for RMA?**

Your sponsor's income and resources are not considered in determining your eligibility for RMA unless your sponsor is a member of your assistance unit.

- (7) How do I find out if I am eligible for RMA?**

DSHS will send you a letter in both English and your primary language informing you about your eligibility. DSHS will also let you know in writing every time there are any changes or actions taken on your case.

- (8) Will RMA cover my medical expenses that occurred after I arrived in the U.S. but before I applied for RMA?**

You may be eligible for RMA coverage of your medical expenses for three months prior to the first day of the month of your application. Eligibility determination will be made according to Medicaid rules.

- (9) If I am an asylee, what date will be used as an entry date?**

If you are an asylee, your entry date will be the date that your asylum status is granted. For example, if you entered the United States on December 1, 1999 as a tourist, then applied for asylum on April 1, 2000, interviewed with the asylum office on July 1, 2000 and granted asylum on September 1, 2000, your date of entry is September 1, 2000. On September 1, 2000 you may be eligible for refugee medical assistance.

- (10) When does my RMA end?**

Your refugee medical assistance will end on the last day of the eighth month from the month of your entry into the United States. Start counting the eight months from the first day of the month of your entry into the U.S. For example, if you entered the U.S. on May 28, 2000, your last month is December 2000.

- (11) What happens if my earned income goes above the income standards?**

(a) If you are getting RMA, your medical eligibility will not be ((effected)) affected by the amount of your earnings;

(b) If you were getting Medicaid and it was terminated because of your earnings, we will transfer you to RMA for the rest of your RMA eligibility period. You will not need to apply.

- (12) Will my spouse also be eligible for RMA, if he/she arrives into the U.S. after me?**

When your spouse arrives in the U.S., we will determine his/her eligibility for Medicaid and other medical programs.

Your spouse may be eligible for RMA; if so, he/she would have a maximum of eight months of RMA starting on the first day of the month of his/her arrival.

- (13) What do I do if I disagree with a decision or action that has been taken by DSHS on my case?**

If you disagree with the decision or action taken on your case by department you have the right to request a review of your case or request a fair hearing (see WAC 388-02-0090). Your request must be made within ninety days of the decision or action).

- (14) What happens to my medical coverage after my eligibility period is over?**

We will determine your eligibility for other medical programs. You may have to complete an application for another program.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-478-0005 Cash assistance need and payment standards and grant maximum. (1) Need standards for cash assistance programs represent the amount of income required by individuals and families to maintain a minimum and adequate standard of living. Need standards are based on assistance unit size and include basic requirements for food, clothing, shelter, energy costs, transportation, household maintenance and operations, personal maintenance, and necessary incidentals.

(2) Payment standards for assistance units in medical institutions and other facilities are based on the need for clothing, personal maintenance, and necessary incidentals (see WAC 388-478-0040 and 388-478-0045).

(3) Need and payment standards for persons and families who do not reside in medical institutions and other facilities are based on their obligation to pay for shelter.

(a) Eligibility and benefit levels for persons and families who meet the requirements in WAC 388-478-0010 are determined using standards for assistance units with an obligation to pay shelter costs.

(b) Eligibility and benefit levels for all other persons and families are determined using standards for assistance units who have shelter provided at no cost.

(c) For recent arrivals to Washington state who apply for temporary assistance for needy families (TANF), see WAC ((388-478-0025)) 388-468-0005.

(4) The monthly grant for an assistance unit containing eight or more persons cannot exceed the grant maximum of one thousand seventy-five dollars.

AMENDATORY SECTION (Amending WSR 03-06-046, filed 2/28/03, effective 3/31/03)

WAC 388-484-0005 There is a five year (sixty-month) time limit for TANF, SFA and GA-S cash assistance. (1) **What is the sixty-month time limit?**

(a) You can receive cash assistance for temporary assistance for needy families (TANF), state family assistance (SFA), and general assistance for pregnant women (GA-S)

for a lifetime limit of sixty months. The time limit applies to cash assistance provided by any combination of these programs, and whether or not it was received in consecutive months.

(b) If you receive cash assistance for part of the month, it counts as a whole month against the time limit.

(c) If you have received cash assistance from another state on or after August 1, 1997, and it was paid for with federal TANF funds, those months will count against your time limit.

(d) The time limit does not apply to diversion cash assistance, support services, food assistance or Medicaid.

(2) When did the sixty-month time limit go into effect?

The sixty-month time limit applies to cash assistance received on or after August 1, 1997 for TANF and SFA. Although the GA-S program no longer exists, the time limit applies to GA-S cash assistance received from May 1, 1999 through July 31, 1999.

(3) Does the time limit apply to me?

The sixty-month time limit applies to you for any month in which you are a parent or other relative as defined in WAC 388-454-0010, or a minor parent emancipated through court order or marriage.

(4) Do any exceptions to the time limits apply to me?

The department does not count months of assistance towards the sixty-month time limit if you are:

(a) An adult caretaker, as described in WAC 388-454-0005 through ~~((488-454-0010))~~ 388-454-0010, who is not a member of the assistance unit and you are receiving cash assistance on behalf of a child;

(b) An unemancipated pregnant or parenting minor living in a department approved living arrangement as defined by WAC 388-486-0005; or

(c) An American Indian or Native Alaskan adult and you are living in Indian country, as defined under 18 U.S.C. 1151, or an Alaskan Native village and you are receiving TANF, SFA, or GA-S cash assistance during a period when at least fifty percent of the adults living in Indian country or in the village were not employed. See WAC 388-484-0010.

(5) What happens if a member of my assistance unit has received sixty months of TANF, SFA, and GA-S cash benefits?

Once any adult or emancipated minor in the assistance unit has received sixty months of cash assistance, the entire assistance unit becomes ineligible for TANF or SFA cash assistance, unless you are eligible for an extended period of cash assistance called a TANF/SFA time limit extension under WAC 388-484-0006.

(6) What can I do if I disagree with how the department has counted my months of cash assistance?

(a) If you disagree with how we counted your months of cash assistance, you may ask for a hearing within ninety days of the date we sent you a letter telling you how many months we are counting.

(b) You will get continued benefits (the amount you were getting before the change) if:

(i) You have used all sixty months of benefits according to our records;

(ii) Your cash assistance payment has been changed to a Child SafetyNet Payment, as described in WAC 388-310-1650; and

(iii) You ask for a hearing within the ten-day notice period, as described in chapter 388-458 WAC.

(c) If you get continued benefits and the administrative law judge (ALJ) agrees with our decision, you may have to pay back the continued benefits after the hearing, as described in chapter 388-410 WAC.

(7) Does the department ever change the number of months that count against my time limit?

We change the number of months we count in the following situations:

(a) You repay an overpayment for a month where you received benefits but were not eligible for any of the benefits you received. We subtract one month for each month that you completely repay. If you were eligible for some of the benefits you received, we still count that month against your time limit.

(b) We did not close your grant on time when the division of child support (DCS) collected money for you that was over your grant amount two months in a row, as described in WAC 388-422-0030.

(c) An ALJ decides at a fair hearing that we should change the number of months we count.

(d) You start getting worker's compensation payments from the department of labor and industries (L&I) and your L&I benefits have been reduced by the payments we made to you.

(e) You participated in the excess real property (ERP) program in order to get assistance and we collected the funds when your property sold.

(f) Another state gave us incorrect information about the number of months you got cash assistance from them.

WSR 03-24-048

PROPOSED RULES

GAMBLING COMMISSION

[Filed November 26, 2003, 2:18 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-15-086 [03-15-086].

Title of Rule: Relief from adjusted cash flow requirements for bingo operators: WAC 230-20-059 Minimum cash flow requirements for bingo games—Contributions to stated purpose—Sanctions.

Purpose: To provide relief for bingo operators that fail to meet adjusted cash flow requirements.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: The relief would be provided by changing the adjusted cash flow measurement period from once a quarter, to once a year and provide a 25% reduction to the required adjusted cash flow once every four years. The licensee would be required to be in compliance for four years, prior to qualifying for relief again.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 486-3466; Implementation: Rick

Day, Lacey, (360) 486-3446; and Enforcement: Bob Berg, Lacey, (360) 486-3452.

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: Also see Purpose and Summary above.

Proposal Changes the Following Existing Rules: See Purpose and Summary 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.

RCW 34.05.328 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: Red Lion Hotel - SeaTac, 1228 International Boulevard, Seattle, WA 98188, (206) 246-5535, on January 9, 2004, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by January 1, 2004, TDD (360) 486-3637 or (360) 486-3447.

Submit Written Comments to: Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, fax (360) 486-3625, by January 1, 2004.

Date of Intended Adoption: January 9, 2004.

November 24, 2003

Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 419, filed 5/15/03, effective 6/30/03)

WAC 230-20-059 Minimum cash flow requirements for bingo games—Contributions to stated purpose—Sanctions. Bingo shall be conducted only as a social pastime or for fund-raising to support the stated purpose(s) of a charitable or nonprofit organization. Organizations licensed to conduct bingo games shall comply with the following procedures and limitations:

Contributions.

(1) To ensure that organizations licensed to conduct bingo games meet the intent of RCW 9.46.010 and provide funds adequate to promote charitable and nonprofit programs, such organizations shall not allow their bingo operation to award prizes or pay expenses to conduct bingo games that are excessive and all capital expenditures for the bingo operation that exceed six thousand dollars shall be specifically approved by the governing board.

An organization licensed to conduct bingo games shall ensure that the adjusted cash flow from the bingo operation available for its charitable and nonprofit programs is at least the following amount during each calendar (~~quarter~~) year:

(a) For gross receipts above (~~(\$375,000)~~) \$1,500,000 up to (~~(\$625,000)~~) \$2,500,000 - 3% of gross receipts over (~~(\$375,000)~~) \$1,500,000;

(b) For gross receipts above (~~(\$625,000)~~) \$2,500,000 up to (~~(\$875,000)~~) \$3,500,000 - (~~(\$7,500)~~) \$30,000 plus 4% of gross receipts over (~~(\$625,000)~~) \$2,500,000;

(c) For gross receipts above (~~(\$875,000)~~) \$3,500,000 up to (~~(\$1,125,000)~~) \$4,500,000 - (~~(\$17,500)~~) \$70,000 plus 5% of gross receipts over (~~(\$875,000)~~) \$3,500,000; and

(d) For gross receipts above (~~(\$1,125,000—\$30,000)~~) \$4,500,000 - \$120,000 plus 6% of gross receipts over (~~(\$1,125,000)~~) \$4,500,000.

~~((Failure to meet the requirements of this subsection for any single calendar quarter shall not result in sanctions against the licensee.))~~ (e) If the licensee does not operate for a full year, the requirements shall be prorated based on full quarters operated.

Definitions.

(2) The following definitions shall apply to this section:

(a) "Gross receipts" shall mean the combined gross gambling receipts from bingo, pull-tab and punch board activities.

(b) "Adjusted cash flow from the bingo operation" shall mean the combined gross income of the bingo operation less all prizes and expenses, whether paid or accrued. For the purposes of computing expenses, depreciation or amortization, shall not be considered an expense of the bingo operation.

(c) "Bingo operation" shall mean bingo games and all associated activities conducted in conjunction with bingo games at the same location including punch boards, pull-tabs, snack bar, retail sales activities, rental of the bingo premises and drawings authorized under WAC 230-20-242.

Sanctions for failing to maintain a positive adjusted cash flow.

~~(3) ((If a bingo licensee does not maintain a positive adjusted cash flow from the bingo operation during any two consecutive calendar quarters measured independently, it shall be deemed to be operating primarily for gambling purposes. In this event, the director shall summarily suspend the organization's bingo license.))~~ To ensure a licensee maintains a positive cash flow and is not operating primarily for gambling purposes, adjusted cash flow shall be measured quarterly. If a licensee does not maintain a positive cash flow from the bingo operation during any two consecutive calendar quarters, measured independently, the director shall summarily suspend the organization's bingo license.

Sanctions for failing to meet adjusted cash flow requirements - relief.

(4)(a) ~~((If a bingo licensee fails to meet the adjusted cash flow requirements of subsection (1) of this section when averaged over a period of any two consecutive calendar quarters, the licensee shall:~~

~~(i) Develop a plan to gain compliance;~~

~~(ii) Take immediate steps to reduce expenses and prizes paid and to increase income from all activities conducted in conjunction with the bingo game; and~~

~~(iii) Report the plan and action taken to commission staff no later than sixty days after the end of the period. Such report shall be in writing and signed by the president or chief operating officer.~~

~~(b) If a bingo licensee fails to meet the adjusted cash flow requirements of subsection (1) of this section when averaged over a period of any four consecutive calendar quar-~~

ters, administrative action shall be taken to revoke the organization's bingo license.) If a bingo licensee fails to meet the adjusted cash flow requirements of subsection (1) of this section for any calendar year, administrative action shall be taken to revoke the organization's bingo license: Provided, That if a licensee fails to meet the minimum adjusted cash flow requirements for any calendar year and has maintained a positive cash flow as required by subsection (3) of this section. The director shall automatically grant relief allowing a twenty-five percent reduction to the annual dollar amount of required adjusted cash flow in subsection (1) of this section, for the year in which the licensee is out of compliance;

(b) No organization granted relief under (a) of this subsection, shall be eligible to receive relief for any of the four calendar years following the calendar year for which the relief was granted; and

(c) Relief may be granted under (a) of this subsection for the calendar year beginning January 1, 2003.

WSR 03-24-055
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed December 1, 2003, 10:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-20-021.

Title of Rule: WAC 388-436-0015 Consolidated emergency assistance program (CEAP).

Purpose: Correcting a typographical error by changing the reference listed in subsection (2) - WAC 388-468-0010 to WAC 388-468-0005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057.

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057.

Summary: Correcting typographical error in WAC 388-436-0015(2).

Reasons Supporting Proposal: Use of correct reference in WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patti Clark, 1009 College S.E., Lacey, WA 98504, (360) 413-3084.

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: Rule: WAC 388-436-0015 Consolidated emergency assistance program (CEAP).

Purpose and Effect: See Purpose, Summary, and Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: See Purpose, Summary, and Reasons Supporting Proposal above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does

not have an economic impact on small businesses, it only affects DSHS clients.

RCW 34.05.328 does not apply to this rule adoption. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to....rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on January 6, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 2, 2004, phone (360) 664-6094, TTY (360) 664-6178, e-mail FernAX@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., January 6, 2004.

Date of Intended Adoption: Not earlier than January 7, 2004.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-436-0015 Consolidated emergency assistance program (CEAP). (1) CEAP is available to the following persons:

- (a) A pregnant woman in any stage of pregnancy; or
- (b) Families with dependent children.

(2) Applicants must be residents of Washington state as defined in WAC ((388-468-0010)) 388-468-0005.

(3) Applicants must demonstrate a financial need for emergency funds for one or more of the following basic requirements:

- (a) Food;
- (b) Shelter;
- (c) Clothing;
- (d) Minor medical care;
- (e) Utilities;
- (f) Household maintenance supplies;
- (g) Necessary clothing or transportation costs to accept or retain a job; or

(h) Transportation for a minor, not in foster care, to a home where care will be provided by family members or approved caretakers.

(4) Payment under this program is limited to not more than thirty consecutive days within a period of twelve consecutive months.

WSR 03-24-056
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed December 1, 2003, 10:44 a.m.]

Original Notice.

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

Title of Rule: Amending WAC 388-454-0010 Do I have to be related to a child in order to get TANF or SFA for the child?

Purpose: Correcting the reference listed in subsection (2)(a) - RCW 26.26.040 to chapter 26.26 RCW.

Other Identifying Information: Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect are exempt from the requirement to file a CR-101 Preproposal statement of inquiry, RCW 34.05.310(4).

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057.

Summary: Correcting a cross-reference in WAC 388-454-0010 (2)(b).

Reasons Supporting Proposal: Use of correct-reference in WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patti Clark, 1009 College S.E., Lacey, WA 98504, (360) 413-3084.

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: Rule: See Purpose, Summary, and Reasons Supporting Proposal above.

Purpose and Effect: Correction for clarification.

Proposal Changes the Following Existing Rules: Corrects an obsolete cross-reference.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not have an economic impact on small businesses, it only affects DSHS clients.

RCW 34.05.328 does not apply to this rule adoption. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(iv), rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on January 6, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 2, 2004, phone (360) 664-6094, TTY (360) 664-6178, e-mail FernAX@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-

6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., January 6, 2004.

Date of Intended Adoption: Not earlier than January 7, 2004.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-121, filed 1/22/01, effective 3/1/01)

WAC 388-454-0010 Do I have to be related to a child in order to get TANF or SFA for the child? To get TANF or SFA, a child must live with a parent, other relative, court-ordered guardian, court-ordered custodian, or other adult acting *in loco parentis*.

(1) We consider the following people as parents for TANF and SFA:

- (a) The child's natural or adoptive parent; or
- (b) A stepparent who is legally obligated to support the child.

(2) We consider a man as a child's natural father if the relationship is:

(a) Made under a judgment or order under RCW 26.26.130 that set the relationship between the parent and child; or

(b) Presumed under the Uniform Parentage Act (chapter 26.26 RCW ((26.26.040))).

(3) When a child lives with a relative, the relative must be one of the following relationships to the child in order for that child to be eligible for TANF or SFA:

(a) The following blood relatives (including relatives of half blood) or their spouses: Siblings, first cousins (including first cousins once removed), nephews and nieces, and persons of earlier generations (including aunts, uncles and grandparents) as shown by the prefixes of great, great-great, or great-great-great;

(b) A natural parent whose parental rights were terminated by a court order;

(c) A stepparent who no longer has to support the child because:

- (i) The child's natural or adoptive parent died; or
- (ii) Divorce or dissolution ended the marriage between the stepparent and the child's natural or adoptive parent.

(d) A step sibling even if the marriage between the step sibling's parent and the child's natural or adoptive parent ended by death, divorce or dissolution.

WSR 03-24-060
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed December 1, 2003, 12:23 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-116.

PROPOSED

Title of Rule: The proposed rule revisions would establish the maximum statutory regulatory fee for each industry, the commission's process for reducing the maximum statutory regulatory fee, a twenty dollar minimum regulatory fee, and a waiver of the minimum regulatory fee for any company whose annual gross revenues are below the threshold that would generate the twenty dollar minimum regulatory fee.

Purpose: See Explanation of Rule below.

Other Identifying Information: Docket No. A-031232.

Statutory Authority for Adoption: RCW 80.01.040, 80.04.160, 81.04.160, and chapter 296, Laws of 2003.

Statute Being Implemented: Chapter 296, Laws of 2003.

Summary: See Explanation of Rule below.

Name of Agency Personnel Responsible for Drafting: Barbara Weigel, 1300 Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1157; **Implementation and Enforcement:** Carole J. Washburn, Secretary, 1300 Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal would implement recent amendments to chapters 80.24, 81.24, and 81.77 RCW pursuant to chapter 296, Laws of 2003, that give the commission authority to set minimum regulatory fees that do not exceed the cost of collecting the fees, and to waive collection of the minimum fee. Existing minimum fees of \$1.00 to \$5.00 are outdated and insufficient to cover the cost of collecting and tracking the annual regulatory fees. The proposal would establish the maximum statutory regulatory fee for each industry, the commission's process for reducing the maximum statutory regulatory fee, a twenty dollar minimum regulatory fee, and a waiver of the minimum regulatory fee for any company whose annual gross revenues are below the threshold that would generate the twenty dollar minimum regulatory fee. The proposal would amend the following rules:

- WAC 480-30-110 Fees and gross operating revenue (auto transportation companies).
- WAC 480-51-100 Annual reports—Regulatory fees (commercial ferries).
- WAC 480-62-300 Regulatory fees (railroad companies).
- WAC 480-70-076 Regulatory fees (solid waste collection companies).
- WAC 480-90-208 Financial reporting requirements (gas utilities).
- WAC 480-100-208 Financial reporting requirements (electric utilities).
- WAC 480-110-275 Accounting and reporting requirements, and regulatory fees (water utilities).
- WAC 480-120-303 Reporting requirements for competitively classified companies (telecommunication companies).
- WAC 480-120-304 Reporting requirements for companies not classified as competitive (telecommunication companies).

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule revisions will not increase revenue to the agency, nor will they increase the regulatory fee that any company is required to pay. Because there will be no increase in cost resulting from the proposed rules, a small business economic impact statement is not required.

RCW 34.05.328 does not apply to this rule adoption. The commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).

Hearing Location: Commission Hearing Room 206, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on January 14, 2004, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Mary DeYoung by January 12, 2004, TDD (360) 586-8203 or (360) 664-1133.

Submit Written Comments to: Carole J. Washburn, Secretary, P.O. Box 47250, Olympia, WA 98504 or e-mail to records@wutc.wa.gov, fax (360) 586-1150, by December 24, 2003. Please include Docket No. A-031232 in your communication.

Date of Intended Adoption: January 14, 2004.

December 1, 2003

Carole J. Washburn

Executive Secretary

AMENDATORY SECTION (Amending Order R-329, Docket No. T-900076, filed 10/31/90, effective 12/1/90)

WAC 480-30-110 Regulatory fees ((and gross operating revenue)). ~~(((1) Auto transportation companies shall, between the first and fifteenth days of January, April, July and October of each year file with the commission a statement showing the amount of gross operating revenue of such company for the preceding three months, or portion thereof. Such statement must be accompanied by a fee of 2/5 of 1% of the gross operating revenue derived from intrastate operations, as provided in RCW 81.24.020; in no case shall the fee so paid be less than two dollars and fifty cents. Failure to make such payments shall be sufficient cause for the commission, in its discretion, to revoke a certificate. exception: A private, nonprofit transportation provider certified under WAC 480-30-035 shall pay to the commission the sum of \$10.00 annually for each vehicle operated in lieu of the above regulatory fee based on gross revenue. Such fee to be paid with the filing of the annual report of the corporation.~~

~~(2) The "gross operating revenue" of an auto transportation company is that revenue which such company receives or becomes lawfully entitled to recover for the transportation of persons, express, baggage and United States mail, upon any public highway of this state by means of motor propelled vehicles, and all other operating revenue, except such revenue as properly comes within the meaning of the term "independent operations" as hereinafter defined; also that revenue which such company receives from other property owned by it, the value of which is or should properly be included in its fixed capital accounts.~~

For the purpose of reporting to the commission on quarterly reports the "gross operating revenue" of an auto transportation company shall be subdivided as follows:

R-1 Passenger revenue.

R-2 Express and baggage revenue.

R-3 United States mail and other operating revenue.

R-1, Passenger revenue:— Shall include all revenue derived from the transportation of persons, except such revenue as is derived from operations coming within the meaning of "independent operations," as hereinafter defined.

(Note: This item must include all revenue received for the transportation of persons outside the corporate limits of a city or town where the service rendered is over the route, or any part thereof, or in the territory covered by the certificate of the reporting company. It must also include all revenue derived from the transportation of persons where the service is performed with any of the vehicles or facilities owned or operated by the reporting company, the value of which is included in its fixed capital accounts dedicated to furnishing the service authorized by its certificate, including revenue from what is commonly termed "taxicab" and "special for hire" service, etc., unless the service rendered is not over the route, or any portion thereof, or in the territory covered by the certificate of the reporting company, and the vehicles utilized are used exclusively in such "taxicab" or "special for hire" service, etc., in which case the value of said vehicles or facilities so used and the entire revenue and expense incident to their use shall be kept separate and reported under "independent operations.")

R-2, Express and baggage revenue:— Shall include all revenue from the transportation of:

Express.

Baggage in excess of free authorized allowances.

Parcel room receipts where parcel rooms are operated by the reporting company.

R-3, United States mail and other operating revenue:— Shall include all revenue derived from the transportation of United States mail and bonuses from special mail transportation, less fines and penalties imposed by the United States government when not collected from agents or employees. Other operating revenue from property owned and used in connection with the reporting company's business and not provided for in the foregoing revenue accounts, the principal items of which are:

A— Rentals received for use of cars.

B— Revenue derived from the performance of shop work for others.

C— Amounts received from news companies or others for the privilege of operating news and soft drink stands, lunch counters, etc., at stations when such stations are owned by the reporting company.

D— Rentals received from other transportation companies for the right to use stations owned by the reporting company, used in its auto transportation operations and included in the fixed capital accounts thereof.

E— Revenue received from advertising in stations and cars.

The intrastate portion of above items R-1, R-2 and R-3 will constitute "total gross operating revenue" upon which

the fee will be computed and remitted, as provided in RCW 81.24.020, and rule 62.

(3) Nonoperating revenue:— Is that revenue received as a return on property owned by the reporting company, the value of which is not included in the fixed capital accounts of its "auto transportation" or "independent" operations. Principal items:

A— Revenue received from other auto transportation companies, ownership of which is shared by the reporting company.

B— Dividends on stock of other companies.

C— Interest on loans.

D— Rents from property the value of which is not included in the fixed capital accounts of the reporting company's certified or independent operations.

Independent operations:— Revenue from "independent operation" is that revenue which the reporting company receives or becomes lawfully entitled to recover for the transportation of persons and/or express by means of motor propelled vehicles where the service rendered is not over the route, or any portion thereof, or in the territory covered by such company's certificate and where the value of the vehicles and facilities so used is not included, nor properly includable, in the fixed capital accounts of such auto transportation company dedicated to furnishing the service authorized by its certificate and where both the revenue and expense incident to such "independent operations" are kept separate and apart from the accounts of the company's certified operations.) A regulatory fee is an annual assessment paid by each company to cover the costs of regulation.

Auto transportation company regulatory fees. The maximum auto transportation company regulatory fee is set by statute at two-fifths of one percent of gross intrastate operating revenue.

(1) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(2) The minimum regulatory fee that an auto transportation company must pay is twenty dollars.

(3) The twenty dollar minimum regulatory fee is waived for any auto transportation company with less than five thousand dollars in gross intrastate operating revenue.

(4) Each auto transportation company must pay its regulatory fee by May 1 of each year.

(5) The commission does not grant extensions for payment of regulatory fees.

(6) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

(7) The commission may take action to suspend or cancel a certificate, if a company fails to pay its regulatory fee.

AMENDATORY SECTION (Amending Order R-435, Docket No. TS-941485, filed 10/18/95, effective 11/18/95)

WAC 480-51-100 Annual reports—Regulatory fees.

(1) Each person operating a commercial ferry shall after the close of each year file with the commission reports covering its operations during the preceding calendar year containing

the information required by the commission. The annual report must be prepared on forms furnished by the commission and must be filed, along with the regulatory fee, not later than May 1st of ~~((the succeeding))~~ each year.

~~(2) ((Persons operating commercial ferries shall on or before the first day of May of each year file with the commission a statement showing the gross operating revenue of the company for the preceding calendar year. The statement shall be accompanied by the regulatory fee as provided in RCW 81.24.030 based upon such gross operating revenue and in an amount to be fixed each year by order of the commission.))~~ The commercial ferry regulatory fee is set by statute at two-fifths of one percent of gross intrastate operating revenue.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a commercial ferry must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any commercial ferry with less than five thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

(f) The commission may take action to suspend or cancel a certificate, if a company fails to pay its regulatory fee.

~~(3) When a certificate is transferred or cancelled or for any reason a certificate holder ceases its operation under a certificate, an annual report~~~~((, a statement of the gross operating revenue, and the gross operating revenue fee as required by this section))~~ must be filed with the commission within fifteen days after the certificate operator ceases operation and must cover the period from the first day of the year to the date operations ceased.

AMENDATORY SECTION (Amending Docket No. TR-981102, General Order No. R-477, filed 1/30/01, effective 3/2/01)

WAC 480-62-300 Annual reports—Regulatory fees.

(1) The surface transportation board annual report form R1 must be used by Class I railroad companies as the annual report form for submission to the commission. Class II and Class III railroad companies must use report forms periodically published by the commission.

(2) Each year every railroad company is responsible for obtaining the proper report form from the commission. Reports must be completed for the preceding calendar year's operations. One copy of the completed annual report, along with the regulatory fee, must be submitted to the commission no later than May 1 of ~~((the succeeding))~~ each year.

(3) Regulatory fees. The railroad company regulatory fee is set by statute at one and one-half percent of gross intrastate operating revenue.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a railroad company must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any railroad company with less than one thousand three hundred dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

AMENDATORY SECTION (Amending Docket No. TG-990161, General Order No. R-479, filed 3/23/01, effective 4/23/01)

WAC 480-70-076 Regulatory fees. A regulatory fee is an annual assessment paid by each company to cover the costs of regulating the solid waste industry.

(1) The maximum regulatory fee is set by statute at one percent of gross intrastate operating revenue. ~~((Each year, the commission may set the regulatory fee at an amount less than the statutory maximum. The minimum fee can be no less than one dollar.))~~

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a solid waste collection company must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any solid waste collection company with less than two thousand dollars in gross intrastate operating revenue.

(2) A company must pay its regulatory fee by ~~((April))~~ May 1 of each year.

(3) The commission does not grant extensions for payment of regulatory fees.

(4) If a company does not pay its regulatory fee by ~~((April))~~ May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

(5) The commission may ~~((issue penalty assessments, or))~~ take action to suspend or cancel a certificate, if a company fails to pay its regulatory fee.

AMENDATORY SECTION (Amending Docket No. A-020379, General Order No. R-501, filed 8/26/02, effective 9/26/02)

WAC 480-90-208 Financial reporting requirements.

(1) Annual reports.

(a) Gas utilities must use the annual report form (FERC Form No. 2) promulgated by the Federal Energy Regulatory Commission in Title 18 of the Code of Federal Regulations, Part 260, for purposes of annual reporting to this commission. Data required by RCW 80.04.080, Annual reports, but not included in the FERC Form No. 2, must also be submitted with the annual report. Utilities must submit the annual report for the preceding calendar year, along with the regulatory fee, by May 1st of each year. If not presented in the prescribed FERC Form, the annual report must include the following data per customer class for the calendar year: Revenues,

average customer count, and total unit sales. Information about the FERC Form No. 2 regarding the version adopted and where to obtain it is set out in WAC 480-90-999, Adoption by reference.

(b) Utilities must also submit to this commission, in essentially the same format and content as the FERC Form No. 2, a report that documents the costs incurred and the property necessary to furnish utility service to its customers and the revenues obtained in the state of Washington. The report must include the following data per customer class for the calendar year: Revenues, average customer count, and total unit sales;

(c) Combination and multistate utilities must submit with the annual report their cost allocation methods necessary to develop results of operations for the state of Washington. Approval of cost allocation schemes for rate-making purposes is accomplished only by commission order;

(d) The total utility results of operations reported by each utility in its annual report to the commission must agree with the results of operations shown on the utility's books and records.

(2) Commission basis reports (annual).

(a) The intent of the "commission basis" report is to depict the gas operations of a utility under normal temperature and gas supply conditions during the reporting period. The commission basis report must include the following:

(i) Booked results of gas operations and rate base, and all the necessary adjustments as accepted by the commission in the utility's most recent general rate case or subsequent orders;

(ii) Actual adjusted results of operations for out-of-period, nonoperating, nonrecurring, and extraordinary items or any other item that materially distorts reporting period earnings and rate base; and

(iii) Adjusted booked revenues and gas supply expenses to reflect operations under normal temperature conditions before the achieved return on rate base is calculated;

(b) Commission basis reports should not include adjustments that annualize price, wage, or other cost changes during a reporting period, nor new theories or approaches that have not been previously addressed and resolved by the commission;

(c) Utilities must submit the basis of any cost allocations and the allocation factors necessary to develop the commission basis results of gas operations for the state of Washington;

(d) Commission basis reports are due within four months of the end of a utility's fiscal year.

(3) **Quarterly reports.** Gas utilities must file a report of actual results for Washington operations within forty-five days of the end of each quarter. The results of operations report must contain each of the three monthly balances and the latest twelve months' ending balance for all accounts of the uniform system of accounts. The report must include the average customer count and total unit sales per customer class for each reported period.

(4) **Additional reports.** This section does not supersede any reporting requirement specified in a commission order or limit the commission's ability to request additional information.

(5) Regulatory fees. The gas utility annual regulatory fee is set by statute at one tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus two tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a gas utility must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any gas utility with less than twenty thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

AMENDATORY SECTION (Amending Docket No. A-020379, General Order No. R-501, filed 8/26/02, effective 9/26/02)

WAC 480-100-208 Financial reporting requirements. (1) Annual reports.

(a) Electric utilities must use the annual report form (FERC Form No. 1) promulgated by the Federal Energy Regulatory Commission in Title 18 of the Code of Federal Regulations, Part 141, for purposes of annual reporting to this commission. Data required by RCW 80.04.080 Annual reports, but not included in the FERC Form No. 1, must also be submitted with the annual report. Utilities must submit the annual report for the preceding calendar year, along with the regulatory fee, by May 1st of each year. If not presented in the prescribed FERC Form, the annual report must include the following data per customer class for the calendar year: Revenues, average customer count, and total unit sales. Information about the FERC Form No. 1 regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.

(b) Utilities must also submit to this commission, in essentially the same format and content as the FERC Form No. 1, a report that documents the costs incurred and the property necessary to furnish utility service to its customers and the revenues obtained in the state of Washington. The report must include the following data per customer class for the calendar year: Revenues, average customer count, and total unit sales;

(c) Combination and multistate utilities must submit with the annual report their cost allocation methods necessary to develop results of operations for the state of Washington. Approval of cost allocation schemes for rate-making purposes is accomplished only by commission order;

(d) The total utility results of operations reported by each utility in its annual report to the commission must agree with the results of operations shown on the utility's books and records.

(2) Commission basis reports (annual).

(a) The intent of the "commission basis" report is to depict the electric operations of a utility under normal temperature and power supply conditions during the reporting period. The commission basis report must include the following:

(i) Booked results of electric operations and rate base, and all the necessary adjustments as accepted by the commission in the utility's most recent general rate case or subsequent orders;

(ii) Actual adjusted results of operations for out-of-period, nonoperating, nonrecurring, and extraordinary items or any other item that materially distorts reporting period earnings and rate base; and

(iii) Adjusted booked revenues and power supply expenses to reflect operations under normal temperature and power supply conditions before the achieved return on rate base is calculated;

(b) Commission basis reports should not include adjustments that annualize price, wage, or other cost changes during a reporting period, nor new theories or approaches that have not been previously addressed and resolved by the commission.

(c) Utilities must submit the basis of any cost allocations and the allocation factors necessary to develop the commission basis results of electric operations for the state of Washington;

(d) Commission basis reports are due within four months of the end of a utility's fiscal year.

(3) **Quarterly reports.** Electric utilities must file a report of actual results for Washington operations within forty-five days of the end of each quarter. The results of operations report must contain each of the three monthly balances and the latest twelve months ending balance for all accounts of the uniform system of accounts. The report must include the average customer count and total unit sales per customer class for each reported period.

(4) **Additional reports.** This section does not supersede any reporting requirement specified in a commission order or limit the commission's ability to request additional information.

(5) **Regulatory fees.** The electric utility annual regulatory fee is set by statute at one tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus two tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that an electric utility must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any electric utility with less than twenty thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

AMENDATORY SECTION (Amending Docket No. A-020379, General Order No. R-501, filed 8/26/02, effective 9/26/02)

WAC 480-110-275 Accounting and reporting requirements, and regulatory fees. (1) Water companies must use the uniform system of accounts (USOA) published by the National Association of Regulatory Utility Commissioners (NARUC). Information about the USOA regarding the version adopted and where to obtain it is set out in WAC 480-110-999, Adoption by reference. The USOA sets out the accounting requirements for class A, B, and C water companies.

Water companies are classified by revenues.

Class	Annual Gross Operating Revenue
A	\$1,000,000 or more
B	\$200,000 to \$999,999
C	Less than \$200,000

(2) A water company may use the accounting requirements for a higher class if it chooses.

(3) The commission will distribute an annual report form that each water company must complete and file with the commission for the prior calendar year. The annual report must be filed, and the company's regulatory fee paid, no later than May 1 of each year.

(4) A written request for the extension of the time for filing the annual report can be made prior to May 1. The commission does not grant an extension of time for payment of regulatory fees.

(5) The maximum water company regulatory fee is set by statute at one tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus two tenths of one percent of any gross operating revenue in excess of fifty thousand dollars.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a water company must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any water company with less than twenty thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

AMENDATORY SECTION (Amending Docket No. UT-990146, General Order No. R-507, filed 12/12/02, effective 7/1/03)

WAC 480-120-303 Reporting requirements for competitively classified companies. The commission will distribute an annual report form including a regulatory fee form. A competitively classified company must:

(1) Complete both forms, file them with the commission, and pay its regulatory fee, no later than May 1st of each year;

PROPOSED

(2) Provide total number of access lines as required on the annual report form;

(3) Provide income statement and balance sheet for total company; and

(4) Provide revenues for Washington and Washington intrastate operations subject to commission jurisdiction.

(5) Regulatory fees. The telecommunications annual regulatory fee is set by statute at one tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus two tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a company must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any company with less than twenty thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

(f) The commission may take action to revoke a company's registration certificate if it fails to pay its regulatory fee.

AMENDATORY SECTION (Amending Docket No. UT-990146, General Order No. R-507, filed 12/12/02, effective 7/1/03)

WAC 480-120-304 Reporting requirements for companies not classified as competitive. (1) Annual reports for companies not classified as competitive. The commission will distribute an annual report form as specified in (c)(i), (ii), and (iii) of this subsection, and a regulatory fee form. A company not classified as competitive must:

(a) Complete both forms, file them with the commission, and pay its regulatory fee, no later than May 1 of each year;

(b) Provide total number of access lines as required on the annual report form; and

(c) Provide income statement and balance sheet for total company and results of operations for Washington and Washington intrastate.

(i) Class A companies that the FCC classified as Tier 1 telecommunications companies in Docket No. 86-182 must file annual report forms adopted by the FCC.

(ii) All other Class A companies must file annual reports on the form prescribed by the commission.

(iii) Class B companies must file annual reports as prescribed by RCW 80.04.530(2).

(2) Quarterly reports for companies not classified as competitive:

(a) All Class A companies must file results of operations quarterly.

(b) Each report will show monthly and twelve-months-ended data for each month of the quarter reported.

(c) The reports are due ninety days after the close of the period being reported, except for the fourth-quarter report which is due no later than May 1 of the following year.

(3) Methods used to determine Washington intrastate results of operations must be acceptable to the commission.

(4) This rule does not supersede any reporting requirements specified in a commission rule or order, or limit the commission's authority to request additional information.

(5) Regulatory fees. The telecommunications annual regulatory fee is set by statute at one tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus two tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a company must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any company with less than twenty thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

WSR 03-24-072
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed December 1, 2003; 4:01 p.m.]

Original Notice.

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

Title of Rule: WAC 246-840-990 Fees and renewal cycle—Nursing technicians.

Purpose: The underlying statute establishes a registration for nursing technicians, which are defined as nursing students employed in a hospital or nursing home. The statute also states that the secretary shall establish by rule the procedural requirements and fees for renewal of the registration. This amendment does both.

Statutory Authority for Adoption: RCW 43.70.250.

Statute Being Implemented: Chapter 18.79 RCW.

Summary: Amends WAC 246-840-990 Fees and renewal cycle, to add the renewal requirements and the renewal fees for a nursing technician registration.

Reasons Supporting Proposal: RCW 43.70.250 requires that the program be self-supporting. A fee study was done to set the fees.

Name of Agency Personnel Responsible for Drafting and Implementation: Kendra N. Pitzler, Tumwater, Washington, (360) 236-4723; and Enforcement: Paula Meyer, Tumwater, Washington, (360) 236-4723.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment to WAC 246-840-990 adds the renewal requirements and the renewal fees for a nursing technician registration. The underlying statute establishes a registration for nursing technicians, which are defined as nursing students employed in a hospital or nursing home. The statute also states that the secretary shall establish by rule the procedural requirements and fees for renewal of the registration. This rule does both. This rule allows the nursing technician program to be self-supporting per RCW 43.70.250, allowing the registration of nursing technicians.

Proposal Changes the Following Existing Rules: The amendment adds the procedural requirements and the fees for renewal of the nursing technician registration.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule is exempt per RCW 34.05.010 (4)(f). Small business economic impact statements are not required for rules that set or adjust fees or rates pursuant to legislative standards.

RCW 34.05.328 does not apply to this rule adoption. This rule is exempt per RCW 34.05.328 (5)(b)(vi), rules that set or adjust fees or rates pursuant to legislative standards.

Hearing Location: Department of Health, 310 Israel Road S.E., Room 156, Tumwater, WA 98501, on January 8, 2004, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Kendra Pitzler by January 2, 2004, TDD (800) 833-6388 or (360) 236-4723.

Submit Written Comments to: Kendra N. Pitzler, P.O. Box 47864, Olympia, WA 98504-7864, e-mail Kendra.Pitzler@doh.wa.gov, fax (360) 236-4738, by January 2, 2004.

Date of Intended Adoption: January 8, 2004.

November 25, 2003

B. White

for Mary Selecky

Secretary

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-840-990 Fees and renewal cycle. (1) Licenses for practical nurse and registered nurse must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) Licenses for advanced registered nurse must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(3) Registrations for nursing technicians must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. The renewal must be accompanied by an attestation as described in chapter 258, Laws of 2003. This attestation will include the nursing technician's anticipated graduation date. If the anticipated graduation date is within one year, the registration will expire thirty days after the anticipated graduation date. The expiration date may be extended to sixty days after graduation if the nursing technician can show good cause as defined in WAC 246-840-010(15).

(4) The following nonrefundable fees shall be charged by the health professions quality assurance division of the department of health. Persons who hold an RN and an LPN license shall be charged separate fees for each license. Persons who are licensed as an advanced registered nurse practitioner in more than one specialty will be charged a fee for each specialty:

RN/LPN fees:

Title of Fee	Fee
Application (initial or endorsement)	\$65.00
License renewal	50.00
Late renewal penalty	50.00
Expired license reissuance	50.00
Inactive renewal	20.00
Expired inactive license reissuance	20.00
Inactive late renewal penalty	10.00
Duplicate license	20.00
Verification of licensure/education (written)	25.00

Advanced registered nurse fees:

Title of Fee	Fee
ARNP application with or without prescriptive authority (per specialty)	\$65.00
ARNP renewal with or without prescriptive authority (per specialty)	50.00
ARNP late renewal penalty (per specialty)	50.00
ARNP duplicate license (per specialty)	20.00
ARNP written verification of license (per specialty)	25.00

Nurse technologist fees:

Title of Fee	Fee
<u>Application fee registration</u>	<u>\$130.00</u>
<u>Renewal of registration</u>	<u>90.00</u>
<u>Duplicate registration</u>	<u>15.00</u>
<u>Registration late renewal penalty</u>	<u>50.00</u>

WSR 03-24-090
PROPOSED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
 [Filed December 3, 2003, 9:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-12-096.

Title of Rule: Chapter 236-51 WAC, Competitive contracting.

Purpose: The Department of General Administration is establishing, by rule, procedures regarding competitive contracting pursuant to RCW 41.06.142.

PROPOSED

Statutory Authority for Adoption: RCW 41.06.142 (4)(d) and chapter 43.19 RCW.

Statute Being Implemented: RCW 41.06.142(4).

Summary: The 2002 legislature passed the Personnel Systems Reform Act (PSRA) permitting any department, agency, or institution of higher education to purchase services customarily and historically provided by employees.

Proposed new chapter 236-51 WAC, Competitive contracting, establishes procedures regarding:

- (1) Fair and objective submittal and evaluation of bids;
- (2) The existence of a competitive market for the service;
- (3) The employee business unit as a bid entity;
- (4) Complaints regarding the bidding process are considered prior to award;
- (5) Appeals to an administrative law judge;
- (6) Conflicts of interest in the bid evaluation process; and
- (7) Equitable application of bid requirements to all parties.

These rules were developed as a result of an extensive collaborative stakeholder process and research of federal, state, and municipal experiences with competitive contracting.

Name of Agency Personnel Responsible for Drafting: David Gomez, 210 11th Avenue S.W., Room 201, Olympia, WA 98504-1017, (360) 902-7489; Implementation: Bill Joplin, 210 11th Avenue S.W., Room 201, Olympia, WA 98504-1017, (360) 902-7404; and Enforcement: Rob Fukai, 200 General Administration Building, P.O. Box 41000, Olympia, WA 98504-1000, (360) 902-7200.

Name of Proponent: Department of General Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Explanation: Chapter 236-51 WAC, Competitive contracting outlines the process that agencies, employees, employee business units, bidders, and potential bidders must follow when engaged in competitive contracting. The main sections of the rule cover:

- Purpose and scope.
- Definitions.
- Preliminary steps to competitive contracting.
- Employee business units in the bid process.
- Soliciting bids.
- The bidding process.
- The complaint process.
- The award process.
- Appealing an award.

Purpose: Under RCW 41.06.142, agencies may competitively contract for services that state employees have customarily and historically provided. The law directs the Department of General Administration to adopt rules to ensure that the submittal and evaluation of bids are fair and objective, and that there exists a competitive market for the service. The Department of General Administration's objective in writing these rules is to provide clear, simple, fair, and consistent guidance in complying with the law.

Anticipated Effects: These rules will be instrumental in achieving:

- A strategic process that is aligned with similar/complementary processes such as budget and priority of government efforts and supports collective bargaining, personnel systems reform and human resources management system.
- A fair and consistently applied set of rules and processes that are easily understood by all stakeholders.
- A competitive and informed employee and vendor community.
- To encourage process improvements that result in cost savings and efficiencies in government activities.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules impose no new or different requirements on businesses. The proposed rules primarily provide guidance to public agencies and employees in complying with the competitive contracting provisions of the Personnel Systems Reform Act of 2002. To the extent that certain provisions also apply to businesses, they are substantively the same as existing requirements in law and rule that govern purchasing and contracting by the state.

RCW 34.05.328 does not apply to this rule adoption. General administration has not elected to voluntarily apply the provisions of RCW 34.05.328 to this rule making (RCW 34.05.328 (5)(a)(ii)). As provided in RCW 34.05.328 (5)(b)(v), RCW 41.06.142 [(4)](d) explicitly and specifically directs the Department of General Administration to adopt rules and establish procedures to ensure the fair and objective submittal and evaluation of bids, and that there exists a competitive market for the service. The law further directs the rules to include (i) prohibitions against participation in the bid evaluation process by employees who prepared the business unit's bid or who perform any of the services to be contracted; (ii) provisions to ensure that no bidder receives an advantage over other bidders and that bid requirements are applied equitably to all parties; and (iii) procedures that require the contracting agency to receive complaints regarding the bidding process and to consider them before awarding the contract. Further, the law establishes an appeal process subject to the provisions of the Administrative Procedure Act, chapter 34.05 RCW.

Hearing Location: Seattle Monorail Project Community Room, The Securities Building, 4th Avenue Entrance, 1913 4th Avenue, Seattle, on January 8, 2004, 10:00 a.m. to noon; at the Spokane Community College District 17 Lair Student Center, Building 6, Sasquatch Room, Spokane, on Friday, January 9, 2004, 10:00 a.m. to noon; at the General Administration Building Auditorium, 210 11th Avenue, Olympia, on Wednesday, January 14, 2004, noon to 3:00 p.m.; at the General Administration Building Auditorium, 210 11th Avenue, Olympia, on Wednesday, January 14, 2004, 5:30 p.m. to 7:30 p.m.; and at the General Administration Building Auditorium, 210 11th Avenue, Olympia, on Friday, January 16, 2004, 10:00 a.m. to noon.

Assistance for Persons with Disabilities: Contact David Gomez by December 31, 2003, (360) 902-7489, dgomez@gga.wa.gov.

Submit Written Comments to: Bill Joplin, Assistant Director, Department of General Administration, 210 11th

Avenue S.W., P.O. Box 41000, Olympia, WA 98504-1000,
fax (360) 586-5898, by February 10, 2004.

Date of Intended Adoption: March 17, 2004.

December 3, 2003

R. D. Fukai

Director

Chapter 236-51 WAC

COMPETITIVE CONTRACTING

GENERAL PURPOSE AND DEFINITIONS

NEW SECTION

WAC 236-51-001 Purpose. Under RCW 41.06.142, agencies may competitively contract for services that state employees have customarily and historically provided. The law directs the department of general administration to adopt rules to ensure that the submittal and evaluation of bids are fair and objective, and that there exists a competitive market for the service. The department of general administration's objective in writing these rules is to provide clear, simple, fair, and consistent guidance in complying with the law.

NEW SECTION

WAC 236-51-005 Scope of chapter. This chapter applies to all services customarily and historically provided by state employees, except:

- (1) As described in RCW 41.06.142(3) and 41.06.070;
- (2) In the case of emergency purchases as provided for in RCW 43.19.200; or
- (3) If state employees will not be displaced.

NEW SECTION

WAC 236-51-006 If state employees will not be displaced. If state employees will not be displaced, agencies shall comply with RCW 41.06.142 (1)(a), (d) and (e), and applicable laws and rules governing the purchase of such services.

NEW SECTION

WAC 236-51-010 Definitions. The following words, terms, and phrases, used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

(1) "Agency" means an office, department, board, commission, institution of higher education, or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

(2) "Appeal" means both a request for an adjudicative proceeding or the actual adjudicative proceeding presided over by an administrative law judge from the office of administrative hearings in accordance with chapter 34.05 RCW.

(3) "Award" means to grant a contract to a successful bidder or bidders, which occurs on the date as specified in the award notice.

(4) "Bid" means a written offer to perform services by contract in response to a solicitation.

(5) "Bidder" means a party who submits a bid or proposal for consideration by an agency issuing a solicitation.

(6) "Competitive contracting" means the process by which classified employees compete with businesses, individuals, nonprofit organizations, or other entities for the performance of services those employees have customarily and historically performed.

(7) "Complainant" means bidder or potential bidder who files a complaint about the bidding process to the agency head or designee on allowable grounds.

(8) "Conflict of interest" means having a personal or financial interest that is in conflict with the proper discharge of state duties, including the transaction of state business with an entity or individual in which a state employee has an interest.

(9) "Date of award" means the date on which the agency and the successful bidder sign the contract.

(10) "Displaced employee" means a classified employee whose position or work would be eliminated as a result of an award via the competitive contracting process.

(11) "Efficiency improvement" means the enhanced value and/or quality that an agency achieves as a result of a change to a service or the ways a service is provided. This enhancement may come at a higher cost but its relative value offsets it. Such improvements may include, but are not limited to:

- (a) Reduced preparation or process time;
- (b) Greater accessibility or availability of service; or
- (c) Improved data quality and timeliness.

(12) "Employee business unit" means a group of employees who perform services for which an agency proposes to competitively contract and who:

(a) Notify the agency of their intent to submit a bid for the performance of those services through competitive contracting; or

(b) Receive award of a contract from the agency as a result of being the successful bidder.

(13) "Employee business unit leader" means a member of the employee business unit chosen and granted authority by the other employee business unit members to represent the interests of the employee business unit in the bid process.

(14) "Employee notice" means the notice the agency is required to provide in RCW 41.06.142 (4)(a), "At least ninety days prior to the date the contracting agency requests bids from private entities for a contract for services provided by classified employees, the contracting agency shall notify the classified employees whose positions or work would be displaced by the contract."

(15) "Fully allocated costs" means those costs associated with a service, including the cost of employees' salaries and benefits, space, equipment, materials, and other costs necessary to perform the service but does not include the state or agency's indirect overhead costs unless those costs can be attributed directly to the function in question and would not exist if that function were not performed by the state.

PROPOSED

(16) "In writing" means written communication from one party to another including, but not limited to, electronic means.

(17) "Indirect costs" means state or agency costs linked to services which may not be assigned directly. Indirect costs include various administrative and support activities provided to a service by other units from within the agency or by other state government entities. These indirect costs are generally assigned to a service through cost allocation methods.

(18) "Notice of intent to award" means a written preannouncement of the apparent awardee(s) and the expected date of award.

(19) "Performance work statement" means a statement of the technical, functional and performance characteristics or requirements of the work to be performed. The statement identifies essential functions to be performed, determines performance factors, including the location of the work, the units of work, the quantity of work units, and the quality and timeliness of the work units.

(20) "Potential bidder" means a business, individual, nonprofit organization, employee business unit, or other entity capable of providing the services being considered for competitive contracting.

(21) "Quality assurance plan" means a plan by which an agency will monitor a contract awardee's performance to ensure that the standards of the performance work statement are met within the costs, quality of service, delivery, and other standards of the contract.

(22) "Resource plan" means a detailed written plan created by employees or the employee business unit and submitted to the agency for approval for the use of state resources, including funds, facilities, tools, property, employees and their time needed for:

(a) Employees to work independently or outside an agency resourced effort to prepare an alternative within the sixty-day window, as described in RCW 41.06.142 (4)(a); or

(b) The employee business unit to prepare its bid.

(23) "Responsible bidder" means a bidder who has the capability in all respects to perform in full the contract requirements and meet the elements of responsibility defined in RCW 43.19.1911(9).

(24) "Sealed bid" means a bid that is submitted in a manner to prevent its contents from being revealed or known before the deadline for submission of all bids.

(25) "Solicitation" means the process of notifying potential bidders that the agency desires to receive competitive bids or proposals for furnishing services. This includes references to the actual document used in that process, such as the bid or request for proposal and any amendments to such documents.

(26) "State employee" or "employee" mean an employee in the classified service subject to the provisions of chapter 41.06 RCW.

PRELIMINARY STEPS TO COMPETITIVE CONTRACTING

NEW SECTION

WAC 236-51-100 Determining the existence of a competitive market. (1) Under the law, an agency that considers contracting for services historically and customarily performed by state employees shall determine whether a competitive market exists for the service.

(2) For the purposes of this chapter, a competitive market exists when there are two or more separate businesses, individuals, nonprofit organizations, or other entities capable of providing the services being considered for competitive contracting.

(3) Agencies shall not consider an employee business unit as an entity capable of providing the service when determining the existence of a competitive market for that service.

NEW SECTION

WAC 236-51-110 Agencies shall notify employee(s) of intent to solicit bids. The agency shall provide notice in writing to all potentially displaced employees as required by RCW 41.06.142 (4)(a). The notice shall include at a minimum:

(1) A statement that the agency will pursue competitive contracting of specified services;

(2) The agency's determination that a competitive market exists;

(3) The date that the agency intends to solicit bids;

(4) A statement that employees whose position or work will be displaced have sixty days from the date of notification to offer alternatives to competitive contracting as described in RCW 41.06.142 (4)(a) and an agency contact for submitting alternatives;

(5) The amount and type of state resources allocated by the agency to assist employees in developing alternatives within the time frame described in subsection (4) of this section; and

(6) A statement that employees whose positions or work will be displaced may compete in competitive contracting as one or more employee business units.

NEW SECTION

WAC 236-51-115 Employees wanting to work outside or independent of agency provided resources. If potentially displaced employees decide to work independently or outside of an agency resourced effort to develop and submit alternatives within the sixty-day window, as described in WAC 236-51-110(5), the potentially displaced employees shall submit, in writing, a resource plan to the agency for approval prior to using state resources other than what was offered by the agency in the notice referred to in WAC 236-51-110.

NEW SECTION

WAC 236-51-120 Agency response to a potentially displaced employee alternative. An agency shall respond in

writing to all potentially displaced employee alternatives. If no potentially displaced employee alternatives are accepted, the agency shall notify in writing all potentially displaced employees of its intent to proceed with soliciting bids per the agency's original notification referred to in WAC 236-51-110.

EMPLOYEE BUSINESS UNITS IN THE BID PROCESS

NEW SECTION

WAC 236-51-200 An employee business unit shall notify the agency of its formation. Employees that decide to compete by forming an employee business unit shall notify the agency in writing before the agency's intended day to solicit bids pursuant to WAC 236-51-110 and provide the following information:

- (1) A list of those employees forming the employee business unit;
- (2) The employee business unit leader(s); and
- (3) A resource plan outlining the employee business unit's requirement for use of state resources needed to prepare the employee business unit's bid.

The agency shall not consider a bid from an employee business unit if:

- (a) The employee business unit notifies the agency after the agency has issued the solicitation; or
- (b) The employee business unit did not provide the agency with the required information.

NEW SECTION

WAC 236-51-205 Agency's response to an employee business unit resource plan. (1) An agency shall respond, in writing, to an employee business unit resource plan prior to soliciting bids. The response will either approve of the resource plan in its entirety, or modify it based on available state resources and the needs of the agency to meet its mission.

(2) An employee business unit shall not use state resources to prepare their bid prior to receiving the agency's response as provided in subsection (1) of this section.

NEW SECTION

WAC 236-51-210 Agencies may identify state standards. The agency may require in the solicitation the use of state standards, infrastructure, or practices including, but not limited to: Financial, accounting, audit, payroll, human resources, procurement, or record retention methods.

NEW SECTION

WAC 236-51-215 An employee business unit's bid shall include all costs related to delivering the service. Pursuant to RCW 41.06.142 (4)(e), an employee business unit's bid shall include the fully allocated cost of the service. These fully allocated costs include, but are not limited to:

(1) Direct costs; which are costs that the service consumes or expends and thus are chargeable to the service. These direct costs include, but are not limited to:

- (a) Salaries, wages, overtime, and benefits of employees directly performing the service;
- (b) Purchased services, supplies and materials;
- (c) Space, rents, and leases;
- (d) Equipment and depreciation;
- (e) One-time, transition, or start-up costs; and
- (f) Travel.

(2) Indirect costs that would be reduced or eliminated if the service currently being provided by employees were instead provided by an outside contractor.

(3) Inflation assumptions.

NEW SECTION

WAC 236-51-220 An employee business unit shall designate a point of contact for the competitive contracting process. The employee business unit leader or their designee from within the employee business unit shall represent the employee business unit membership in the competitive contracting process. Representation includes, but is not limited to:

- (1) Authority to contractually obligate the employee business unit;
- (2) Receiving and submitting notices (including the notice to the agency of employee business unit formation);
- (3) Participating in any presolicitation conference;
- (4) Signing solicitation documents and submittals;
- (5) Seeking clarifications and amendments of solicitations;
- (6) Acknowledging award and conducting negotiations;
- (7) Filing complaints;
- (8) Filing appeals; and
- (9) Committing to a performance agreement or quality assurance plan.

NEW SECTION

WAC 236-51-225 Limits on performance of services not contained in a contract. An employee business unit awarded a contract by an agency shall not bid on solicitations for performance of services not contained in their contract unless their agency approves in writing.

SOLICITING BIDS

NEW SECTION

WAC 236-51-300 General administration may establish required formats. The department of general administration may establish required formats, guidelines, procedures, or instructions concerning solicitation, determining fully allocated costs, or submittal and evaluation of bids for use by agencies, employee business units, and other bidders.

NEW SECTION

WAC 236-51-302 Solicitation development. Employees whose work or positions may be displaced and potential

bidders may participate in the preparation of the solicitation document and performance statement of work provided that their participation does not create an unfair advantage over other bidders. Potentially displaced employees and potential bidders shall not determine the award methodology and scoring to be used in the evaluation of bids.

NEW SECTION

WAC 236-51-305 Solicitation content. Solicitations shall include:

- (1) Complete bidder instructions;
- (2) Submittal requirements;
- (3) Performance work statement;
- (4) Cost and noncost evaluation criteria;
- (5) Name and address of the person designated to receive complaints and appeals;
- (6) Agency's plan for publication and notice of award/intent to award; and
- (7) Contract requirements, which shall include, but are not limited to:
 - (a) Compliance and adherence to a quality assurance plan;
 - (b) Measurable standards for the performance of the contract;
 - (c) Methods used to measure contract performance, costs, service delivery quality, and other contract standards;
 - (d) Terms and conditions;
 - (e) Provisions requiring an entity other than an employee business unit to consider employment of state employees who may be displaced by the contract;
 - (f) Cancellation provisions for improper or failed performance;
 - (g) Complaint process; and
 - (h) Appeal process.

NEW SECTION

WAC 236-51-306 Cost evaluation criteria. (1) An agency shall compare its current service cost against the total cost of contracting with the most responsive employee business unit and nonemployee business unit as part of its evaluation process.

(2) The total cost of contracting shall not include solicitation related costs such as, but not limited to:

- (a) An evaluator's time;
 - (b) Bid-related expenses; or
 - (c) The cost of complaints or appeal.
- (3) The most responsive employee and nonemployee business unit's bid shall include, but is not limited to:
- (a) Bid price. The nonemployee business unit's bid price will include any applicable state tax paid by the agency on the purchase of services;
 - (b) Required one-time, transition, or start-up costs for implementing the proposal and recognized during the contract in the year those costs would be incurred; and
 - (c) Inflation assumptions.
- (4) An agency shall adjust the bids of the most responsive employee and nonemployee business unit in accordance with the following factors:

(a) The agency's conversion or transition costs relative to each bid;

(b) Contract administration costs incurred by the agency to administer either contract. Contract administration costs may differ depending on the performance monitoring requirements of the agency;

(c) Revenue impact to the state resulting from increased tax base or collections that result from a nonemployee business unit performing the service. Examples include, but are not limited to, state sales and use, business and occupation, inventory, fuel, and real estate tax; provided that a revenue impact does not mean, nor imply, that any added fees or charges for state services may be part of a bid.

(5) Agencies shall consider costs associated with the state's assumed risks in the evaluation of bid costs. If the agency cannot reasonably estimate the state's assumed risk costs, the agency shall structure the solicitation to eliminate these costs from the evaluation process. These costs include, but are not limited to:

(a) Insurance. Agencies shall calculate casualty, liability and property insurance premiums in cost estimates and enter these costs as appropriate for assets and risk coverage.

(b) Performance bonds. When a solicitation requires nonemployee business unit bidders to provide a performance bond, the agency shall exclude the cost from the nonemployee business unit's bid price. The solicitation bid structure should facilitate the elimination of this cost from the nonemployee business unit's bid.

NEW SECTION

WAC 236-51-310 Amendment of solicitation. An agency may amend or change a solicitation provided the change is issued prior to the specified bid opening date and time. Any material information that an agency provides to one potential bidder shall be provided to all potential bidders consistent with WAC 236-51-320. Oral interpretations of the solicitation shall not be binding.

NEW SECTION

WAC 236-51-320 Public notice—Solicitations, amendments, and notices. (1) Agencies shall post or otherwise publicize competitive contracting solicitations, amendments, notice of intent to award, notice of award, or notice of cancellation using methods and/or systems established by the department of general administration.

(2) In addition to using methods and systems provided above, agencies may post or otherwise publicize competitive contracting solicitations, amendments, notice of intent to award, notice of award, or notice of cancellation via other methods and/or systems of their choosing.

THE BIDDING PROCESS

NEW SECTION

WAC 236-51-400 Receiving bids. (1) Bidders shall submit sealed bids in writing. Electronic submittal systems and processes may be utilized provided the submittal meets

the definition of a sealed bid and the other requirements of this section.

(2) The agency shall ensure that bids remain sealed until the opening date and time specified in the solicitation.

(3) The agency shall open all sealed bids at the same time.

(4) Bidders shall submit bids to the agency no later than the opening date and time, and at the place specified, in the solicitation. An agency shall reject any bid received at a place different than, or on a date and time later than, what was specified in the solicitation.

(5) The agency may modify bid submission dates. When modifying the time allowed for submitting a bid, the agency shall issue an amendment as required by WAC 236-51-310 and provide notice consistent with WAC 236-51-320.

NEW SECTION

WAC 236-51-405 Bid information disclosure. Upon submission, all bids become the property of the agency and, except for purposes of evaluation, shall not be released or otherwise distributed until after the agency completes the evaluation and issues its notice of intent to award. Evaluation team members shall maintain confidentiality of information to ensure the integrity of the process. The agency shall handle confidential or proprietary information in accordance with WAC 236-48-123.

NEW SECTION

WAC 236-51-410 Bid evaluation. (1) RCW 41.06.142 (4)(d)(i) prohibits employees who prepared the employee business unit's bid or who perform any of the services to be contracted from participating in the bid evaluation process.

(2) Evaluators cannot have a personal or financial interest in the outcome of the award.

(3) Evaluators shall sign declaratory statements certifying that they have no conflicts of interest and assuring confidentiality.

(4) Evaluators shall use only the evaluation criteria stated in the solicitation in evaluating bids.

THE COMPLAINT PROCESS

NEW SECTION

WAC 236-51-500 Who may file. Bidders or potential bidders may file complaints regarding the bidding process.

NEW SECTION

WAC 236-51-502 Time and place for filing complaints. Complaints shall be filed with the contracting agency head or designee identified in the solicitation prior to the expected date of award.

NEW SECTION

WAC 236-51-505 Form of complaints. Complaints shall be submitted in writing and shall include the following:

(1) Complainant's name, address, and telephone number;

(2) Identification of the specific grounds for filing the complaint; and

(3) The relevant facts, arguments, exhibits, and supporting evidence known to the complainant and related to each identified ground.

NEW SECTION

WAC 236-51-510 Grounds for filing a complaint. Complaints must be based on the bidding process, which includes, but is not limited to, one or more of the following factors:

(1) The manner in which the solicitation was conducted;

(2) Undue constraint of competition by requirements of the solicitation;

(3) Inadequate and/or improper criteria in the solicitation document;

(4) Bias or discrimination; or

(5) Conflict of interest.

NEW SECTION

WAC 236-51-515 Agency's response to complaints. The agency shall respond to all complaints in writing prior to the award of the contract. If necessary, an agency shall extend the date of award to respond to all complaints.

THE AWARD PROCESS

NEW SECTION

WAC 236-51-600 Notice of intent to award. (1) An agency shall issue a notice of intent to award prior to the date of award. This notice shall also include a statement that any complaints must be filed prior to the expected date of award.

(2) Agencies shall notify all bidders of the intent to award consistent with WAC 236-51-320.

NEW SECTION

WAC 236-51-605 Negotiations. The agency may enter into negotiations exclusively with the apparent successful bidder for the purpose of, but not limited to:

(1) Determining if the bid may be improved;

(2) Clarifying elements of the bid that are not sufficiently precise or direct; or

(3) Securing better terms and conditions for the agency.

NEW SECTION

WAC 236-51-610 Award. (1) On the date of award, the agency shall send an award notice to all bidders in accordance with WAC 236-51-320.

(2) The award notice shall include the right to appeal, the appeal deadline, and the address for submitting an appeal. See WAC 236-51-700.

NEW SECTION

WAC 236-51-615 Cancellation of solicitation. An agency may cancel a solicitation or reject all bids after the bid opening, but before the award, if the agency determines that:

- (1) The award will not achieve anticipated cost savings or efficiency improvements as required by RCW 41.06.142 (1)(e);
- (2) The solicitation did not include all factors for the agency to determine cost savings or efficiency improvements;
- (3) No responsive bid has been received from a responsible bidder;
- (4) The solicitation and evaluation process was not fair, equitable, and objective; or
- (5) There have been changes in business or market conditions that significantly impact the agency's original intent to competitively contract the service.

NEW SECTION

WAC 236-51-620 Notice of cancellation. If an agency cancels a competitive contracting solicitation, the agency shall post a notice of cancellation in writing pursuant to WAC 236-51-320. The notice shall include the specific reason for cancellation.

APPEALING AN AWARDNEW SECTION

WAC 236-51-700 Time and place for filing appeal. An appeal shall be filed after contract award with the contracting agency head or designee as identified in the solicitation. The appeal shall be filed within twenty calendar days after the date of the award. An administrative law judge does not have jurisdiction to consider an appeal filed after this deadline.

NEW SECTION

WAC 236-51-710 Who may file an appeal. An appeal may only be filed by the following parties with regard to the respective specified grounds:

- (1) Unsuccessful bidders with regard to elements of the bid submittal and evaluation process;
- (2) Complainants with regard to an agency response to their complaint; or
- (3) Displaced or potentially displaced employees with regard to an agency's:
 - (a) Adherence to the statutory notice requirements of RCW 41.06.142 (4)(a); or
 - (b) Determination of the existence of a competitive market as provided in RCW 41.06.142 (4)(d).

NEW SECTION

WAC 236-51-715 Form of an appeal. Appeals shall be submitted in writing to the head of the agency that awarded the contract or to that person's designee. An appeal shall include, but not be limited to, the following information:

- (1) Appellant's name, contact person, and/or representative with respective address, and telephone numbers;
- (2) Identification and brief description of the grounds relied on for filing an appeal and a brief description of the issues to be resolved.

NEW SECTION

WAC 236-51-720 Stay of award. An agency may stay award decisions or actions pending resolution of an appeal.

NEW SECTION

WAC 236-51-725 Transmission of an appeal. (1) An appeal shall be transmitted by the agency to the office of administrative hearings within five business days after receipt.

- (2) The agency shall provide the office of administrative hearings with the following information:
 - (a) The name of the agency contact in the matter and any contact information;
 - (b) The name of the appellant and any contact information, including address and telephone number;
 - (c) The name and any contact information for other bidders;
 - (d) The name and address of the agency contact for billing purposes; and
 - (e) The name and address of the agency contact where the file should be sent after the office of administrative hearings closes the appeal.
- (3) The agency shall transmit all appeals to the headquarters of the office of administrative hearings in Olympia, Washington.

NEW SECTION

WAC 236-51-730 Procedures for hearing. (1) The office of administrative hearings shall issue the notice of hearing to the appellant, the agency, and other bidders.

- (2) Bidders may intervene as a party to the appeal if they file a petition for intervention with the office of administrative hearings and all parties within ten business days after the issuance of the notice of hearing. The administrative law judge may limit intervention under RCW 34.05.443.
- (3) The administrative law judge may schedule a pre-hearing conference.
- (4) Hearings shall be scheduled for the earliest possible date available for the administrative law judge that does not result in prejudice to the parties.
- (5) The hearing shall be recorded electronically at the discretion of the administrative law judge unless specified otherwise in law or rule.
- (6) No transcript is required unless specified otherwise in law or rule.
- (7) In any appeal under this chapter, the administrative law judge shall apply the model rules of procedure set forth in chapter 10-08 WAC, irrespective of the provisions of WAC 10-08-001(4) or other agency procedural rules.

NEW SECTION

WAC 236-51-735 Costs of hearing. All costs incurred by the office of administrative hearings in conducting the hearing shall be borne by the agency, and the office of administrative hearings shall bill the agency for the hearing costs incurred. Each party is responsible for its own costs of representation.

NEW SECTION

WAC 236-51-740 Burden of proof. The burden of proof is on the appellant to prove by a preponderance of the evidence that the contract was not properly awarded.

NEW SECTION

WAC 236-51-745 Decision of the administrative law judge. (1) If the administrative law judge finds against the appellant, the agency's decision to award stands.

(2) If the administrative law judge finds for the appellant, the administrative law judge shall:

(a) Remand back to the agency for reconsideration or action if the appeal was from an unsuccessful bidder with regard to the bid submittal and evaluation process;

(b) Remand back to the agency for reconsideration or action if the appeal was from a complainant with regard to their complaint; or

(c) Remand back to the agency to start the bidding process over if the appeal was from a displaced or potentially displaced employee with regard to:

(i) The statutory notice requirements of RCW 41.06.142 (4)(a); or

(ii) The determination of the existence of a competitive market as provided in RCW 41.06.142 (4)(d).

(3) The decision of the administrative law judge in any appeal under this chapter shall be considered a final order.

WSR 03-24-102**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed December 3, 2003, 10:13 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-15-049.

Title of Rule: WAC 388-513-1350 Defining the resource standard and determining available resources for long-term care (LTC) services and 388-513-1380 Determining a client's participation in cost of long-term care (LTC) services.

Purpose: As mandated by ESHB 2257, adopted in the 2003 legislative session, the department is reducing the maximum resource allocation for a community spouse from \$90,660 to \$40,000 for clients institutionalized on or after August 1, 2003; and to permanently adopt the federal stan-

dard increases that have been in effect since January 1, 2003, and April 1, 2003.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, and 74.09.575; ESHB 2257 (chapter 28, Laws of 2003 1st sp.s.).

Statute Being Implemented: ESHB 2257 (chapter 28, Laws of 2003 1st sp.s.); Section 1924 of the Social Security Act (42 U.S.C. 1396R-5).

Summary: The maximum amount of resources allocated to the community spouse of a long-term care client is being reduced from \$90,660 to \$40,000 for clients institutionalized on or after August 1, 2003. Federal standard increases that were adopted by emergency rule on January 1, 2003, and April 1, 2003, are being permanently adopted.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Lou Percival, Aging and Disabilities Administration, P.O. Box 45600, Olympia, 98504-5600, (360) 725-2318.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above, respectively. It is anticipated that the reduction in the maximum allowed resource allocation for community spouses will result in cost savings for the LTC Medicaid program.

Proposal Changes the Following Existing Rules: See Purpose and Summary above, respectively.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not affect small businesses. It only affects DSHS clients.

RCW 34.05.328 does not apply to this rule adoption. Client eligibility rules for medical assistance programs are exempt from this provision according to RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on January 6, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 2, 2004, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., January 6, 2004.

Date of Intended Adoption: Not sooner than January 7, 2004.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-18-055, filed 8/30/01, effective 9/30/01)

WAC 388-513-1350 Defining the maximum amount of resources allowed and determining resources availabil-

ity for long-term care (LTC) services. This section describes how the department defines the resource standard and available resources when determining a client's eligibility for LTC services. The department uses the term "resource standard" to describe the maximum amount of resources a client can have and still be resource eligible for program benefits.

(1) The resource standard used to determine eligibility for LTC services equals:

(a) Two thousand dollars for:

(i) A single client; or

(ii) A legally married client with a community spouse, subject to the provisions described in subsections (5) through (8); or

(b) Three thousand dollars for a legally married couple, unless subsection (2) applies.

(2) If the department has already established eligibility for one spouse, then it applies the standard described in subsection (1)(a) to each spouse, unless doing so would make one of the spouses ineligible.

(3) The department applies the following rules when determining available resources for LTC services:

(a) WAC ((388-470-0005)) 388-475-0300, Resource eligibility and limits;

(b) WAC ((388-470-0010)) 388-475-0250, How to determine who owns a resource;

(c) ((WAC 388-470-0015, Availability of resources;

(d)) WAC 388-470-0060(6), Resources of an alien's sponsor; and

((e)) (d) WAC 388-506-0620, SSI-related medical clients.

(4) For LTC services the department determines a client's nonexcluded resources as follows:

(a) For an SSI-related client, the department reduces available resources by excluding resources described in WAC ((388-513-1360)) 388-475-0350 through 388-475-0550;

(b) For an SSI-related client who has a community spouse, the department:

(i) Excludes resources described in WAC 388-513-1360; and

(ii) Adds together the available resources of both spouses according to subsection (5)(a) or (b) as appropriate;

(c) For a client not described in subsection (4)(a) or (b), the department applies the resource rules of the program used to relate the client to medical eligibility.

(5) The department determines available resources of a legally married client, when both spouses are institutionalized, by following WAC 388-506-0620 (5) and (6). For legally married clients when only one spouse meets institutional status, the following rules apply. If the client's current period of institutional status began:

(a) Before October 1, 1989, the department adds together one-half the total amount of nonexcluded resources held in the name of:

(i) The institutionalized spouse; or

(ii) Both spouses.

(b) On or after October 1, 1989, the department adds together the total amount of nonexcluded resources held in the name of:

(i) Either spouse; or

(ii) Both spouses.

(6) If subsection (5)(b) applies, the department (~~allocates the maximum~~) determines the amount of resources ((ordinarily allowed by law)) that are allocated to the community spouse before determining nonexcluded resources used to establish eligibility for the institutionalized spouse((-The maximum allocation amount is eighty-seven thousand dollars effective January 1, 2001-

~~(7))~~, as follows:

(a) If the client's current period of institutional status began on or after October 1, 1989 and before August 1, 2003, the department allocates the maximum amount of resources ordinarily allowed by law. The maximum allocation amount is ninety thousand six hundred sixty dollars effective January 1, 2003; or

(b) If the client's current period of institutional status began on or after August 1, 2003, the department allocates the greater of:

(i) A spousal share equal to one-half of the couple's combined nonexcluded resources as of the beginning of the current period of institutional status, up to the amount described in subsection (6)(a); or

(ii) The state spousal resource standard of forty thousand dollars.

(7) The amount of the spousal share described in (6)(b)(i) is determined sometime between the date that the current period of institutional status began and the date that eligibility for LTC services is determined. The following rules apply to the determination of the spousal share:

(a) Prior to an application for LTC services, the couple's combined countable resources are evaluated from the date of the current period of institutional status at the request of either member of the couple. The determination of the spousal share is completed when necessary documentation and/or verification is provided; or

(b) The determination of the spousal share is completed as part of the application for LTC services if the client was institutionalized prior to the month of application, and declares the spousal share exceeds the state spousal resource standard. The client will be required to provide verification of the couple's combined countable resources held at the beginning of the current period of institutional status.

(8) The amount of allocated resources described in subsection (6) can be increased, only if:

(a) A court transfers additional resources to the community spouse; or

(b) An administrative law judge establishes in a fair hearing described in chapter 388-02 WAC or by consent order, that the amount is inadequate to provide a minimum monthly maintenance needs amount for the community spouse.

~~((8))~~ (9) The department considers resources of the community spouse unavailable to the institutionalized spouse the month after eligibility for LTC services is established, unless subsection ~~((9))~~ (10)(a), (b), or (c) applies.

~~((9))~~ (10) A redetermination of the couple's resources as described in subsections (4)(b) or (c) is required, if:

(a) The institutionalized spouse has a break of at least thirty consecutive days in a period of institutional status;

(b) The institutionalized spouse's nonexcluded resources exceed the standard described in subsection (1)(a), if subsection (5)(b) applies; or

(c) The institutionalized spouse does not transfer the amount described in subsections (6) or ~~((7))~~ (8) to the community spouse or to another person for the sole benefit of the community spouse as described in WAC 388-513-1365(4) by either:

- (i) The first regularly scheduled eligibility review; or
- (ii) The reasonable amount of additional time necessary to obtain a court order for the support of the community spouse.

AMENDATORY SECTION (Amending WSR 01-18-055, filed 8/30/01, effective 9/30/01)

WAC 388-513-1380 Determining a client's participation in the cost of care for long-term care (LTC) services. This rule describes how the department allocates income and excess resources when determining participation in the cost of care (in the post-eligibility process). The department applies rules described in WAC 388-513-1315 to define which income and resources must be used in this process.

(1) For a client receiving institutional or hospice services in a medical facility, the department applies all subsections of this rule.

(2) For a client receiving waived services at home or in an alternate living facility, the department applies only those subsections of this rule that are cited in the rules for those programs.

(3) For a client receiving hospice services at home, the department applies rules used for the community options program entry system (COPES).

(4) Excess resources are reduced in an amount equal to incurred medical expenses (for definition see WAC 388-519-0110(10)) that are not subject to third-party payment and for which the client is liable, including:

(a) Health insurance and Medicare premiums, deductions, and co-insurance charges;

(b) Necessary medical care recognized under state law, but not covered under the state's Medicaid plan; and

(c) The amount of excess resources is limited to the following amounts:

(i) For LTC services provided under the categorically needy (CN) program, the amount described in WAC 388-513-1315(3); or

(ii) For LTC services provided under the medically needy (MN) program, the amount described in WAC 388-513-1395 (2)(a) or (b).

(5) The department allocates nonexcluded income up to a total of the medically needy income level (MNIL) in the following order:

(a) A personal needs allowance (PNA) of:

(i) One hundred sixty dollars for a client living in a state veterans' home;

(ii) Ninety dollars for a veteran or a veteran's surviving spouse, who receives a VA improved pension and does not live in a state veterans' home; or

(iii) Forty-one dollars and sixty-two cents for all other clients in a medical facility.

(b) Federal, state, or local income taxes (~~incurred during the time period covered by the PNA, whether paid or unpaid~~) owed by the client.

(c) Wages for a client who:

(i) Is related to the supplemental security income (SSI) program as described in WAC 388-503-0510(1); and

(ii) Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the client for a less restrictive placement. When determining this deduction employment expenses are not deducted.

(d) Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.

(6) The department allocates nonexcluded income after deducting amounts described in subsection (5) in the following order:

(a) Income garnisheed for child support:

(i) For the time period covered by the PNA; and

(ii) Not deducted under another provision in the post-eligibility process.

(b) A monthly maintenance needs allowance for the community spouse not to exceed, effective January 1, ~~((2001))~~ 2003, two thousand ~~((one))~~ two hundred ~~((seventy-five))~~ sixty-seven dollars, unless a greater amount is allocated as described in subsection (8) of this section. The monthly maintenance needs allowance:

(i) Consists of a combined total of both:

(A) An amount added to the community spouse's gross income to provide a total of one thousand ~~((four))~~ five hundred ~~((fifty-two))~~ fifteen dollars; and

(B) Excess shelter expenses as specified under subsection (7) of this section; and

(ii) Is allowed only to the extent the client's income is made available to the community spouse.

(c) A monthly maintenance needs amount for each minor or dependent child, dependent parent or dependent sibling of the community or institutionalized spouse who:

(i) Resides with the community spouse, equal to one-third of the amount that one thousand ~~((four))~~ five hundred ~~((fifty-two))~~ fifteen dollars exceeds the dependent family member's income.

(ii) Does not reside with the community spouse, equal to the MNIL for the number of dependent family members in the home less the income of the dependent family members.

(iii) Child support received from noncustodial parent is the child's income.

(d) Incurred medical expenses described in subsections (4)(a) and (b) not used to reduce excess resources.

(e) Maintenance of the home of a single client or institutionalized couple:

(i) Up to one hundred percent of the one-person federal poverty level per month;

(ii) Limited to a six-month period;

(iii) When a physician has certified that the client is likely to return to the home within the six-month period; and

(iv) When social services staff documents initial need for the income exemption and reviews the client's circumstances after ninety days.

(7) For the purposes of this section, "excess shelter expenses" means the actual expenses under subsection (7)(b)

less the standard shelter allocation under subsection (7)(a). For the purposes of this rule:

(a) The standard shelter allocation is four hundred ~~((thirty-six))~~ fifty-five dollars, effective April 1, ~~((2001))~~ 2003; and

(b) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:

- (i) Rent;
- (ii) Mortgage;
- (iii) Taxes and insurance;
- (iv) Any maintenance care for a condominium or cooperative; and

(v) The food stamp standard utility allowance for four persons, provided the utilities are not included in the maintenance charges for a condominium or cooperative.

(8) The amount allocated to the community spouse may be greater than the amount in subsection (6)(b) only when:

- (a) A court enters an order against the client for the support of the community spouse; or
- (b) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

(9) A client who is admitted to a medical facility for ninety days or less and continues to receive full SSI benefits is not required to use the SSI income in the cost of care for medical services. Income allocations are allowed as described in this section from non-SSI income.

WSR 03-24-103
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed December 3, 2003, 10:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-10-049.

Title of Rule: New chapter 388-553 WAC, Home infusion therapy/parenteral nutrition program, WAC 388-553-100 Home infusion therapy/parenteral nutrition program—General, 388-553-200 Home infusion therapy/parenteral nutrition program—Definitions, 388-553-300 Home infusion therapy/parenteral nutrition program—Client eligibility and assignment, 388-553-400 Home infusion therapy/parenteral nutrition program—Provider requirements, and 388-553-500 Home infusion therapy/parenteral nutrition program—Covered services and limitations.

Purpose: To incorporate into rule the home infusion therapy/parenteral nutrition program.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.530.

Statute Being Implemented: RCW 74.08.090, 74.09.530.

Summary: The new rule establishes standards of eligibility and coverage for home infusion therapy and parenteral nutrition that will provide eligible clients access to these services.

Reasons Supporting Proposal: To incorporate the home infusion therapy/parenteral nutrition program into rule.

Name of Agency Personnel Responsible for Drafting: Kathy Sayre, P.O. Box 5533, Olympia, WA 98504, (360) 725-1342; Implementation and Enforcement: Shirley Munkberg, P.O. Box 5533, Olympia, WA 98504, (360) 725-1570.

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 new rule incorporates the home infusion therapy/parenteral nutrition program policy into rule. The purpose of the rule is to ensure that an eligible medical assistance client receives equipment, supplies, and parenteral administration of therapeutic agents in a qualified setting to improve or sustain the client's health.

Proposal does not change existing rules.

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

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

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on January 6, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by January 2, 2004, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., January 6, 2004.

Date of Intended Adoption: Not sooner than January 7, 2004.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Chapter 388-553 WAC

HOME INFUSION THERAPY/PARENTERAL NUTRITION PROGRAM

NEW SECTION

WAC 388-553-100 Home infusion therapy/parenteral nutrition program—General. The medical assistance administration's (MAA's) home infusion therapy/parenteral nutrition program provides the supplies and equipment necessary for parenteral infusion of therapeutic agents to medical assistance clients. An eligible client receives equipment, supplies, and parenteral administration

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of therapeutic agents in a qualified setting to improve or sustain the client's health.

NEW SECTION

WAC 388-553-200 Home infusion therapy/parenteral nutrition program—Definitions. The following terms and definitions apply to the home infusion therapy/parenteral nutrition program:

"Infusion therapy" means the provision of therapeutic agents or nutritional products to individuals by parenteral infusion for the purpose of improving or sustaining a client's health.

"Intradialytic parenteral nutrition (IDPN)" means intravenous nutrition administered during hemodialysis. IDPN is a form of parenteral nutrition.

"Medical nutrition" means the use of medical nutritional solutions alone, or in combination with traditional food, when a client is unable to consume enough traditional food to meet nutritional requirements. Medical nutritional solutions can be given orally or via feeding tubes.

"Parenteral infusion" means the introduction of a substance by means other than the gastrointestinal tract, referring particularly to the introduction of substances by intravenous, subcutaneous, intramuscular or intramedullary means.

"Parenteral nutrition" (also known as total parenteral nutrition (TPN)) means the provision of nutritional requirements intravenously.

NEW SECTION

WAC 388-553-300 Home infusion therapy/parenteral nutrition program—Client eligibility and assignment. (1) Clients in the following medical assistance administration (MAA) programs are eligible to receive home infusion therapy and parenteral nutrition, subject to the limitations and restrictions in this section and other applicable WAC:

- (a) Categorically needy program (CNP);
- (b) Categorically needy program - Children's health insurance program (CNP-CHIP);
- (c) General assistance - Unemployable (GA-U); and
- (d) Limited casualty program - Medically needy program (LCP-MNP).

(2) Clients enrolled in an MAA managed care plan are eligible for home infusion therapy and parenteral nutrition through that plan.

(3) Clients eligible for home health program services may receive home infusion related services according to WAC 388-551-2000 through 388-551-3000.

(4) To receive home infusion therapy, a client must:

- (a) Have a written physician order for all solutions and medications to be administered.
- (b) Be able to manage their infusion in one of the following ways:
 - (i) Independently;
 - (ii) With a volunteer caregiver who can manage the infusion; or
 - (iii) By choosing to self-direct the infusion with a paid caregiver (see WAC 388-71-05640).

(c) Be clinically stable and have a condition that does not warrant hospitalization.

(d) Agree to comply with the protocol established by the infusion therapy provider for home infusions. If the client is not able to comply, the client's caregiver may comply.

(e) Consent, if necessary, to receive solutions and medications administered in the home through intravenous, enteral, epidural, subcutaneous, or intrathecal routes. If the client is not able to consent, the client's legal representative may consent.

(f) Reside in a residence that has adequate accommodations for administering infusion therapy including:

- (i) Running water;
- (ii) Electricity;
- (iii) Telephone access; and
- (iv) Receptacles for proper storage and disposal of drugs and drug products.

(5) To receive parenteral nutrition, a client must meet the conditions in subsection (4) of this section and:

(a) Have hyperemesis gravidarum or a permanent impairment involving the gastrointestinal tract that prevents oral or enteral intake to meet the client's nutritional needs;

(b) Be unresponsive to standard medical management; and

(c) Be unable to maintain weight or strength.

(6) A client who has a functioning gastrointestinal tract is not eligible for parenteral nutrition program services when the need for parenteral nutrition is only due to:

- (a) A swallowing disorder;
- (b) Temporary gastrointestinal defect;
- (c) A psychological disorder (such as depression) that impairs food intake;
- (d) A cognitive disorder (such as dementia) that impairs food intake;
- (e) A physical disorder (such as cardiac or respiratory disease) that impairs food intake;
- (f) A side effect of medication; or
- (g) Renal failure or dialysis, or both.

(7) A client is eligible to receive intradialytic parenteral nutrition (IDPN) solutions when:

(a) The parenteral nutrition is not solely supplemental to deficiencies caused by dialysis; and

(b) The client meets the criteria in subsection (4) and (5) of this section and other applicable WAC.

NEW SECTION

WAC 388-553-400 Home infusion therapy/parenteral nutrition program—Provider requirements. (1) Eligible providers of home infusion supplies and equipment and parenteral nutrition solutions must:

(a) Have a signed core provider agreement with the medical assistance administration (MAA); and

(b) Be one of the following provider types:

- (i) Pharmacy provider;
- (ii) Durable medical equipment (DME) provider; or
- (iii) Infusion therapy provider.

(2) MAA pays eligible providers for home infusion supplies and equipment and parenteral nutrition solutions only when the providers:

(a) Are able to provide home infusion therapy within their scope of practice;

(b) Have evaluated each client in collaboration with the client's physician, pharmacist, or nurse to determine whether home infusion therapy/parenteral nutrition is an appropriate course of action;

(c) Have determined that the therapies prescribed and the client's needs for care can be safely met;

(d) Have assessed the client and obtained a written physician order for all solutions and medications administered to the client in the client's residence or in a dialysis center through intravenous, epidural, subcutaneous, or intrathecal routes;

(e) Meet the requirements in WAC 388-502-0020, including keeping legible, accurate and complete client charts, and providing the following documentation in the client's medical file:

(i) For a client receiving infusion therapy, the file must contain:

(A) A copy of the written prescription for the therapy;

(B) The client's age, height, and weight; and

(C) The medical necessity for the specific home infusion service.

(ii) For a client receiving parenteral nutrition, the file must contain:

(A) All the information listed in (e)(i) of this subsection;

(B) Oral or enteral feeding trials and outcomes, if applicable;

(C) Duration of gastrointestinal impairment; and

(D) The monitoring and reviewing of the client's lab values:

(I) At the initiation of therapy;

(II) At least once per month; and

(III) When the client and/or the client's lab results are unstable.

NEW SECTION

WAC 388-553-500 Home infusion therapy/parenteral nutrition program—Covered services and limitations. (1) The home infusion therapy/parenteral nutrition program covers the following for eligible clients, subject to the limitations and restrictions listed:

(a) Home infusion supplies, limited to one month's supply per client, per calendar month.

(b) Parenteral nutrition solutions, limited to one month's supply per client, per calendar month.

(c) One type of infusion pump, one type of parenteral pump, and/or one type of insulin pump per client, per calendar month and as follows:

(i) All rent-to-purchase infusion, parenteral, and/or insulin pumps must be new equipment at the beginning of the rental period.

(ii) MAA covers the rental payment for each type of infusion, parenteral, or insulin pump for up to twelve months. (MAA considers a pump purchased after twelve months of rental payment.)

(iii) MAA covers only one purchased infusion pump or parenteral pump per client in a five-year period.

(iv) MAA covers only one purchased insulin pump per client in a four-year period.

(2) MAA's reimbursement for equipment rentals and purchases includes the following:

(a) Instructions to a client or a caregiver, or both, on the safe and proper use of equipment provided;

(b) Full service warranty;

(c) Delivery and pick-up; and

(d) Set-up, fitting, and adjustments.

(3) Except as provided in subsection (4) of this section, MAA does not pay separately for home infusion supplies and equipment or parenteral nutrition solutions:

(a) When a client resides in a state-owned facility (i.e., state school, developmental disabilities (DD) facility, mental health facility, Western State Hospital, and Eastern State Hospital).

(b) When a client has elected and is eligible to receive MAA's hospice benefit, unless both of the following apply:

(i) The client has a pre-existing diagnosis that requires parenteral support; and

(ii) The pre-existing diagnosis is not related to the diagnosis that qualifies the client for hospice.

(4) MAA pays separately for a client's infusion pump, parenteral nutrition pump, insulin pump, solutions, and/or insulin infusion supplies when the client:

(a) Resides in a nursing facility; and

(b) Meets the criteria in WAC 388-553-300.

(5) MAA evaluates a request for home infusion therapy supplies and equipment or parenteral nutrition solutions that are not covered or are in excess of the home infusion therapy/parenteral nutrition program's limitations or restrictions, according to WAC 388-501-0165.

WSR 03-24-106
PROPOSED RULES
STATE BOARD OF HEALTH
[Filed December 3, 2003, 11:06 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-07-103.

Title of Rule: Group A public drinking water system regulation, chapter 246-290 WAC.

Purpose: The purpose is to adopt revisions necessary to be consistent with federally promulgated Environmental Protection Agency (EPA) rules and regulations. The proposed revisions amend WAC 246-290-010, 246-290-025, 246-290-130, 246-290-300, 246-290-310, 246-290-320, 246-290-480, 246-290-601, 246-290-630, 246-290-660, 246-290-664, 246-290-666, 246-290-72010, and 246-290-72012.

Statutory Authority for Adoption: RCW 43.20.050.

Statute Being Implemented: RCW 70.119A.080.

Summary: The proposed revisions: (1) Add requirements to improve microbial control in water systems using surface water sources that serve fewer than 10,000 people; (2) revises the maximum contaminant level (MCL) for arsenic from 0.05 mg/L to 0.010 mg/L for community and nontransient noncommunity systems; and (3) removes the

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arsenic MCL for transient noncommunity (TNC) water systems.

Reasons Supporting Proposal: As the primacy agency, the Department of Health is responsible for implementing rules no less stringent than EPA rules and regulations. These rule revisions are required to maintain our primacy agreement with EPA and sustain federal funding.

Name of Agency Personnel Responsible for Drafting: Theresa Phillips, Tumwater, (360) 236-3147; **Implementation and Enforcement:** Richard Siffert, Tumwater, (360) 236-3146.

Name of Proponent: Department of Health, Division of Environmental Health, governmental.

Rule is necessary because of federal law, 40 C.F.R., Parts 9, 141, 142.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule revisions will achieve compliance with the new federal requirements to maintain state primacy. The revisions are necessary to: (1) Strengthen protection against microbial contamination for public water systems using surface water sources, serving fewer than 10,000 people; (2) strengthen protection from long-term exposure to arsenic for community and nontransient noncommunity water systems; and (3) clarify current rule language.

Proposal Changes the Following Existing Rules: The proposed rule revisions change existing rules by adding requirements to improve control of microbial pathogens, specifically *Cryptosporidium* for public water systems using surface water sources that serve fewer than 10,000 people. The proposed revisions amend WAC 246-290-010 Definitions, 246-290-025 Adoption by reference, 246-290-480 Record-keeping and reporting, 246-290-601 purpose of surface water treatment, 246-290-630 General requirements, 246-290-660 Filtration, 246-290-664 Monitoring for filtered systems, and 246-290-666 Reporting for filtered systems. The proposed revisions also amend the MCL for arsenic from 0.05 mg/L (50 ppb) to 0.010 mg/L (10 ppb) for community and nontransient noncommunity water systems; revises the timeframe for when the new MCL applies to new systems and existing systems with new sources; modifies the calculation for determining when a system violates the MCL from a single sample with a confirmation sample to a running annual average; removes the arsenic MCL for transient noncommunity water systems; and clarifies current rule language. The proposed revisions amend WAC 246-290-025 Adoption by reference, 246-290-130 Source approval, 246-290-300 Monitoring requirements, 246-290-310 Maximum contaminant levels and maximum residual disinfectant levels, 246-290-320 Follow-up action, 246-290-72010 Report contents—Required additional health information, and 246-290-72012 Regulated contaminants.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Parts of this rule revision are exempt from the small business economic impact statement requirement under RCW 19.85.025(3) because it adopts federal regulations without material change. The only part of the rule revision that is not exempt for this reason concerns the removal of the current arsenic MCL for TNC water systems. This revision does not impose any additional costs

on the regulated community, therefore falls under the minor impact threshold.

RCW 34.05.328 applies to this rule adoption. Parts of the rule are exempt from the statute because they "adopt federal regulations without material change." The part of the rule revision that is not exempt concerns the removal of the existing arsenic MCL for TNC water systems. This part of the rule qualifies as legislatively significant under RCW 34.05.328 (5)(c)(iii) because it significantly amends a regulatory program.

Hearing Location: Department of Health, Point Plaza East, 310 Israel Road S.E., Tumwater, WA 98504, on January 14, 2004, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Theresa Phillips by January 2, 2004, TDD (800) 833-6388 or (360) 236-3147.

Submit Written Comments to: Department of Health, Theresa Phillips, P.O. Box 47822, Olympia, WA 98504-7822, fax (360) 236-2253, by January 7, 2004.

Date of Intended Adoption: January 14, 2004.

December 2, 2003

Don Sloma

Executive Director

AMENDATORY SECTION (Amending WSR 99-07-021, filed 3/9/99, effective 4/9/99)

WAC 246-290-130 Source approval. (1) Every purveyor shall obtain drinking water from the highest quality source feasible. No new source, previously unapproved source, or modification of an existing source shall be used as a public water supply without department approval. No intake or other connection shall be maintained between a public water system and a source of water not approved by the department.

(2) Before initiating source development or modification, the purveyor shall contact the department to identify submittal requirements.

(3) Any party seeking source approval shall provide the department sufficient documentation, in a project report, construction documents, or in supplemental documents, that the source:

(a) Is reasonable and feasible for the type and size of the system;

(b) May legally be used in conformance with state water rights laws;

(c) Supplies water that is physically and reliably available in the necessary quantities, as shown in:

(i) A hydrogeologic assessment of the proposed source;

(ii) A general description of the watershed, spring, and/or aquifer recharge area affecting the quantity or quality of flow, which includes seasonal variation and upstream water uses that may significantly affect the proposed source;

(iii) For ground water and spring sources, well source development data that are available from a pump test at the maximum design rate and duration, or are available from other sources of information, that establish pump settings (depth) in the well and demonstrate adequacy of water quantity to meet design criteria while not leading to water quality problems;

(iv) For ground water and spring sources, installation of a source meter or other equivalent device that reliably measures volume of flow into the system;

(d) Is, or is not, a GWI under WAC 246-290-640, and meets or can meet the applicable requirements for GWI sources as described in that section including treatment;

(e) Adequately provides for source protection, as shown in:

(i) For surface water and GWI sources, the watershed control program identified under WAC 246-290-135 and Part 6 of this chapter;

(ii) For wells, a preliminary department susceptibility assessment or equivalent information, and preliminary WHPA delineation and contaminant inventory, under the requirements for sanitary control and wellhead protection under WAC 246-290-135;

(f) Is designed and constructed in conformance with this chapter, and relevant requirements of chapter 173-160 WAC (department of ecology well construction standards);

(g) Meets water quality standards under WAC 246-290-310, as shown in an initial water quality analysis that includes, at a minimum, the following:

(i) Bacteriological;

(ii) Complete inorganic chemical and physical except that the MCL for arsenic under WAC 246-290-310 does not apply to TNC systems;

(iii) Complete VOC;

(iv) Radionuclides, if source approval is requested for a community system;

(v) SOC, except where waived or not required under WAC 246-290-310; and

(vi) Any other information required by the department relevant to the circumstances of the particular source.

Sources that otherwise would not meet water quality standards may be approved if treatment is provided.

(4) The required documentation under subsection (3) of this section shall include, at a minimum:

(a) A copy of the water right, or other written evidence of the existence of the right;

(b) A map showing the project location and vicinity;

(c) A map depicting topography, distances to the surface water intake, well or spring from existing property lines, buildings, potential sources of contamination, ditches, drainage patterns, and any other natural or man-made features affecting the quality or quantity of water;

(d) The dimensions, location, and legal documentation of the sanitary control area (SCA) under WAC 246-290-135;

(e) A copy of the on-site inspection form completed by the department or local health department representative;

(f) A copy of the water well report including the unique well identification tag number, depth to open interval or top of screened interval, overall depth of well from the top of the casing, vertical elevation, and location (both plat location and latitude/longitude); and

(g) Documentation of source meter installation. The purveyor may utilize other documents, such as a water system plan, susceptibility assessment, wellhead protection program, project report, or construction documents, to provide such documentation and information to the department, provided that such documents are current, and the purveyor indi-

cates the location in the document of the relevant information.

(5) If treatment of a source is necessary to meet water quality standards, the purveyor may be required to meet the provisions of WAC 246-290-250 and Part 6 of this chapter, if applicable, prior to or as a condition of approval.

(6) An intertie must be adequately described in a written agreement between the purveyor and the supplier of the water, and otherwise meet the requirements of WAC 246-290-132.

(7) The purveyor shall not construct facilities for source development and use without prior approval of the department pursuant to the provisions of WAC 246-290-120.

(8) The purveyor shall receive a written source approval when:

(a) The purveyor has complied with the relevant provisions of subsections (1) through (7) of this section; and

(b) The developed source provides water complying with this chapter.

(9) The purveyor may receive a conditional source approval, such as one that sets limits on use or requires interim treatment, if further analysis of the quality of the source is required before final approval.

(10) For sources or supplies of water used by bottled water or ice plants to produce bottled water or ice:

(a) If the bottled water or ice plant is a Group A community water system and the plant uses the system's source for the water that is bottled or made into ice, the source and supply used for the bottled water and ice shall meet the applicable Group A requirements;

(b) If the bottled water or ice plant uses its own source for the water that is bottled or made into ice, and the plant is not a Group A community water system, the owner or operator shall obtain source approval from the department, and the source water shall meet the ongoing source water quality monitoring requirements for a Group A community system;

(c) If the bottled water or ice plant purchases the water for bottling or making ice from another source or supply, the water shall meet the minimum requirements for a Group A community water system, and the owner or operator of the plant shall ensure that the water meets such requirements;

(d) The source or supply for the water that is bottled or made into ice shall be protected from contamination prior to the bottling or ice making process; and

(e) In addition to the requirements imposed under this subsection, the processing of bottled water shall be subject to regulation by the state department of agriculture and the United States Food and Drug Administration.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-300 Monitoring requirements. (1) General.

(a) The monitoring requirements specified in this section are minimums. The department may require additional monitoring when:

(i) Contamination is present or suspected in the water system;

(ii) A ground water source is determined to be a potential GWI;

(iii) The degree of source protection is not satisfactory;

(iv) Additional monitoring is needed to verify source vulnerability for a requested monitoring waiver;

(v) Under other circumstances as identified in a departmental order; or

(vi) Additional monitoring is needed to evaluate continuing effectiveness of a treatment process where problems with the treatment process may exist.

(b) Special purpose samples collected by the purveyor shall not count toward fulfillment of the monitoring requirements of this chapter unless the quality of data and method of sampling and analysis are acceptable to the department.

(c) The purveyor shall ensure samples required by this chapter are collected, transported, and submitted for analysis according to EPA-approved methods. The analyses shall be performed by a laboratory accredited by the state. Qualified water utility, accredited laboratory, health department personnel, and other parties approved by the department may conduct measurements for pH, temperature, residual disinfectant concentration, alkalinity, bromide, chlorite, TOC, SUVA, and turbidity as required by this chapter, provided, these measurements are made in accordance with EPA approved methods.

(d) Compliance samples required by this chapter shall be taken at locations listed in Table 3 of this section.

(e) Purveyors failing to comply with a monitoring requirement shall notify:

(i) The department in accordance with WAC 246-290-480; and

(ii) The owner or operator of any consecutive system served and the appropriate water system users in accordance with 40 CFR 141.201 and Part 7, Subpart A of this chapter.

(2) Selling and receiving water.

(a) Source monitoring. Purveyors, with the exception of those that "wheel" water to their consumers (i.e., sell water that has passed through another purchasing purveyor's distribution system), shall conduct source monitoring in accordance with this chapter for the sources under their control. The level of monitoring shall satisfy the monitoring requirements associated with the total population served by the source.

(b) Distribution system monitoring. The purveyor of a system that receives and distributes water shall perform distribution-related monitoring requirements. Monitoring shall include, but not be limited to, the following:

(i) Collect coliform samples in accordance with subsection (3) of this section;

(ii) Collect trihalomethane samples if required by subsection (6) of this section or disinfection by-product samples if required by subsection (7) of this section;

(iii) Perform the distribution system residual disinfectant concentration monitoring in accordance with subsection (7) of this section, and as required under WAC 246-290-451 or 246-290-694;

(iv) Perform lead and copper monitoring required under 40 CFR 141.86, 141.87, and 141.88;

(v) Perform the distribution system monitoring in accordance with 40 CFR 141.23(b) for asbestos if applicable;

(vi) Other monitoring as required by the department.

(c) Reduced monitoring for regional programs. The receiving purveyor may receive reductions in the coliform, lead and copper, disinfection by-product (including THMs) and distribution system disinfectant residual concentration monitoring requirements, provided the receiving system:

(i) Purchases water from a purveyor that has a department-approved regional monitoring program; and

(ii) Has a written agreement with the supplying system or regional water supplier that is acceptable to the department, and which identifies the responsibilities of both the supplying and receiving system(s) with regards to monitoring, reporting and maintenance of the distribution system.

(d) Periodic review of regional programs. The department may periodically review the sampling records of public water systems participating in a department-approved monitoring program to determine if continued reduced monitoring is appropriate. If the department determines a change in the monitoring requirements of the receiving system is appropriate:

(i) The department shall notify the purveyor of the change in monitoring requirements; and

(ii) The purveyor shall conduct monitoring as directed by the department.

(3) Bacteriological.

(a) The purveyor shall be responsible for collection and submittal of coliform samples from representative points throughout the distribution system. Samples shall be collected after the first service and at regular time intervals each month the system provides water to consumers. Samples shall be collected that represent normal system operating conditions.

(i) Systems providing disinfection treatment shall, when taking a routine or repeat sample, measure residual disinfectant concentration within the distribution system at the same time and location and comply with the residual disinfection monitoring requirements under WAC 246-290-451.

(ii) Systems providing disinfection treatment shall assure that disinfectant residual concentrations are measured and recorded on all coliform sample report forms submitted for compliance purposes.

(b) Coliform monitoring plan.

(i) The purveyor shall prepare a written coliform monitoring plan and base routine monitoring upon the plan. The plan shall include coliform sample collection sites and a sampling schedule.

(ii) The purveyor shall:

(A) Keep the coliform monitoring plan on file with the system and make it available to the department for inspection upon request;

(B) Revise or expand the plan at any time the plan no longer ensures representative monitoring of the system, or as directed by the department; and

(C) Submit the plan to the department for review and approval when requested and as part of the water system plan required under WAC 246-290-100.

(c) Monitoring frequency. The number of required routine coliform samples is based on total population served.

(i) Purveyors of **community** systems shall collect and submit for analysis no less than the number of routine sam-

PROPOSED

ples listed in Table 2 during each calendar month of operation;

(ii) Unless directed otherwise by the department, purveyors of **noncommunity** systems shall collect and submit for analysis no less than the number of samples required in Table 2, and no less than required under 40 CFR 141.21. Each month's population shall be based on the average daily population and shall include all residents and nonresidents served during that month. During months when the average daily population served is less than twenty-five, routine sample collection is not required when:

- (A) Using only protected ground water sources;
- (B) No coliform were detected in samples during the previous month; and
- (C) One routine sample has been collected and submitted for analysis during one of the previous two months.

(iii) Purveyors of systems serving both a resident and a nonresident population shall base their minimum sampling requirement on the total of monthly populations served, both resident and nonresident as determined by the department, but no less than the minimum required in Table 2; and

(iv) Purveyors of systems with a nonresident population lasting two weeks or less during a month shall sample as directed by the department. Sampling shall be initiated at least two weeks prior to the time service is provided to consumers.

(v) Purveyors of TNC systems shall not be required to collect routine samples in months where the population served is zero or the system has notified the department of an unscheduled closure.

(d) Invalid samples. When a coliform sample is determined invalid under WAC 246-290-320 (2)(d), the purveyor shall:

- (i) Not include the sample in the determination of monitoring compliance; and
 - (ii) Take follow-up action as defined in WAC 246-290-320 (2)(d).
- (e) The purveyor using a surface water or GWI source shall collect representative source water samples for bacteriological density analysis in accordance with WAC 246-290-664 and 246-290-694 as applicable.

TABLE 2
MINIMUM MONTHLY ROUTINE COLIFORM
SAMPLING REQUIREMENTS

Population Served ¹	Minimum Number of Routine Samples/Calendar Month	
	When NO samples with a coliform presence were collected during the previous month	When ANY samples with a coliform presence were collected during the previous month
During Month		
1 - 1,000	1*	5
1,001 - 2,500	2*	5
2,501 - 3,300	3*	5
3,301 - 4,100	4*	5
4,101 - 4,900	5	5
4,901 - 5,800	6	6
5,801 - 6,700	7	7

Population Served ¹	Minimum Number of Routine Samples/Calendar Month	
	When NO samples with a coliform presence were collected during the previous month	When ANY samples with a coliform presence were collected during the previous month
During Month		
6,701 - 7,600	8	8
7,601 - 8,500	9	9
8,501 - 12,900	10	10
12,901 - 17,200	15	15
17,201 - 21,500	20	20
21,501 - 25,000	25	25
25,001 - 33,000	30	30
33,001 - 41,000	40	40
41,001 - 50,000	50	50
50,001 - 59,000	60	60
59,001 - 70,000	70	70
70,001 - 83,000	80	80
83,001 - 96,000	90	90
96,001 - 130,000	100	100
130,001 - 220,000	120	120
220,001 - 320,000	150	150
320,001 - 450,000	180	180
450,001 - 600,000	210	210
600,001 - 780,000	240	240
780,001 - 970,000	270	270
970,001 - 1,230,000 ³	300	300

¹ Does not include the population of a consecutive system that purchases water. The sampling requirement for consecutive systems is a separate determination based upon the population of that system.

² Noncommunity systems using only protected ground water sources and serving less than 25 individuals, may collect and submit for analysis, one sample every three months.

³ Systems serving populations larger than 1,230,000 shall contact the department for the minimum number of samples required per month.

* In addition to the provisions of subsection (1)(a) of this section, if a system of this size cannot show evidence of having been subject to a sanitary survey on file with the department, or has been determined to be at risk to bacteriological concerns following a survey, the minimum number of samples required per month may be increased by the department after additional consideration of such factors as monitoring history, compliance record, operational problems, and water quality concerns for the system.

(4) Inorganic chemical and physical.

(a) A complete inorganic chemical and physical analysis shall consist of the primary and secondary chemical and physical substances.

(i) Primary chemical and physical substances are antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate (as N), nitrite (as N), selenium, sodium, thallium, and for unfiltered surface water, turbidity. (Except that the MCL for arsenic under WAC 246-290-310 does not apply to TNC systems.)

(ii) Secondary chemical and physical substances are chloride, color, hardness, iron, manganese, specific conductivity, silver, sulfate, total dissolved solids*, and zinc.

* Required only when specific conductivity exceeds seven hundred micromhos/centimeter.

(b) Purveyors shall monitor for all primary and secondary chemical and physical substances identified in Table 4 and Table 5. Samples shall be collected in accordance with the monitoring requirements referenced in 40 CFR 141.23 introductory text, 141.23(a) through 141.23(j), excluding (i)(2), and 40 CFR 143.4, except for composite samples for systems serving less than three thousand three hundred one persons. For these systems, compositing among different systems may be allowed if the systems are owned or operated by a department-approved satellite management agency.

(c) Samples required by this subsection shall be taken at designated locations in accordance with 40 CFR 141.23(a) through 141.23(j), excluding (i)(2), and 40 CFR 143.4, and Table 3 herein.

(i) Wellfield samples shall be allowed from department designated wellfields; and

(ii) In accordance with 40 CFR 141.23 (a)(3), alternate sampling locations may be used if approved by the department. The process for determining these alternate sites is described in department guidance. Purveyors of community and NTNC systems may ask the department to approve an alternate sampling location for multiple sources within a single system that are blended prior to entry to the distribution system. Alternate sampling plans shall address the following:

- (A) Source vulnerability;
- (B) Individual source characteristics;
- (C) Previous water quality information;
- (D) Status of monitoring waiver applications; and
- (E) Other information deemed necessary by the department.

(d) Composite samples:

(i) In accordance with CFR 141.23 (a)(4), purveyors may ask the certified lab to composite samples representing as many as five individual samples from within one system. Sampling procedures and protocols are outlined in department guidance; and

(ii) For systems serving a population of less than three thousand three hundred one, the department may approve composite sampling between systems when those systems are part of an approved satellite management agency.

(e) When the purveyor provides treatment for one or more inorganic chemical or physical contaminants, the department may require the purveyor to sample before and after treatment. The department shall notify the purveyor if and when this additional source sampling is required.

(f) Inorganic monitoring plans.

(i) Purveyors of community and NTNC systems shall prepare an inorganic chemical monitoring plan and base routine monitoring on the plan.

(ii) The purveyor shall:

(A) Keep the monitoring plan on file with the system and make it available to the department for inspection upon request;

(B) Revise or expand the plan at any time the plan no longer reflects the monitoring requirements, procedures or sampling locations, or as directed by the department; and

(C) Submit the plan to the department for review and approval when requested and as part of the water system plan required under WAC 246-290-100.

(g) Monitoring waivers.

(i) Purveyors may request in writing, a monitoring waiver from the department for any nonnitrate/nitrite inorganic chemical and physical monitoring requirements identified in this chapter.

(ii) Purveyors requesting a monitoring waiver shall comply with applicable subsections of 40 CFR 141.23 (b)(3), 141.23 (c)(3), and 141.40 (n)(4).

(iii) Purveyors shall update and resubmit requests for waiver renewals as applicable during each compliance cycle or period or more frequently as directed by the department.

(iv) Failure to provide complete and accurate information in the waiver application shall be grounds for denial of the monitoring waiver.

(h) The department may require the purveyor to repeat sample for confirmation of results.

(i) Purveyors with emergency and seasonal sources shall monitor those sources when they are in use.

(5) Lead and copper. Monitoring for lead and copper shall be conducted in accordance with 40 CFR 141.86 (a) - (f), 141.87, and 141.88.

(6) Trihalomethanes (THMs).

(a) Purveyors of **community** systems serving at least ten thousand people and providing water treated with chlorine or other halogenated disinfectant shall monitor as follows:

(i) Ground water sources. Until December 31, 2003, the purveyor shall collect one sample from each treated ground water source every twelve months. This sample shall be taken at the source before treatment and analyzed for maximum total trihalomethane potential (MTTP). The purveyor may receive approval from the department for an alternate sample location if it would provide essentially the same information as an MTTP analysis regarding the levels of THMs that the consumers are, or could potentially be, exposed to in the drinking water. Beginning January 1, 2004, systems that add a chemical disinfectant shall meet the monitoring requirements in subsection (7) of this section.

(ii) Surface water sources. The purveyor shall meet the monitoring requirements in subsection (7) of this section.

(iii) Purchased surface water sources. Purveyors of consecutive systems that add a chemical disinfectant to either the surface water they purchase, or to additional ground water supplies they use, shall meet the monitoring requirements in subsection (7) of this section.

(b) Until December 31, 2003, purveyors of **community** systems shall monitor for TTHM(s) when serving a population less than ten thousand and providing surface water treated with chlorine or other halogenated disinfectant. The purveyor shall collect one water sample per treated source every three months for one year. The sample shall be taken at the extreme end of the distribution system and analyzed for TTHM(s). After the first year, the purveyor shall monitor surface water sources every thirty-six months. Beginning January 1, 2004, systems that add a chemical disinfectant shall meet the monitoring requirements in subsection (7) of this section.

(c) Until December 31, 2003, purveyors of **community** systems shall monitor for TTHM(s) when serving less than ten thousand people and purchasing surface water treated with chlorine or other halogenated disinfectant or adding a halogenated disinfectant after purchase. The purveyor shall

collect one water sample every three months at the extreme end of the distribution system or at a department-acceptable location. The sample shall be analyzed for TTHM(s). After the first year, the purveyor shall monitor every thirty-six months. Beginning January 1, 2004, systems that add a chemical disinfectant to either the surface water they purchase, or to additional ground water supplies they use, shall meet the monitoring requirements in subsection (7) of this section.

(d) After December 31, 2003, subsection (6) of this section no longer applies to any public water system.

(7) Disinfection by-products (DBP), disinfectant residuals, and disinfection by-product precursors (DBPP). Purveyors of community and NTNC systems providing water treated with chemical disinfectants and TNC systems using chlorine dioxide shall monitor as follows:

(a) General requirements.

(i) Systems shall collect samples during normal operating conditions.

(ii) All monitoring shall be conducted in accordance with the analytical requirements in 40 CFR 141.131.

(iii) Systems may consider multiple wells drawing from a single aquifer as one treatment plant for determining the minimum number of TTHM and HAA5 samples required, with department approval in accordance with department guidance.

(iv) Systems required to monitor under this subsection shall prepare and implement a monitoring plan in accordance with 40 CFR 141.132(f).

(A) Community and NTNC surface water systems that add a chemical disinfectant and serve at least ten thousand people shall submit a monitoring plan to the department.

(B) Community and NTNC surface water systems that add a chemical disinfectant and serve less than ten thousand people, but more than three thousand three hundred people, shall submit a monitoring plan to the department by April 10, 2004.

(C) The department may require submittal of a monitoring plan from systems not specified in subsection (7)(a)(iv)(A) or (B) of this section, and may require revision of any monitoring plan.

(D) Failure to monitor will be treated as a violation for the entire period covered by the annual average where compliance is based on a running annual average of monthly or quarterly samples or averages and the systems' failure to monitor makes it impossible to determine compliance with MCL's or MRDL's.

(b) Disinfection by-products - **Community and NTNC systems only.**

(i) Compliance dates.

(A) A system that is installing Granular Activated Carbon (GAC) with a minimum ten minutes of empty bed contact time (GAC10) or membrane technology to comply with WAC 246-290-310(5) may apply to the department for an extension of time to comply with this subsection. The extension may not go beyond December 31, 2003.

(B) Surface water systems that serve less than ten thousand people, or systems using only ground water, and that add a chemical disinfectant, including, but not limited to, chlorine, chloramines, chlorine dioxide, and/or ozone, shall

comply with the applicable requirements of this subsection beginning January 1, 2004.

(ii) TTHMs and HAA5.

(A) Systems shall monitor for TTHMs and HAA5 in accordance with 40 CFR 141.132 (b)(1)(i).

(B) With department approval, systems may reduce monitoring in accordance with 40 CFR 141.132 (b)(1)(ii).

(C) Systems on department-approved reduced monitoring schedules may be required to return to routine monitoring, or initiate increased monitoring in accordance with 40 CFR 141.132 (b)(1)(iii).

(D) The department may return systems on increased monitoring to routine monitoring if, after one year, annual average results for TTHMs and HAA5 are less than or equal to 0.060 mg/L and 0.045 mg/L, respectively, or monitoring results are consistently below the MCLs indicating that increased monitoring is no longer necessary.

(iii) Chlorite - Only systems that use **chlorine dioxide.**

(A) Systems using chlorine dioxide shall conduct daily and monthly monitoring in accordance with 40 CFR 141.132 (b)(2)(i) and additional chlorite monitoring in accordance with 40 CFR 141.132 (b)(2)(ii).

(B) With department approval, monthly monitoring may be reduced in accordance with 40 CFR 141.132 (b)(2)(iii)(B). Daily monitoring at entry to distribution required by 40 CFR 141.132 (b)(2)(i)(A) may not be reduced.

(iv) Bromate - Only systems that use **ozone.**

(A) Systems using ozone for disinfection or oxidation must conduct bromate monitoring in accordance with 40 CFR 141.132 (b)(3)(i).

(B) With department approval, monthly bromate monitoring may be reduced to once per quarter, in accordance with the provisions and requirements of 40 CFR 141.132 (b)(3)(ii) and 40 CFR 141.132(e).

(c) Disinfectant residuals.

(i) Compliance dates.

(A) Community and NTNC surface water systems that add a chemical disinfectant, including, but not limited to, chlorine, chloramines, chlorine dioxide, and/or ozone, and serve less than ten thousand people, or systems using only ground water, shall comply with the applicable requirements of this section beginning January 1, 2004.

(B) TNC surface water systems that add chlorine dioxide as a disinfectant or oxidant, and serve less than ten thousand people, or systems using only ground water, shall comply with the chlorine dioxide MRDL beginning January 1, 2004.

(ii) Chlorine and chloramines. Systems that use chlorine or chloramines shall monitor and record the residual disinfectant level in the distribution system in accordance with WAC 246-290-451(6), 246-290-664 (6)(a), or 246-290-694 (8)(a).

(iii) Chlorine dioxide. Community, NTNC, or TNC systems that use chlorine dioxide shall monitor in accordance with 40 CFR 141.132 (c)(2) and record results.

(d) Disinfection by-product precursors.

(i) Compliance dates.

Community and NTNC surface water systems serving less than ten thousand people using conventional filtration that employs sedimentation shall comply with the applicable requirements of this subsection beginning January 1, 2004.

(ii) Surface water systems that use conventional filtration with sedimentation shall monitor in accordance with 40 CFR 141.132(d), and meet the requirements of 40 CFR 141.135.

(8) Organic chemicals.

(a) Purveyors of community and NTNC water systems shall comply with monitoring requirements in accordance with 40 CFR 141.24 (a) - (d), 141.24 (f)(1) - (f)(15), 141.24 (f)(18) - (19), 141.24 (f)(21), 141.24 (g)(1) - (9), 141.24 (g)(12) - (14), 141.24 (h)(1) - (11), 141.24 (h)(14) - (17), 141.40(a), 141.40(d), and 141.40(e).

(b) Sampling locations shall be as defined in 40 CFR 141.24(f), 141.24(g), 141.24(h), 141.40(b) and 141.40(c).

(i) Wellfield samples shall be allowed from department designated wellfields; and

(ii) In accordance with 40 CFR 141.24 (f)(3) and 141.24 (h)(3), alternate sampling locations may be allowed if approved by the department. These alternate locations are described in department guidance. Purveyors may ask the department to approve an alternate sampling location for multiple sources within a single system that are blended prior to entry to the distribution system. The alternate sampling location shall consider the following:

(A) Source vulnerability;

(B) An updated organic monitoring plan showing location of all sources with current and proposed sampling locations;

(C) Individual source characteristics;

(D) Previous water quality information;

(E) Status of monitoring waiver applications; and

(F) Other information deemed necessary by the department.

(c) Composite samples:

(i) Purveyors may ask the certified lab to composite samples representing as many as five individual samples from within one system. Sampling procedures and protocols are outlined in department guidance;

(ii) For systems serving a population of less than three thousand three hundred one, the department may approve composite sampling between systems when those systems are part of an approved satellite management agency.

(d) The department may require the purveyor to sample both before and after treatment for one or more organic contaminants. The department shall notify the purveyor if and when this additional source sampling is required.

(e) Organic chemical monitoring plans.

(i) Purveyors of community and NTNC systems shall prepare an organic chemical monitoring plan and base routine monitoring on the plan.

(ii) The purveyor shall:

(A) Keep the monitoring plan on file with the system and make it available to the department for inspection upon request;

(B) Revise or expand the plan at any time the plan no longer reflects the monitoring requirements, procedures or sampling locations, or as directed by the department; and

(C) Submit the plan to the department for review and approval when requested and as part of the water system plan required under WAC 246-290-100.

(f) Monitoring waivers.

(i) Purveyors may request in writing, a monitoring waiver from the department for any organic monitoring requirement except those relating to unregulated VOCs;

(ii) Purveyors requesting a monitoring waiver shall comply with 40 CFR 141.24 (f)(7), 141.24 (f)(10), 141.24 (h)(6), 141.24 (h)(7) or 141.40 (n)(4);

(iii) Purveyors shall update and resubmit requests for waiver renewals as directed by the department; and

(iv) Failure to provide complete and accurate information in the waiver application shall be grounds for denial of the monitoring waiver.

(g) Purveyors with emergency and seasonal sources shall monitor those sources under the applicable requirements of this section when they are actively providing water to consumers.

(9) Unregulated chemicals.

(a) Unregulated inorganic contaminants. Purveyors of community and NTNC systems shall:

(i) Monitor for the unregulated inorganic chemicals listed in 40 CFR 141.40 (n)(12);

(ii) Comply with monitoring methods, frequencies, and sampling locations in accordance with 40 CFR 141.40 (n)(2) through 141.40 (n)(9) and 141.40 (n)(12); and

(iii) Apply in writing for a monitoring waiver according to the conditions outlined in 40 CFR 141.40 (n)(3), and the departmental procedures described in subsection (8)(f) of this section.

(b) Unregulated VOCs. Purveyors shall:

(i) Monitor in accordance with 40 CFR 141.40(e) and 141.40(j);

(ii) Comply with monitoring methods, frequency and sampling locations in accordance with 40 CFR 141.40(a) through 141.40(d), 141.40(g) and 141.40(i); and

(iii) Perform repeat monitoring for these compounds in accordance with 40 CFR 141.40(l).

(c) Unregulated SOCs. Purveyors shall:

(i) Monitor for the unregulated SOCs listed in 40 CFR 141.40 (n)(11); and

(ii) Comply with monitoring methods, frequencies, and sampling locations in accordance with 40 CFR 141.40 (n)(1) through 141.40 (n)(9).

Purveyors may request that the department defer this monitoring if a system has less than one hundred fifty service connections.

(d) Purveyors with emergency and seasonal sources shall monitor those sources under the applicable requirements of this section whenever they are actively providing water to consumers.

(10) Radionuclides. Monitoring for radionuclides shall be conducted in accordance with 40 CFR 141.26.

(11) Other substances.

On the basis of public health concerns, the department may require the purveyor to monitor for additional substances.

TABLE 3
MONITORING LOCATION

Sample Type	Sample Location
Asbestos	One sample from distribution system or if required by department, from the source.

Sample Type	Sample Location
Bacteriological	From representative points throughout distribution system.
Complete Inorganic Chemical & Physical	From a point representative of the source, after treatment, and prior to entry to the distribution system.
Lead/Copper	From the distribution system at targeted sample tap locations.
Nitrate/Nitrite	From a point representative of the source, after treatment, and prior to entry to the distribution system.
Total Trihalomethanes - Surface Water (WAC 246-290-300(6) only)	From points at extreme end, and at intermediate locations, in the distribution system from the source after treatment.
Potential Trihalomethanes -Ground Water (WAC 246-290-300(6) only)	From the source before treatment.
Disinfection By-Products - TTHMs and HAA5 - WAC 246-290-300(7)	In accordance with 40 CFR 141.132 (b)(1).
Disinfection By-Products - Chlorite (Systems adding chlorine dioxide)	In accordance with 40 CFR 141.132 (b)(2).
Disinfection By-Products - Bromate (Systems adding ozone)	In accordance with 40 CFR 141.132 (b)(3).
Disinfectant Residuals - Chlorine and Chloramines	In accordance with 40 CFR 141.132 (c)(1).
Disinfectant Residuals - Chlorine dioxide	In accordance with 40 CFR 141.132 (c)(2).
Disinfection Precursors - Total Organic Carbon (TOC)	In accordance with 40 CFR 141.132(d).
Disinfection Precursors - Bromide (Systems using ozone)	From the source before treatment.
Radionuclides	From a point representative of the source, after treatment and prior to entry to distribution system.
Organic Chemicals (VOCs & SOCs)	From a point representative of the source, after treatment and prior to entry to distribution system.
Other Substances (unregulated chemicals)	From a point representative of the source, after treatment, and prior to entry to the distribution system, or as directed by the department.

substance exceeds its maximum contaminant level (MCL) or its maximum residual disinfectant level (MRDL), the purveyor shall take follow-up action in accordance with WAC 246-290-320.

(b) When enforcing the standards described under this section, the department shall enforce compliance with the primary standards as its first priority.

(2) Bacteriological.

(a) MCLs under this subsection shall be considered primary standards.

(b) Notwithstanding subsection (1) of this section, if coliform presence is detected in any sample, the purveyor shall take follow-up action in accordance with WAC 246-290-320(2).

(c) Acute MCL. An acute MCL for coliform bacteria occurs when there is:

(i) Fecal coliform presence in a repeat sample;

(ii) *E. coli* presence in a repeat sample; or

(iii) Coliform presence in any repeat samples collected as a follow-up to a sample with fecal coliform or *E. coli* presence.

Note: For the purposes of the public notification requirements in Part 7, Subpart A of this chapter, an acute MCL is a violation that requires Tier 1 public notification.

(d) Nonacute MCL. A nonacute MCL for coliform bacteria occurs when:

(i) Systems taking less than forty routine samples during the month have more than one sample with coliform presence; or

(ii) Systems taking forty or more routine samples during the month have more than 5.0 percent with coliform presence.

(e) MCL compliance. The purveyor shall determine compliance with the coliform MCL for each month the system provides drinking water to the public. In determining MCL compliance, the purveyor shall:

(i) Include:

(A) Routine samples; and

(B) Repeat samples.

(ii) Not include:

(A) Samples invalidated under WAC 246-290-320 (2)(d); and

(B) Special purpose samples.

(3) Inorganic chemical and physical.

(a) The primary and secondary MCLs are listed in Table 4 and 5:

TABLE 4
INORGANIC CHEMICAL CHARACTERISTICS

Substance	Primary MCLs (mg/L)
Antimony (Sb)	0.006
Arsenic (As)	((0.05)) 0.010*
Asbestos	7 million fibers/liter (longer than 10 microns)
Barium (Ba)	2.0
Beryllium (Be)	0.004

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-310 Maximum contaminant levels (MCLs) and maximum residual disinfectant levels (MRDLs). (1) General.

(a) The purveyor shall be responsible for complying with the standards of water quality identified in this section. If a

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Substance	Primary MCLs (mg/L)
Cadmium (Cd)	0.005
Chromium (Cr)	0.1
Copper (Cu)	**
Cyanide (HCN)	0.2
Fluoride (F)	4.0
Lead (Pb)	**
Mercury (Hg)	0.002
Nickel (Ni)	0.1
Nitrate (as N)	10.0
Nitrite (as N)	1.0
Selenium (Se)	0.05
Sodium (Na)	**
Thallium (Tl)	0.002

Substance	Secondary MCLs (mg/L)
Chloride (Cl)	250.0
Fluoride (F)	2.0
Iron (Fe)	0.3
Manganese (Mn)	0.05
Silver (Ag)	0.1
Sulfate (SO ₄)	250.0
Zinc (Zn)	5.0

Note* Does not apply to TNC systems.
With regard to community and NTNC water systems, new systems or systems that use a new source of water, certified as complete in accordance with WAC 246-290-120(5) after January 22, 2004, must demonstrate compliance with this MCL within a period of time specified by the department.

With regard to existing community and NTNC water systems, this arsenic MCL is effective January 23, 2006, for the purpose of compliance. Until that time, the MCL is 0.05 mg/L.

Note** Although the state board of health has not established MCLs for copper, lead, and sodium, there is sufficient public health significance connected with copper, lead, and sodium levels to require inclusion in inorganic chemical and physical source monitoring. For lead and copper, the EPA has established distribution system related levels at which a system is required to consider corrosion control. These levels, called "action levels," are 0.015 mg/L for lead and 1.3 mg/L for copper and are applied to the highest concentration in ten percent of all samples collected from the distribution system. The EPA has also established a recommended level of twenty mg/L for sodium as a level of concern for those consumers that may be restricted for daily sodium intake in their diets.

TABLE 5
 PHYSICAL CHARACTERISTICS

Substance	Secondary MCLs
Color	15 Color Units
Specific Conductivity	700 umhos/cm
Total Dissolved Solids (TDS)	500 mg/L

(b) Compliance with the MCLs in this subsection is determined by a running annual average at each sampling point. The system will not be considered in violation of the MCL until it has completed one year of quarterly sampling and at least one sampling point is in violation of the MCL. If one sampling point is in violation of the MCL, the system is in violation of the MCL.

(i) If any sample will cause the running annual average to exceed the MCL at any sampling point, the system is out of compliance with the MCL immediately.

(ii) If a system fails to collect the required number of samples, compliance will be based on the total number of samples collected.

(iii) If a sample result is less than the detection limit, zero will be used to calculate the running annual average.

(4) Trihalomethanes.

(a) The department shall consider standards under this subsection primary standards.

(b) The MCL for total trihalomethanes (TTHMs) is 0.10 mg/L calculated on the basis of a running annual average of quarterly samples. The concentrations of each of the trihalomethane compounds (trichloromethane, dibromochloromethane, bromodichloromethane, and tribromomethane) are totaled to determine the TTHM level.

(c) There is no MCL for maximum total trihalomethane potential (MTTP). When the MTTP value exceeds 0.10 mg/L, the purveyor shall follow up as described under WAC 246-290-320(6).

(d) The MCL for total trihalomethanes in this subsection applies only to monitoring required under WAC 246-290-300(6). After December 31, 2003, this section no longer applies to any public water system.

(5) Disinfection by-products.

(a) The department shall consider standards under this subsection as primary standards. The MCLs in this subsection apply to monitoring required by WAC 246-290-300(7).

(b) The MCLs for disinfection by-products are as follows:

Disinfection By-Product	MCL (mg/L)
Total Trihalomethanes (TTHMs)	0.080
Haloacetic acids (five) (HAA5)	0.060
Bromate	0.010
Chlorite	1.0

(c) Whether a system has exceeded MCLs shall be determined in accordance with 40 CFR 141.133.

(6) Disinfectant residuals.

(a) The department shall consider standards under this subsection primary standards. The MRDLs in this subsection apply to monitoring required by WAC 246-290-300(7).

(b) The MRDL for disinfectants is as follows:

Disinfectant Residual	MRDL (mg/L)
Chlorine	4.0 (as Cl ₂)
Chloramines	4.0 (as Cl ₂)
Chlorine Dioxide	0.8 (as ClO ₂)

(c) Whether a system has exceeded MRDLs shall be determined in accordance with 40 CFR 141.133.

(7) Radionuclides.

(a) The department shall consider standards under this subsection primary standards.

(b) The MCLs for radium-226 and radium-228, gross alpha particle activity, beta particle and photon radioactivity, and uranium shall be as listed in 40 CFR 141.66.

(8) Organic chemicals.

(a) The department shall consider standards under this subsection primary standards.

(b) VOCs.

(i) The MCLs for VOCs shall be as listed in 40 CFR 141.61(a).

(ii) The department shall determine compliance with this subsection based on compliance with 40 CFR 141.24(f).

(c) SOCs.

(i) MCLs for SOCs shall be as listed in 40 CFR 141.61(c).

(ii) The department shall determine compliance with this subsection based on compliance with 40 CFR 141.24(h).

(9) Other chemicals.

(a) The state board of health shall determine maximum contaminant levels for any additional substances.

(b) Purveyors may be directed by the department to comply with state advisory levels (SALs) for contaminants that do not have a MCL established in chapter 246-290 WAC. SALs shall be:

(i) MCLs that have been promulgated by the EPA, but which have not yet been adopted by the state board of health; or

(ii) State board of health adopted levels for substances recommended by the department and not having an EPA established MCL. A listing of these may be found in the department document titled *Procedures and References for the Determination of State Advisory Levels for Drinking Water Contaminants* dated June 1996, that has been approved by the state board of health and is available.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-320 Follow-up action. (1) General.

(a) When an MCL or MRDL violation or exceedance occurs, the purveyor shall take follow-up action as described in this section.

(b) When a primary standard violation occurs, the purveyor shall:

(i) Notify the department in accordance with WAC 246-290-480;

(ii) Notify the consumers served by the system and the owner or operator of any consecutive system served in accordance with 40 CFR 141.201 through 208, and Part 7, Subpart A of this chapter;

(iii) Determine the cause of the contamination; and

(iv) Take action as directed by the department.

(c) When a secondary standard violation occurs, the purveyor shall notify the department and take action as directed by the department.

(d) The department may require additional sampling for confirmation of results.

(2) Bacteriological.

(a) When coliform bacteria are present in any sample and the sample is not invalidated under (d) of this subsection, the purveyor shall ensure the following actions are taken:

(i) The sample is analyzed for fecal coliform or E. coli. When a sample with a coliform presence is not analyzed for E. coli or fecal coliforms, the sample shall be considered as having a fecal coliform presence for MCL compliance purposes;

(ii) Repeat samples are collected in accordance with (b) of this subsection;

(iii) The department is notified in accordance with WAC 246-290-480; and

(iv) The cause of the coliform presence is determined and corrected.

(b) Repeat samples.

(i) The purveyor shall collect repeat samples in order to confirm the original sample results and to determine the cause of the coliform presence. Additional treatment, such as batch or shock chlorination, shall not be instituted prior to the collection of repeat samples unless prior authorization by the department is given. Following collection of repeat samples, and before the analytical results are known, there may be a need to provide interim precautionary treatment or other means to insure public health protection. The purveyor shall contact the department to determine the best interim approach in this situation.

(ii) The purveyor shall collect and submit for analysis a set of repeat samples for every sample in which the presence of coliforms is detected. A set of repeat coliform samples consists of:

(A) Four repeat samples for systems collecting one routine coliform sample each month; or

(B) Three repeat samples for all systems collecting more than one routine coliform sample each month.

(iii) The purveyor shall collect repeat sample sets according to Table 7;

(iv) The purveyor shall collect one set of repeat samples for each sample with a coliform presence. All samples in a set of repeat samples shall be collected on the same day and submitted for analysis within twenty-four hours after notification by the laboratory of a coliform presence, or as directed by the department.

(v) When repeat samples have coliform presence, the purveyor shall:

(A) Contact the department and collect a minimum of one additional set of repeat samples as directed by the department; or

(B) Collect one additional set of repeat samples for each sample where coliform presence was detected.

(vi) The purveyor of a system providing water to consumers via a single service shall collect repeat samples from

the same location as the sample with a coliform presence. The set of repeat samples shall be collected:

- (A) On the same collection date;
- (B) Over consecutive days with one sample collected each day until the required samples in the set of repeat samples are collected; or
- (C) As directed by the department.
- (vii) If a sample with a coliform presence was collected from the first two or last two active services, the purveyor shall monitor as directed by the department;
- (viii) The purveyor may change a previously submitted routine sample to a sample in a set of repeat samples when the purveyor:

- (A) Collects the sample within five adjacent service connections of the location from which the initial sample with a coliform presence was collected;
- (B) Collects the sample after the initial sample with a coliform presence was submitted for analysis;
- (C) Collects the sample on the same day as other samples in the set of repeat samples, except under (b)(iv) of this subsection; and
- (D) Requests and receives approval from the department for the change.

(ix) The department may determine that sets of repeat samples specified under this subsection are not necessary during a month when a nonacute coliform MCL violation is determined for the system.

Table 7
REPEAT SAMPLE REQUIREMENTS

# OF ROUTINE SAMPLES COLLECTED EACH MONTH	# OF SAMPLES IN A SET OF REPEAT SAMPLES	LOCATIONS FOR REPEAT SAMPLES (COLLECT AT LEAST ONE SAMPLE PER SITE)
1	4	<ul style="list-style-type: none"> ◆ Site of previous sample with a coliform presence ◆ Within 5 active services upstream of site of sample with a coliform presence ◆ Within 5 active services downstream of site of sample with a coliform presence ◆ At any other active service or from a location most susceptible to contamination (i.e., well or reservoir)
more than 1	3	<ul style="list-style-type: none"> ◆ Site of previous sample with a coliform presence ◆ Within 5 active services upstream of site of sample with a coliform presence ◆ Within 5 active services downstream of site of sample with a coliform presence

(c) Monitoring frequency following a coliform presence. Systems having one or more coliform presence samples that were not invalidated during the previous month shall collect and submit for analysis the minimum number of samples shown in the last column of Table 2.

(i) The purveyor may obtain a reduction in the monitoring frequency requirement when one or more samples with a

coliform presence were collected during the previous month, if the purveyor proves to the satisfaction of the department;

(A) The cause of the sample with a coliform presence; and

(B) The problem is corrected before the end of the next month the system provides water to the public.

(ii) If the monitoring frequency requirement is reduced, the purveyor shall collect and submit at least the minimum number of samples required when no samples with a coliform presence were collected during the previous month.

(d) Invalid samples. Coliform samples may be determined to be invalid under any of the following conditions:

(i) A certified laboratory determines that the sample results show:

(A) Multiple tube technique cultures that are turbid without appropriate gas production;

(B) Presence-absence technique cultures that are turbid in the absence of an acid reaction;

(C) Occurrence of confluent growth patterns or growth of TNTC (too numerous to count) colonies without a surface sheen using a membrane filter analytic technique;

(ii) The analyzing laboratory determines there is excess debris in the sample.

(iii) The analyzing laboratory establishes that improper sample collection or analysis occurred;

(iv) The department determines that a nondistribution system problem has occurred as indicated by:

(A) All samples in the set of repeat samples collected at the same location, including households, as the original coliform presence sample also are coliform presence; and

(B) All other samples from different locations (households, etc.) in the set of repeat samples are free of coliform.

(v) The department determines a coliform presence result is due to a circumstance or condition that does not reflect water quality in the distribution system.

(e) Follow-up action when an invalid sample is determined. The purveyor shall take the following action when a coliform sample is determined to be invalid:

(i) Collect and submit for analysis an additional coliform sample from the same location as each invalid sample within twenty-four hours of notification of the invalid sample; or

(ii) In the event that it is determined that the invalid sample resulted from circumstances or conditions not reflective of distribution system water quality, collect a set of samples in accordance with Table 7; and

(iii) Collect and submit for analysis samples as directed by the department.

(f) Invalidated samples shall not be included in determination of the sample collection requirement for compliance with this chapter.

(3) Inorganic chemical and physical follow-up monitoring shall be conducted in accordance with the following:

(a) For nonnitrate/nitrite primary inorganic chemicals, 40 CFR 141.23 (a)(4), 141.23 (b)(8), 141.23 (c)(7), 141.23 (c)(9), 141.23 (f)(1), 141.23(g), 141.23(m) and 141.23(n);

(b) For nitrate, 40 CFR 141.23 (a)(4), 141.23 (d)(2), 141.23 (d)(3), 141.23 (f)(2), 141.23(g), 141.23(m), 141.23(n), and 141.23(o);

(c) For nitrite, 40 CFR 141.23 (a)(4), 141.23 (e)(3), 141.23 (f)(2), and 141.23(g); or

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(d) The purveyor of any public water system providing service that has secondary inorganic MCL exceedances shall take follow-up action as required by the department. Follow-up action shall be commensurate with the degree of consumer acceptance of the water quality and their willingness to bear the costs of meeting the secondary standard. For new community water systems and new nontransient noncommunity water systems without active consumers, treatment for secondary contaminant MCL exceedances will be required.

(4) Lead and copper follow-up monitoring shall be conducted in accordance with 40 CFR 141.85(d), 141.86 (d)(2), 141.86 (d)(3), 141.87(d) and 141.88(b) through 141.88(d).

(5) Turbidity.

Purveyors monitoring turbidity in accordance with Part 6 of this chapter shall provide follow-up in accordance with WAC 246-290-634.

(6) Trihalomethanes. For public water systems subject to WAC 246-290-300(6):

(a) When the average of all samples taken during any twelve-month period exceeds the MCL for total trihalomethanes as referenced in WAC 246-290-310 (4)(b), the violation is confirmed and the purveyor shall take corrective action as required by the department, and consistent with 40 CFR 141.30 (b)(3). When the maximum trihalomethane potential (MTTP) result is equal to or greater than 0.10 mg/L and the result is confirmed by a promptly collected repeat sample, the purveyor shall provide for additional monitoring and take action as directed by the department.

(7) Organic chemicals. Follow-up monitoring shall be conducted in accordance with the following:

(a) For VOCs, 40 CFR 141.24 (f)(11) through 141.24 (f)(15), and 141.24 (f)(22); or

(b) For SOCs, 40 CFR 141.24(b), 141.24(c) and 141.24 (h)(7) through 141.24 (h)(11), and 141.24 (h)(20).

(8) Unregulated inorganic and organic chemicals.

(a) Follow-up monitoring shall be conducted in accordance with 40 CFR 141.40 (n)(8) and 141.40 (n)(9).

(b) When an unregulated chemical is verified at a concentration above the detection limit, the purveyor shall:

(i) Submit the sample analysis results to the department within seven days of receipt from the laboratory; and

(ii) Sample the source a minimum of once every three months for one year and then annually thereafter during the three-month period when the highest previous measurement occurred.

(c) If the department determines that an unregulated chemical is verified at a level greater than a SAL, the department shall notify the purveyor in writing. The purveyor shall repeat sample the source as soon as possible after initial department notice that a SAL has been exceeded. The purveyor shall submit the analysis results to the department within seven days of receipt from the laboratory. If any repeat sample confirms that a SAL has been exceeded, the purveyor shall:

(i) Provide consumer information in accordance with Part 7, Subpart A of this chapter;

(ii) Investigate the cause of the contamination; and

(iii) Take follow-up or corrective action as required by the department.

(d) The department may reduce the purveyor's monitoring requirement for a source detecting an unregulated chemical if the source has been monitored annually for at least three years, and all analysis results are less than the SAL.

(9) Radionuclide follow-up monitoring shall be conducted in accordance with 40 CFR 141.26 (a)(2)(iv), 141.26 (a)(3)(ii) through (v), 141.26 (a)(4), 141.26 (b)(6), and 141.26 (c)(5).

(10) The department shall determine the purveyor's follow-up action when a substance not included in this chapter is detected.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-72010 Report contents—Required additional health information. All reports must prominently display the following language: Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. Environmental Protection Agency/Centers for Disease Control guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

(1) Beginning in the report due by July 1, 2002, a system which detects arsenic levels above 0.005 mg/L and up to and including ~~(0.01)~~ 0.010 mg/L:

(a) Must include in its report a short informational statement about arsenic, using language such as: While your drinking water meets EPA's standard for arsenic, it does contain low levels of arsenic. EPA's standard balances the current understanding of arsenic's possible health effects against the cost of removing arsenic from drinking water. EPA continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems.

(b) May write its own educational statement, but only in consultation with the department.

(2) A system which detects nitrate at levels above 5 mg/L, but below the MCL:

(a) Must include a short informational statement about the impacts of nitrate on children using language such as: Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue-baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant, you should ask for advice from your health care provider.

(b) May write its own educational statement, but only in consultation with the department.

(3) Systems which detect lead above the action level in more than five percent, and up to and including ten percent, of homes sampled:

(a) Must include a short informational statement about the special impact of lead on children using language such as: Infants and young children are typically more vulnerable to lead in drinking water than the general population. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. If you are concerned about elevated lead levels in your home's water, you may wish to have your water tested and flush your tap for thirty seconds to two minutes before using tap water. Additional information is available from the Safe Drinking Water Hotline (800-426-4791).

(b) May write its own educational statement, but only in consultation with the department.

(4) Community water systems that detect TTHM above 0.080 mg/l, but below the MCL in WAC 246-290-310(4), as an annual average, monitored and calculated under the provisions of WAC 246-290-300(6), must include health effects language prescribed by WAC 246-290-72012.

(5) Beginning in the report due by July 1, 2002, and ending January 22, 2006, a community water system that detects arsenic above 0.01 mg/L and up to and including 0.05 mg/L must include the arsenic health effects language prescribed in WAC 246-290-72012.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-72012 Regulated contaminants.

Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Microbiological Contaminants						
Total Coliform Bacteria	MCL: (systems that collect ≥ 40 samples/ month) 5% of monthly samples are positive; (systems that collect < 40 samples/ month) 1 positive monthly sample		MCL: (systems that collect ≥ 40 samples/ month) 5% of monthly samples are positive; (systems that collect < 40 samples/ month) 1 positive monthly sample	0	Naturally present in the environment	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform and <i>E. coli</i>	0		0	0	Human and animal fecal waste	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely-compromised immune systems.
Total organic carbon (ppm)	TT	-	TT	n/a	Naturally present in the environment	Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection by-products. These by-products include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these by-products in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.

PROPOSED

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Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Turbidity (NTU)	TT.	-	TT	n/a	Soil runoff	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
Radioactive Contaminants						
Beta/photon emitters (mrem/yr) (*Effective 12/08/03)	4 mrem/yr	-	4	n/a 0	Decay of natural and man-made deposits	Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
Alpha emitters (pCi/l) (*Effective 12/08/03)	15 pCi/l	-	15	n/a 0	Erosion of natural deposits	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
Combined radium (pCi/l) (*Effective 12/08/03)	5 pCi/l	-	5	n/a 0	Erosion of natural deposits	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
Uranium (pCi/l) (*Effective 12/08/03)	30 micro g/l	-	30	0	Erosion of natural deposits	Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.
Inorganic Contaminants						
Antimony (ppb)	.006	1000	6	6	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder	Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.
Arsenic (ppb) *Effective 1/23/06	.05 ((0.04)) <u>0.010</u>	1000 1000	50 10	n/a 0	Erosion of natural deposits; Runoff from orchards; Runoff from glass and electronics production wastes	Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.
Asbestos (MFL)	7 MFL	-	7	7	Decay of asbestos cement water mains; Erosion of natural deposits	Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
Barium (ppm)	2	-	2	2	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits	Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.

Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Beryllium (ppb)	.004	1000	4	4	Discharge from metal refineries and coal-burning factories; Discharge from electrical, aerospace, and defense industries	Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.
Cadmium (ppb)	.005	1000	5	5	Corrosion of galvanized pipes; Erosion of natural deposits; Discharge from metal refineries; Runoff from waste batteries and paints	Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.
Chromium (ppb)	.1	1000	100	100	Discharge from steel and pulp mills; Erosion of natural deposits	Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.
Copper (ppm)	AL = 1.3	-	AL = 1.3	1.3	Corrosion of household plumbing systems; Erosion of natural deposits(Leaching from wood preservatives)	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
Cyanide (ppb)	.2	1000	200	200	Discharge from steel/metal factories; Discharge from plastic and fertilizer factories	Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.
Fluoride (ppm)	4	-	4	4	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories	Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums.
Lead (ppb)	AL = .015	1000	AL = 15	0	Corrosion of household plumbing systems; Erosion of natural deposits	Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

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Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Mercury [inorganic] (ppb)	.002	1000	2	2	Erosion of natural deposits; Discharge from refineries and factories; Runoff from landfills; Runoff from cropland	Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.
Nitrate (ppm)	10	-	10	10	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits	Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
Nitrite (ppm)	1	-	1	1	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits	Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
Selenium (ppb)	.05	1000	50	50	Discharge from petroleum and metal refineries; Erosion of natural deposits; Discharge from mines	Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.
Thallium (ppb)	.002	1000	2	0.5	Leaching from ore-processing sites; Discharge from electronics, glass, and drug factories	Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.
Synthetic Organic Contaminants including Pesticides and Herbicides						
2,4-D (ppb)	.07	1000	70	70	Runoff from herbicide used on row crops	Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.
2,4,5-TP [Silvex](ppb)	.05	1000	50	50	Residue of banned herbicide	Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.
Acrylamide	TT	-	TT	0	Added to water during sewage/ wastewater treatment	Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.
Alachlor (ppb)	.002	1000	2	0	Runoff from herbicide used on row crops	Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.

Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Atrazine (ppb)	.003	1000	3	3	Runoff from herbicide used on row crops	Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.
Benzo(a)pyrene [PAH] (nanograms/l)	.0002	1,000,000	200	0	Leaching from linings of water storage tanks and distribution lines	Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
Carbofuran (ppb)	.04	1000	40	40	Leaching of soil fumigant used on rice and alfalfa	Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.
Chlordane (ppb)	.002	1000	2	0	Residue of banned termiticide	Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.
Dalapon (ppb)	.2	1000	200	200	Runoff from herbicide used on rights of way	Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.
Di(2-ethylhexyl) adipate (ppb)	.4	1000	400	400	Discharge from chemical factories	Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience ((general)) toxic effects or reproductive difficulties.
Di(2-ethylhexyl) phthalate (ppb)	.006	1000	6	0	Discharge from rubber and chemical factories	Some people who drink water containing di (2-ethylhexyl) phthalate <u>well</u> in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer.
Dibromochloropropane (ppt)	.0002	1,000,000	200	0	Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards	Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive problems and may have an increased risk of getting cancer.
Dinoseb (ppb)	.007	1000	7	7	Runoff from herbicide used on soybeans and vegetables	Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.
Diquat (ppb)	.02	1000	20	20	Runoff from herbicide use	Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.

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Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Dioxin [2,3,7,8-TCDD] (ppq)	.00000003	1,000,000,000	30	0	Emissions from waste incineration and other combustion; Discharge from chemical factories	Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
Endothall (ppb)	.1	1000	100	100	Runoff from herbicide use	Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.
Endrin (ppb)	.002	1000	2	2	Residue of banned insecticide	Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.
Epichlorohydrin	TT	-	TT	0	Discharge from industrial chemical factories; An impurity of some water treatment chemicals	Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.
Ethylene dibromide (ppt)	.00005	1,000,000	50	0	Discharge from petroleum refineries	Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.
Glyphosate (ppb)	.7	1000	700	700	Runoff from herbicide use	Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.
Heptachlor (ppt)	.0004	1,000,000	400	0	Residue of banned pesticide	Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.
Heptachlor epoxide (ppt)	.0002	1,000,000	200	0	Breakdown of heptachlor	Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.
Hexachlorobenzene (ppb)	.001	1000	1	0	Discharge from metal refineries and agricultural chemical factories	Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
Hexachlorocyclopentadiene (ppb)	.05	1000	50	50	Discharge from chemical factories	Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.

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Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Lindane (ppt)	.0002	1,000,000	200	200	Runoff/leaching from insecticide used on cattle, lumber, gardens	Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.
Methoxychlor (ppb)	.04	1000	40	40	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock	Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.
Oxamyl [Vydate] (ppb)	.2	1000	200	200	Runoff/leaching from insecticide used on apples, potatoes and tomatoes	Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.
PCBs [Polychlorinated biphenyls] (ppt)	.0005	1,000,000	500	0	Runoff from landfills; Discharge of waste chemicals	Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
Pentachlorophenol (ppb)	.001	1000	1	0	Discharge from wood preserving factories	Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.
Picloram (ppb)	.5	1000	500	500	Herbicide runoff	Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.
Simazine (ppb)	.004	1000	4	4	Herbicide runoff	Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.
Toxaphene (ppb)	.003	1000	3	0	Runoff/leaching from insecticide used on cotton and cattle	Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.
Volatile Organic Contaminants						
Benzene (ppb)	.005	1000	5	0	Discharge from factories; Leaching from gas storage tanks and landfills	Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.
Bromate (ppb)	.010	1000	10	0	By-product of drinking water ((chlorination)) <u>disinfection</u>	Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Carbon tetrachloride (ppb)	.005	1000	5	0	Discharge from chemical plants and other industrial activities	Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
Chloramines (ppm)	MRDL = 4	-	MRDL = 4	MRDL G = 4	Water additive used to control microbes	Some people who use drinking water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.
Chlorine (ppm)	MRDL = 4	-	MRDL = 4	MRDL G = 4	Water additive used to control microbes	Some people who use drinking water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.
Chlorite (ppm)	1	-	1	0.8	By-product of drinking water ((chlorination)) <u>disinfection</u>	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant mothers who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
Chlorine dioxide (ppb)	MRDL = .8	1000	MRDL = 800	MRDL G = 800	Water additive used to control microbes	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant mothers who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.
Chlorobenzene (ppb)	.1	1000	100	100	Discharge from chemical and agricultural chemical factories	Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.
o-Dichlorobenzene (ppb)	.6	1000	600	600	Discharge from industrial chemical factories	Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.
p-Dichlorobenzene (ppb)	.075	1000	75	75	Discharge from industrial chemical factories	Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.

Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
1,2-Dichloroethane (ppb)	.005	1000	5	0	Discharge from industrial chemical factories	Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
1,1-Dichloroethylene (ppb)	.007	1000	7	7	Discharge from industrial chemical factories	Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
cis-1,2-Dichloroethylene (ppb)	.07	1000	70	70	Discharge from industrial chemical factories	Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
trans-1,2-Dichloroethylene (ppb)	.1	1000	100	100	Discharge from industrial chemical factories	Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.
Dichloromethane (ppb)	.005	1000	5	0	Discharge from pharmaceutical and chemical factories	Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.
1,2-Dichloropropane (ppb)	.005	1000	5	0	Discharge from industrial chemical factories	Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.
Ethylbenzene (ppb)	.7	1000	700	700	Discharge from petroleum refineries	Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.
Haloacetic Acids (HAA) (ppb)	.060	1000	60	n/a	By-product of drinking water disinfection	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
Styrene (ppb)	.1	1000	100	100	Discharge from rubber and plastic factories; Leaching from landfills	Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.
Tetrachloroethylene (ppb)	.005	1000	5	0	Discharge from factories and dry cleaners	Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.
1,2,4-Trichlorobenzene (ppb)	.07	1000	70	70	Discharge from textile-finishing factories	Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.

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Contaminant (units)	traditional MCL in mg/L	to convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
1,1,1-Trichloroethane (ppb)	.2	1000	200	200	Discharge from metal degreasing sites and other factories	Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.
1,1,2-Trichloroethane (ppb)	.005	1000	5	3	Discharge from industrial chemical factories	Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.
Trichloroethylene (ppb)	.005	1000	5	0	Discharge from metal degreasing sites and other factories	Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
TTHMs [Total trihalomethanes] (ppb)	0.10/.080	1000	100/80	n/a	By-product of drinking water ((chlorination)) <u>disinfection</u>	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.
Toluene (ppm)	1	-	1	1	Discharge from petroleum factories	Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.
Vinyl Chloride (ppb)	.002	1000	2	0	Leaching from PVC piping; Discharge from plastics factories	Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.
Xylenes (ppm)	10	-	10	10	Discharge from petroleum factories; Discharge from chemical factories	Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.

Key

- AL = Action Level
- MCL = Maximum Contaminant Level
- MCLG = Maximum Contaminant Level Goal
- MFL = million fibers per liter
- MRDL = Maximum Residual Disinfectant Level
- MRDLG = Maximum Residual Disinfectant Level Goal
- mrem/year = millirems per year (a measure of radiation absorbed by the body)
- N/A = Not Applicable
- NTU = Nephelometric Turbidity Units (a measure of water clarity)
- pCi/l = picocuries per liter (a measure of radioactivity)
- ppm = parts per million, or milligrams per liter (mg/l)
- ppb = parts per billion, or micrograms per liter (µg/l)
- ppt = parts per trillion, or nanograms per liter
- ppq = parts per quadrillion, or picograms per liter
- TT = Treatment Technique

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 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-010 Definitions. Abbreviations and acronyms:

ADD - average day demand;
AG - air gap;
ANSI - American National Standards Institute;
APWA - American Public Works Association;
ASCE - American Society of Civil Engineers;
AVB - atmospheric vacuum breaker;
AWWA - American Water Works Association;
BAT - best available technology;
BAT - backflow assembly tester (for WAC 246-29-490);
C - residual disinfectant concentration in mg/L;
CCS - cross-connection control specialist;
CFR - code of federal regulations;
CPE - comprehensive performance evaluation;
CT - the mathematical product in mg/L - minutes of "C" and "T";
CTA - comprehensive technical assistance;
CWSSA - critical water supply service area;
DBPs - disinfection by-products;
DCDA - double check detector assembly;
DCVA - double check valve assembly;
EPA - Environmental Protection Agency;
ERU - equivalent residential unit;
gph - gallons per hour;
gpm - gallons per minute;
GAC - granular activated carbon;
GAC10 - granular activated carbon with ten-minute empty bed contact time based on average daily flow and one hundred eighty-day reactivation frequency;
GW - ground water under the direct influence of surface water;
HAA5 - haloacetic acids (five);
HPC - heterotrophic plate count;
IAPMO - International Association of Plumbing and Mechanical Officials;
kPa - kilo pascal (SI units of pressure);
MCL - maximum contaminant level;
MDD - maximum day demand;
mg/L - milligrams per liter (1 mg/L = 1 ppm);
mL - milliliter;
mm - millimeter;
MRDL - maximum residual disinfectant level;
MRDLG - maximum residual disinfectant level goal;
MTTP - maximum total trihalomethane potential;
NSF - National Sanitation Foundation;
NTNC - nontransient **noncommunity**;
NTU - nephelometric turbidity unit;
PAA - project approval application;
pCi/L - picocuries per liter;
PHD - peak hourly demand;
ppm - parts per million (1 ppm = 1 mg/L);
psi - pounds per square inch;
PVBA - pressure vacuum breaker assembly;
RPBA - reduced pressure backflow assembly;
RPDA - reduced pressure detector assembly;
SAL - state advisory level;
SCA - sanitary control area;

SDWA - Safe Drinking Water Act;
SEPA - State Environmental Policy Act;
SOC - synthetic organic chemical;
SMA - satellite management agency;
SPI - special purpose investigation;
SRF - state revolving fund;
SUVA - specific ultraviolet absorption;
SVBA - spill resistant vacuum breaker assembly;
SWTR - surface water treatment rule;
T - disinfectant contact time in minutes;
TTHM - total trihalomethane;
TNC - transient **noncommunity**;
TNTC - too numerous to count;
TOC - total organic carbon;
UBC - Uniform Building Code;
ug/L - micrograms per liter;
UL - Underwriters Laboratories, Inc.;
umhos/cm - micromhos per centimeter;
UPC - Uniform Plumbing Code;
UTC - utilities and transportation commission;
VOC - volatile organic chemical;
WAC - Washington Administrative Code;
WFI - water facilities inventory and report form; and
WHPA - wellhead protection area.
"Acute" means posing an immediate risk to human health.

"Alternate filtration technology" means a filtration process for substantial removal of particulates (generally > 2 log *Giardia lamblia* cysts and ~~(for, for systems serving at least 10,000 people,)~~ ≥ 2-log removal of *Cryptosporidium* oocysts) by other than conventional, direct, diatomaceous earth, or slow sand filtration processes.

"Analogous treatment system" means an existing water treatment system that has unit processes and source water quality characteristics that are similar to a proposed treatment system.

"Approved air gap" means a physical separation between the free-flowing end of a potable water supply pipe-line and the overflow rim of an open or nonpressurized receiving vessel. To be an air gap approved by the department, the separation must be at least:

Twice the diameter of the supply piping measured vertically from the overflow rim of the receiving vessel, and in no case be less than one inch, when unaffected by vertical surfaces (sidewalls); and:

Three times the diameter of the supply piping, if the horizontal distance between the supply pipe and a vertical surface (sidewall) is less than or equal to three times the diameter of the supply pipe, or if the horizontal distance between the supply pipe and intersecting vertical surfaces (sidewalls) is less than or equal to four times the diameter of the supply pipe and in no case less than one and one-half inches.

"Approved atmospheric vacuum breaker" means an AVB of make, model, and size that is approved by the department. AVBs that appear on the current approved backflow prevention assemblies list developed by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research or that are listed or approved by other nationally recognized testing agencies (such as

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IAPMO, ANSI, or UL) acceptable to the local administrative authority are considered approved by the department.

"Approved backflow preventer" means an approved air gap, an approved backflow prevention assembly, or an approved AVB. The terms "approved backflow preventer," "approved air gap," or "approved backflow prevention assembly" refer only to those approved backflow preventers relied upon by the purveyor for the protection of the public water system. The requirements of WAC 246-290-490 do not apply to backflow preventers installed for other purposes.

"Approved backflow prevention assembly" means an RPBA, RPDA, DCVA, DCDA, PVBA, or SVBA of make, model, and size that is approved by the department. Assemblies that appear on the current approved backflow prevention assemblies list developed by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research or other entity acceptable to the department are considered approved by the department.

"As-built drawing" means the drawing created by an engineer from the collection of the original design plans, including changes made to the design or to the system, that reflects the actual constructed condition of the water system.

"Authorized agent" means any person who:

Makes decisions regarding the operation and management of a public water system whether or not he or she is engaged in the physical operation of the system;

Makes decisions whether to improve, expand, purchase, or sell the system; or

Has discretion over the finances of the system.

"Average day demand (ADD)" means the total quantity of water use from all sources of supply as measured or estimated over a calendar year divided by three hundred sixty-five. ADD is typically expressed as gallons per day per ERU (gpd/ERU).

"Backflow" means the undesirable reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

"Backflow assembly tester" means a person holding a valid BAT certificate issued in accordance with chapter 246-292 WAC.

"Backpressure" means a pressure (caused by a pump, elevated tank or piping, boiler, or other means) on the consumer's side of the service connection that is greater than the pressure provided by the public water system and which may cause backflow.

"Backsiphonage" means backflow due to a reduction in system pressure in the purveyor's distribution system and/or consumer's water system.

"Best available technology (BAT)" means the best technology, treatment techniques, or other means that EPA finds, after examination for efficacy under field conditions, are available, taking cost into consideration.

"Blended sample" means a sample collected from two or more individual sources at a point downstream of the confluence of the individual sources and prior to the first connection.

"C" means the residual disinfectant concentration in mg/L at a point before or at the first consumer.

"Category red operating permit" means an operating permit identified as such under chapter 246-294 WAC. Place-

ment in this category results in permit issuance with conditions and a determination that the system is inadequate.

"Chemical contaminant treatment facility" means a treatment facility specifically used for the purpose of removing chemical contaminants.

"Clarification" means a treatment process that uses gravity (sedimentation) or dissolved air (flotation) to remove flocculated particles.

"Closed system" means any water system or portion of a water system in which water is transferred to a higher pressure zone closed to the atmosphere, such as when no gravity storage is present.

"Coagulant" means a chemical used in water treatment to destabilize particulates and accelerate the rate at which they aggregate into larger particles.

"Coagulation" means a process using coagulant chemicals and rapid mixing to destabilize colloidal and suspended particles and agglomerate them into flocs.

"Combination fire protection system" means a fire sprinkler system that:

Is supplied only by the purveyor's water;

Does not have a fire department pumper connection; and

Is constructed of approved potable water piping and materials that serve both the fire sprinkler system and the consumer's potable water system.

"Completely treated water" means water from a surface or GWI source that receives filtration or disinfection treatment that fully complies with the treatment technique requirements of Part 6 of this chapter as determined by the department.

"Composite sample" means a sample in which more than one source is sampled individually by the water system and then composited by a certified laboratory by mixing equal parts of water from each source (up to five different sources) and then analyzed as a single sample.

"Comprehensive monitoring plan" means a schedule that describes both the frequency and appropriate locations for sampling of drinking water contaminants as required by state and federal rules.

"Comprehensive performance evaluation (CPE)" means a thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. The comprehensive performance evaluation must consist of at least the following components: Assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of a CPE report.

"Comprehensive technical assistance (CTA)" means technical assistance intended to identify specific steps that may help a water treatment plant overcome operational or design limitations identified during a comprehensive performance evaluation.

"Confirmation" means to demonstrate the accuracy of results of a sample by analyzing another sample from the same location within a reasonable period of time, generally

not to exceed two weeks. Confirmation is when analysis results fall within plus or minus thirty percent of the original sample results.

"Confluent growth" means a continuous bacterial growth covering a portion or the entire filtration area of a membrane filter in which bacterial colonies are not discrete.

"Conservation program" means policies and activities implemented to encourage or cause efficient use of water on a long-term basis. Conservation programs shall include identification of the conservation objectives of the purveyor, evaluation of conservation measures considered, and identification of specific conservation measures identified for implementation.

"Construction completion report" means a form provided by the department and completed for each specific construction project to document:

- Project construction in accordance with this chapter and general standards of engineering practice;
- Physical capacity changes; and
- Satisfactory test results.

The completed form must be stamped with an engineer's seal, and signed and dated by a professional engineer.

"Consumer" means any person receiving water from a public water system from either the meter, or the point where the service line connects with the distribution system if no meter is present. For purposes of cross-connection control, "consumer" means the owner or operator of a water system connected to a public water system through a service connection.

"Consumer's water system," as used in WAC 246-290-490, means any potable and/or industrial water system that begins at the point of delivery from the public water system and is located on the consumer's premises. The consumer's water system includes all auxiliary sources of supply, storage, treatment, and distribution facilities, piping, plumbing, and fixtures under the control of the consumer.

"Contaminant" means a substance present in drinking water that may adversely affect the health of the consumer or the aesthetic qualities of the water.

"Contingency plan" means that portion of the wellhead protection program section of the water system plan or small water system management program that addresses the replacement of the major well(s) or wellfield in the event of loss due to ground water contamination.

"Continuous monitoring" means determining water quality with automatic recording analyzers that operate without interruption twenty-four hours per day.

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, clarification, and filtration that together result in substantial particulate removal in compliance with Part 6 of this chapter.

"Critical water supply service area (CWSSA)" means a geographical area which is characterized by a proliferation of small, inadequate water systems, or by water supply problems which threaten the present or future water quality or reliability of service in such a manner that efficient and orderly development may best be achieved through coordinated planning by the water utilities in the area.

"Cross-connection" means any actual or potential physical connection between a public water system or the

consumer's water system and any source of nonpotable liquid, solid, or gas that could contaminate the potable water supply by backflow.

"Cross-connection control program" means the administrative and technical procedures the purveyor implements to protect the public water system from contamination via cross-connections as required in WAC 246-290-490.

"Cross-connection control specialist" means a person holding a valid CCS certificate issued in accordance with chapter 246-292 WAC.

"Cross-connection control summary report" means the annual report that describes the status of the purveyor's cross-connection control program.

"CT" or "CTcalc" means the product of "residual disinfectant concentration" (C) and the corresponding "disinfectant contact time" (T) i.e., "C" x "T."

"CT_{99.9}" means the CT value required for 99.9 percent (3 log) inactivation of *Giardia lamblia* cysts.

"CTreq" means the CT value a system shall provide to achieve a specific percent inactivation of *Giardia lamblia* cysts or other pathogenic organisms of health concern as directed by the department.

"Curtailement" means short-term, infrequent actions by a purveyor and its consumers to reduce their water use during or in anticipation of a water shortage.

"Dead storage" means the volume of stored water not available to all consumers at the minimum design pressure in accordance with WAC 246-290-230 (5) and (6).

"Demand forecast" means an estimate of future water system water supply needs assuming historically normal weather conditions and calculated using numerous parameters, including population, historic water use, local land use plans, water rates and their impacts on consumption, employment, projected conservation savings from implementation of a conservation program, and other appropriate factors.

"Department" means the Washington state department of health or health officer as identified in a joint plan of operation in accordance with WAC 246-290-030(1).

"Design and construction standards" means department design guidance and other peer reviewed documents generally accepted by the engineering profession as containing fundamental criteria for design and construction of water facility projects. Design and construction standards are comprised of performance and sizing criteria and reference general construction materials and methods.

"Diatomaceous earth filtration" means a filtration process for substantial removal of particulates (> 2 log *Giardia lamblia* cysts) in which:

A precoat cake of graded diatomaceous earth filter media is deposited on a support membrane (septum); and

Water is passed through the cake on the septum while additional filter media, known as body feed, is continuously added to the feed water to maintain the permeability of the filter cake.

"Direct filtration" means a series of processes including coagulation, flocculation, and filtration (but excluding sedimentation) that together result in substantial particulate removal in compliance with Part 6 of this chapter.

"Direct service connection" means a service hookup to a property that is contiguous to a water distribution main and

where additional distribution mains or extensions are not needed to provide service.

"Disinfectant contact time (T in CT)" means: When measuring the first or only C, the time in minutes it takes water to move from the point of disinfectant application to a point where the C is measured; and

For subsequent measurements of C, the time in minutes it takes water to move from one C measurement point to the C measurement point for which the particular T is being calculated.

"Disinfection" means the use of chlorine or other agent or process the department approves for killing or inactivating microbiological organisms, including pathogenic and indicator organisms.

"Disinfection profile" means a summary of *Giardia lamblia* inactivation through a surface water treatment plant.

"Distribution coliform sample" means a sample of water collected from a representative location in the distribution system at or after the first service and analyzed for coliform presence in compliance with this chapter.

"Distribution-related projects" means distribution projects such as storage tanks, booster pump facilities, transmission mains, pipe linings, and tank coating. It does not mean source of supply (including interties) or water quality treatment projects.

"Distribution reservoir" means a water storage structure that is integrated with a water system's distribution network to provide for variable system demands including, but not limited to, daily equalizing storage, standby storage, or fire reserves, or to provide for disinfectant contact time.

"Distribution system" means all piping components of a public water system that serve to convey water from transmission mains linked to source, storage and treatment facilities to the consumer excluding individual services.

"Domestic or other nondistribution system plumbing problem," means contamination of a system having more than one service connection with the contamination limited to the specific service connection from which the sample was taken.

"Drinking water state revolving fund (DWSRF)" means the revolving loan program financed by the state and federal governments and managed by the state for the purpose of assisting water systems to meet their capital needs associated with complying with the federal Safe Drinking Water Act.

"Duplicate (verification) sample" means a second sample collected at the same time and location as the first sample and used for verification.

"Emergency" means an unforeseen event that causes damage or disrupts normal operations and requires immediate action to protect public health and safety.

"Emergency source" means any source that is approved by the department for emergency purposes only, is not used for routine or seasonal water demands, is physically disconnected, and is identified in the purveyor's emergency response plan.

"Engineering design review report" means a form provided by the department and completed for a specific distribution-related project to document:

- Engineering review of a project report and/or construction documents under the submittal exception process in accordance with WAC 246-290-125(3); and

- Design in accordance with this chapter and general standards of engineering practice.

The completed form must be stamped with engineer's seal, and signed and dated by a professional engineer.

"Equalizing storage" means the volume of storage needed to supplement supply to consumers when the peak hourly demand exceeds the total source pumping capacity.

"Equivalent residential unit (ERU)" means a system-specific unit of measure used to express the amount of water consumed by a typical full-time single family residence.

"Expanding public water system" means a public water system installing additions, extensions, changes, or alterations to their existing source, transmission, storage, or distribution facilities that will enable the system to increase in size its existing service area and/or its number of approved service connections. Exceptions:

A system that connects new approved individual retail or direct service connections onto an existing distribution system within an existing service area; or

A distribution system extension in an existing service area identified in a current and approved water system plan or project report.

"Filter profile" means a graphical representation of individual filter performance in a direct or conventional surface water filtration plant, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed.

"Filtration" means a process for removal of particulate matter from water by passage through porous media.

"Financial viability" means the capability of a water system to obtain sufficient funds to construct, operate, maintain, and manage a public water system, on a continuing basis, in full compliance with federal, state, and local requirements.

"Fire flow" means the maximum rate and duration of water flow needed to suppress a fire under WAC 246-293-640 or as required under local fire protection authority standards.

"Fire suppression storage" means the volume of stored water available during fire suppression activities to satisfy minimum pressure requirements per WAC 246-290-230.

"First consumer" means the first service connection associated with any source (i.e., the point where water is first withdrawn for human consumption, excluding connections where water is delivered to another water system covered by these regulations).

"Flocculation" means a process enhancing agglomeration and collection of colloidal and suspended particles into larger, more easily settleable or filterable particles by gentle stirring.

"Flow-through fire protection system" means a fire sprinkler system that:

Is supplied only by the purveyor's water;

Does not have a fire department pumper connection;

Is constructed of approved potable water piping and materials to which sprinkler heads are attached; and

Terminates at a connection to a toilet or other plumbing fixture to prevent the water from becoming stagnant.

"Grab sample" means a water quality sample collected at a specific instant in time and analyzed as an individual sample.

"Ground water under the direct influence of surface water (GWI)" means any water beneath the surface of the ground that the department determines has the following characteristics:

Significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia* or ~~((for systems serving ten thousand people or more)),~~ *Cryptosporidium*; or

Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH closely correlating to climatological or surface water conditions where natural conditions cannot prevent the introduction of surface water pathogens into the source at the system's point of withdrawal.

"Guideline" means a department document assisting the purveyor in meeting a rule requirement.

"Health officer" means the health officer of the city, county, city-county health department or district, or an authorized representative.

"Heterotrophic Plate Count (HPC)" means a procedure to measure a class of bacteria that use organic nutrients for growth. The density of these bacteria in drinking water is measured as colony forming units per milliliter and is referred to as the HPC.

"High health cross-connection hazard" means a cross-connection which could impair the quality of potable water and create an actual public health hazard through poisoning or spread of disease by sewage, industrial liquids or waste.

"Human consumption" means the use of water for drinking, bathing or showering, hand washing, food preparation, cooking, or oral hygiene.

"Hydraulic analysis" means the study of a water system's distribution main and storage network to determine present or future adequacy for provision of service to consumers within the established design parameters for the system under peak flow conditions, including fire flow. The analysis is used to establish any need for improvements to existing systems or to substantiate adequacy of design for distribution system components such as piping, elevated storage, booster stations or similar facilities used to pump and convey water to consumers.

"Inactivation" means a process which renders pathogenic microorganisms incapable of producing disease.

"Inactivation ratio" means the ratio obtained by dividing CTcalc by CTreq.

"Incompletely treated water" means water from a surface or GWI source that receives filtration and/or disinfection treatment that does not fully comply with the treatment technique requirements of Part 6 of this chapter as determined by the department.

"In-line filtration" means a series of processes, including coagulation and filtration (but excluding flocculation and sedimentation) that together result in particulate removal.

"In-premises protection" means a method of protecting the health of consumers served by the consumer's potable water system, located within the property lines of the consumer's premises by the installation of an approved air gap or backflow prevention assembly at the point of hazard, which is generally a plumbing fixture.

"Intertie" means an interconnection between public water systems permitting the exchange or delivery of water between those systems.

"Legionella" means a genus of bacteria containing species which cause a type of pneumonia called Legionnaires' Disease.

"Limited alternative to filtration" means a process that ensures greater removal and/or inactivation efficiencies of pathogenic organisms than would be achieved by the combination of filtration and chlorine disinfection.

"Local administrative authority" means the local official, board, department, or agency authorized to administer and enforce the provisions of the Uniform Plumbing Code as adopted under chapter 19.27 RCW.

"Low health cross-connection hazard" means a cross-connection that could cause an impairment of the quality of potable water to a degree that does not create a hazard to the public health, but does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.

"Major project" means all construction projects subject to SEPA in accordance with WAC 246-03-030 (3)(a) and include all surface water source development, all water system storage facilities greater than one-half million gallons, new transmission lines longer than one thousand feet and larger than eight inches in diameter located in new rights of way and major extensions to existing water distribution systems involving use of pipes greater than eight inches in diameter, that are designed to increase the existing service area by more than one square mile.

"Mandatory curtailment" means curtailment required by a public water system of specified water uses and consumer classes for a specified period of time.

"Maximum contaminant level (MCL)" means the maximum permissible level of a contaminant in water the purveyor delivers to any public water system user, measured at the locations identified under WAC 246-290-300, Table 3.

"Maximum contaminant level violation" means a confirmed measurement above the MCL and for a duration of time, where applicable, as outlined under WAC 246-290-310.

"Maximum day demand (MDD)" means the highest actual or estimated quantity of water that is, or is expected to be, used over a twenty-four hour period, excluding unusual events or emergencies. MDD is typically expressed as gallons per day per ERU (gpd/ERU).

"Monitoring waiver" means an action taken by the department under WAC 246-290-300 (4)(g) or (7)(f) to allow a water system to reduce specific monitoring requirements based on a determination of low source vulnerability to contamination.

"Nested storage" means one component of storage is contained within the component of another.

"Nonacute" means posing a possible or less than immediate risk to human health.

"Nonresident" means a person having access to drinking water from a public water system, but who lives elsewhere. Examples include travelers, transients, employees, students, etc.

"Normal operating conditions" means those conditions associated with the designed, day-to-day provision of potable drinking water that meets regulatory water quality standards and the routine service expectations of the system's consumers at all times, including meeting fire flow demands. Operation under conditions such as power outages, floods, or unscheduled transmission or distribution disruptions, even if considered in the system design, are considered abnormal.

"Operational storage" means the volume of distribution storage associated with source or booster pump normal cycling times under normal operating conditions and is additive to the equalizing and standby storage components, and to fire flow storage if this storage component exists for any given tank.

"Peak hourly demand (PHD)" means the maximum rate of water use, excluding fire flow, that can be expected to occur within a defined service area over a continuous sixty minute time period. PHD is typically expressed in gallons per minute (gpm).

"Peak hourly flow" means, for the purpose of CT calculations, the greatest volume of water passing through the system during any one hour in a day.

"Performance criteria" means the level at which a system shall operate in order to maintain system reliability compliance, in accordance with WAC 246-290-420, and to meet consumers' reasonable expectations.

"Permanent residence" means any dwelling that is, or could reasonably be expected to be, occupied on a continuous basis.

"Permanent source" means a public water system supply source that is used regularly each year, and based on expected operational requirements of the system, will be used more than three consecutive months in any twelve-month period. For seasonal water systems that are in operation for less than three consecutive months per year, their sources shall also be considered to be permanent.

"Point of disinfectant application" means the point where the disinfectant is added, and where water downstream of that point is not subject to contamination by untreated surface water.

"Population served" means the number of persons, resident and nonresident, having immediate access to drinking water from a public water system, whether or not such persons have actually consumed water from that system. The number of nonresidents shall be the average number of persons having immediate access to drinking water on days access was provided during that month. In the absence of specific population data, the number of residents shall be computed by multiplying the number of active services by two and one-half.

"Potable" means water suitable for drinking by the public.

"Potential GWI" means a source identified by the department as possibly under the influence of surface water, and includes, but is not limited to, all wells with a screened interval fifty feet or less from the ground surface at the well-head and located within two hundred feet of a surface water, and all Ranney wells, infiltration galleries, and springs.

"Premises isolation" means a method of protecting a public water system by installation of approved air gaps or approved backflow prevention assemblies at or near the service connection or alternative location acceptable to the purveyor to isolate the consumer's water system from the purveyor's distribution system.

"Pressure filter" means an enclosed vessel containing properly sized and graded granular media through which water is forced under greater than atmospheric pressure.

"Primary disinfection" means a treatment process for achieving inactivation of *Giardia lamblia* cysts, viruses, or other pathogenic organisms of public health concern to comply with the treatment technique requirements of Part 6 of this chapter.

"Primary standards" means standards based on chronic, nonacute, or acute human health effects.

"Primary turbidity standard" means an accurately prepared formazin solution or commercially prepared polymer solution of known turbidity (prepared in accordance with "standard methods") that is used to calibrate bench model and continuous turbidimeters (instruments used to measure turbidity).

"Project approval application (PAA)" means a department form documenting ownership of water system, design engineer for the project, and type of project.

"Protected ground water source" means a ground water source the purveyor shows to the department's satisfaction as protected from potential sources of contamination on the basis of hydrogeologic data and/or satisfactory water quality history.

"Public water system" is defined and referenced under WAC 246-290-020.

"Purchased source" means water a purveyor purchases from a public water system not under the control of the purveyor for distribution to the purveyor's consumers.

"Purveyor" means an agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or other entity owning or operating a public water system. Purveyor also means the authorized agents of such entities.

"Reclaimed water" means effluent derived in any part from sewage from a wastewater treatment system that has been adequately and reliably treated, so that as a result of that treatment, it is suitable for beneficial use or a controlled use that would not otherwise occur, and it is no longer considered wastewater.

"Record drawings" means the drawings bearing the seal and signature of a professional engineer that reflect the modifications made to construction documents, documenting actual constructed conditions of the water system facilities.

"Recreational tract" means an area that is clearly defined for each occupant, but has no permanent structures with internal plumbing, and the area has been declared as

such in the covenants or on the recorded plat in order to be eligible for reduced design considerations.

"Regional public water supplier" means a water system that provides drinking water to one, or more, other public water systems.

"Regularly" means four hours or more per day for four days or more per week.

"Removal credit" means the level (expressed as a percent or log) of *Giardia* and virus removal the department grants a system's filtration process.

"Repeat sample" means a sample collected to confirm the results of a previous analysis.

"Resident" means an individual living in a dwelling unit served by a public water system.

"Residual disinfectant concentration" means the analytical level of a disinfectant, measured in milligrams per liter, that remains in water following the application (dosing) of the disinfectant after some period of contact time.

"Same farm" means a parcel of land or series of parcels that are connected by covenants and devoted to the production of livestock or agricultural commodities for commercial purposes and does not qualify as a **Group A** public water system.

"Sanitary survey" means a review, inspection, and assessment of a public water system by the department or department designee including, but not limited to: Source, facilities, equipment, administration and operation, maintenance procedures, monitoring, recordkeeping, planning documents and schedules, and management practices. The purpose of the survey is to evaluate the adequacy of the water system for producing and distributing safe and adequate drinking water.

"Satellite management agency (SMA)" means a person or entity that is approved by the department to own or operate public water systems on a regional or county-wide basis without the necessity for a physical connection between such systems.

"Seasonal source" means a public water system source used on a regular basis, that is not a permanent or emergency source.

"Secondary standards" means standards based on factors other than health effects.

"Service connection" means a connection to a public water system designed to provide potable water to a single family residence, or other residential or nonresidential population. When the connection provides water to a residential population without clearly defined single family residences, the following formulas shall be used in determining the number of services to be included as residential connections on the WFI form:

Divide the average population served each day by two and one-half; or

Using actual water use data, calculate the total ERUs represented by the service connection in accordance with department design guidance.

In no case shall the calculated number of services be less than one.

"Significant noncomplier" means a system that is violating or has violated department rules, and the violations may create, or have created an imminent or a significant risk

to human health. Such violations include, but are not limited to, repeated violations of monitoring requirements, failure to address an exceedance of permissible levels of regulated contaminants, or failure to comply with treatment technique standards or requirements.

"Simple disinfection" means any form of disinfection that requires minimal operational control in order to maintain the disinfection at proper functional levels, and that does not pose safety concerns that would require special care, equipment, or expertise. Examples include hypochlorination, UV-light, contactor chlorination, or any other form of disinfection practice that is safe to use and easy to routinely operate and maintain.

"Slow sand filtration" means a process involving passage of source water through a bed of sand at low velocity (generally less than 0.10 gpm/ft²) that results in substantial particulate removal (> 2 log *Giardia lamblia* cysts) by physical and biological mechanisms.

"Source meter" means a meter that measures total output of a water source over specific time periods.

"Source water" means untreated water that is not subject to recontamination by surface runoff and:

For unfiltered systems, enters the system immediately before the first point of disinfectant application; and

For filtered systems, enters immediately before the first treatment unit of a water treatment facility.

"Special purpose investigation (SPI)" means on-site inspection of a public water system by the department or designee to address a potential public health concern, regulatory violation, or consumer complaint.

"Special purpose sample" means a sample collected for reasons other than the monitoring compliance specified in this chapter.

"Spring" means a source of water where an aquifer comes in contact with the ground surface.

"Standard methods" means the 18th edition of the book, titled *Standard Methods for the Examination of Water and Waste Water*, jointly published by the American Public Health Association, American Water Works Association (AWWA), and Water Pollution Control Federation. This book is available through public libraries or may be ordered from AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235.

"Standby storage" means the volume of stored water available for use during a loss of source capacity, power, or similar short-term emergency.

"State advisory level (SAL)" means a level established by the department and state board of health for a contaminant without an existing MCL. The SAL represents a level that when exceeded, indicates the need for further assessment to determine if the chemical is an actual or potential threat to human health.

"State board of health" and **"board"** means the board created by RCW 43.20.030.

"Subpart H System" see definition for **"surface water system."**

"Surface water" means a body of water open to the atmosphere and subject to surface runoff.

"Surface water system" means a public water system that uses in whole, or in part, source water from a surface sup-

ply, or ground water under the direct influence of surface water (GWI) supply. This includes systems that operate surface water treatment facilities, and systems that purchase "completely treated water" (as defined in this subsection). A "surface water system" is also referred to as a "Subpart H System" in some federal regulatory language adopted by reference and the two terms are considered equivalent for the purposes of this chapter.

"**Susceptibility assessment**" means the completed Susceptibility Assessment Survey Form developed by the department to evaluate the hydrologic setting of the water source and assess its contribution to the source's overall susceptibility to contamination from surface activities.

"**Synthetic organic chemical (SOC)**" means a manufactured carbon-based chemical.

"**System capacity**" means the system's operational, technical, managerial, and financial capability to achieve and maintain compliance with all relevant local, state, and federal plans and regulations.

"**System physical capacity**" means the maximum number of service connections or equivalent residential units (ERUs) that the system can serve when considering the limitation of each system component such as source, treatment, storage, transmission, or distribution, individually and in combination with each other.

"**Time-of-travel**" means the time required for ground water to move through the water bearing zone from a specific point to a well.

"**Too numerous to count (TNTC)**" means the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

"**Tracer study**" means a field study conducted to determine the disinfectant contact time, T, provided by a water system component, such as a clearwell or storage reservoir, used for *Giardia lamblia* cyst and virus inactivation. The study involves introducing a tracer chemical at the inlet of the contact basin and measuring the resulting outlet tracer concentration as a function of time.

"**Transmission line**" means pipes used to convey water from source, storage, or treatment facilities to points of distribution or distribution mains, and from source facilities to treatment or storage facilities. This also can include transmission mains connecting one section of distribution system to another section of distribution system as long as this transmission main is clearly defined as such on the plans and no service connections are allowed along the transmission main.

"**Treatment technique requirement**" means a department-established requirement for a public water system to provide treatment, such as filtration or disinfection, as defined by specific design, operating, and monitoring requirements. A "treatment technique requirement" is established in lieu of a primary MCL when monitoring for the contaminant is not economically or technologically feasible.

"**Trihalomethane (THM)**" means one of a family of organic compounds, named as derivatives of methane, where three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. THMs may occur when chlorine, a halogen, is added to water containing organic material and are generally found in water samples as disinfection by-products.

"**Turbidity event**" means a single day or series of consecutive days, not to exceed fourteen, when one or more turbidity measurement each day exceeds 5 NTU.

"**T10**" means the time it takes ten percent of the water passing through a system contact tank intended for use in the inactivation of *Giardia lamblia* cysts, viruses, and other microorganisms of public health concern, as determined from a tracer study conducted at peak hourly flow or from published engineering reports or guidance documents for similarly configured tanks.

"**Unapproved auxiliary water supply**" means a water supply (other than the purveyor's water supply) on or available to the consumer's premises that is either not approved for human consumption by the health agency having jurisdiction or is not otherwise acceptable to the purveyor.

"**Uncovered distribution reservoir**" means a distribution reservoir that is open, without a suitable water-tight roof or cover, where the potable water supply is exposed to external contaminants, including but not limited to people, birds, animals, and insects and will undergo no further treatment except for residual disinfection.

"**Uniform Plumbing Code**" means the code adopted under RCW 19.27.031(4) and amended under chapter 51-46 WAC. This code establishes statewide minimum plumbing standards applicable within the property lines of the consumer's premises.

"**Used water**" means water which has left the control of the purveyor.

"**Verification**" means to demonstrate the results of a sample to be precise by analyzing a duplicate sample. Verification occurs when analysis results fall within plus or minus thirty percent of the original sample.

"**Virus**" means a virus of fecal origin which is infectious to humans and transmitted through water.

"**Volatile organic chemical (VOC)**" means a manufactured carbon-based chemical that vaporizes quickly at standard pressure and temperature.

"**Voluntary curtailment**" means a curtailment of water use requested, but not required of consumers.

"**Waterborne disease outbreak**" means the significant occurrence of acute infectious illness, epidemiologically associated with drinking water from a public water system, as determined by the appropriate local health agency or the department.

"**Water facilities inventory (WFI) form**" means the department form summarizing each public water system's characteristics.

"**Water right**" means a permit, claim, or other authorization, on record with or accepted by the department of ecology, authorizing the beneficial use of water in accordance with all applicable state laws.

"**Water right assessment**" means an evaluation of the legal ability of a water system to use water for existing or proposed usages in conformance with state water right laws. Such an assessment may be done by a water system, a purveyor, the department of ecology, or any combination thereof.

"**Watershed**" means the region or area that:

Ultimately drains into a surface water source diverted for drinking water supply; and

Affects the physical, chemical, microbiological, and radiological quality of the source.

"**Water shortage**" means a situation during which the water supplies of a system cannot meet normal water demands for the system, including peak periods.

"**Water shortage response plan**" means a plan outlining policies and activities to be implemented to reduce water use on a short-term basis during or in anticipation of a water shortage.

"**Well field**" means a group of wells one purveyor owns or controls that:

Draw from the same aquifer or aquifers as determined by comparable inorganic chemical analysis and comparable static water level and top of the open interval elevations; and

Discharge water through a common pipe and the common pipe shall allow for collection of a single sample before the first distribution system connection.

"**Wellhead protection area (WHPA)**" means the portion of a well's, wellfield's or spring's zone of contribution defined as such using WHPA criteria established by the department.

"**Zone of contribution**" means the area surrounding a pumping well or spring that encompasses all areas or features that supply ground water recharge to the well or spring.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-025 Adoption by reference. The following sections and subsections of Title 40 Code of Federal Regulations (CFR) Part 141 National Primary Drinking Water Regulations revised as of July 1, (~~2002~~) 2003, and including all amendments and modifications thereto effective as of the date of adoption of this chapter are adopted by reference:

141.2 Definitions. Only those definitions listed as follows:

Action level;
Corrosion inhibitor;
Effective corrosion inhibitor residual;
Enhanced coagulation;
Enhanced softening;
Granular activated carbon (GAC10);
Haloacetic acids (five) (HAA5);
First draw sample;
Large water system;
Lead service line;
Maximum residual disinfectant level (MRDL);
Maximum residual disinfectant level goal (MRDLG);
Medium-size water system;
Optimal corrosion control treatment;
Service line sample;
Single family structure;
Small water system;
Specific ultraviolet absorption (SUVA); and

Total Organic Carbon (TOC).

141.12 Maximum contaminant levels for organic chemicals.
141.13 Maximum contaminant levels for turbidity.
141.21 Coliform monitoring.
141.22 Turbidity sampling and analytical requirements.
141.23(a) - 141.23(j), Inorganic chemical sampling. excluding (i)(2)
141.23(m) - 141.23(o)
141.24(a) - 141.24(d), Organic chemicals other than total trihalomethanes.
141.24 (f)(1) - 141.24 (f)(15),
141.24 (f)(18), 141.24 (f)(19),
141.24 (f)(21), 141.24 (f)(22)
141.24 (g)(1) - 141.24 (g)(9),
141.24 (g)(12) - 141.24 (g)(14),
141.24 (h)(1) - 141.24 (h)(11),
141.24 (h)(14) - 141.24 (h)(17)
141.24 (h)(20)
141.25(a), 141.25 (c) - (d), Analytical methods for radioactivity.
141.26 Monitoring frequency and compliance for radioactivity in community water systems.
141.31(d) Reporting of public notices and compliance certifications.
141.33(e) Record maintenance of public notices and certifications.
141.40(a) - 141.40(e), Special monitoring for inorganic and organic chemicals.
141.40(g), 141.40(i) - 141.40(n)
141.61 Maximum contaminant levels for organic contaminants.
141.62, excluding (b) Maximum contaminant levels for inorganic chemical and physical contaminants.
141.64(c) Best Available Technologies (BATs) for Disinfection By-Products.
141.65(c) Best Available Technologies (BATs) for Maximum Residual Disinfectant Levels.
141.66 Maximum contaminant levels for radionuclides.
Control of Lead and Copper
141.80 General requirements.
141.81 Applicability of corrosion control treatment steps to small, medium-size and large water systems.
141.82(a) - 141.82(h) Description of corrosion control treatment requirements.
141.83 Source water treatment requirements.

- 141.84 Lead service line replacement requirements.
- 141.85 Public education and supplemental monitoring requirements.
- 141.86 (a) Monitoring requirements for lead and copper
- (f) in tap water.
- 141.87 Monitoring requirements for water quality parameters.
- 141.88 Monitoring requirements for lead and copper in source water.
- 141.89 Analytical methods for lead and copper testing.
- 141.90, Reporting requirements.
excluding
(a)(4)
- 141.91 Recordkeeping requirements.
- Disinfectants and Disinfection By-Products (D/DBP)
- 141.130 General requirements.
- 141.131 Analytical requirements.
- 141.132 Monitoring requirements.
- 141.133 Compliance.
- 141.134 Reporting and recordkeeping.
- 141.135 Treatment technique for control of disinfection by-product precursors.
- Enhanced Filtration - Reporting and Recordkeeping
- 141.175(b) Individual filter reporting and follow-up action requirements for systems treating surface water with conventional, direct, or in-line filtration and serving at least 10,000 people.
- 141.201, General public notification requirements.
excluding
(3)(ii) of
Table 1
- 141.202, Tier 1 Public Notice - Form, manner, and frequency of notice.
excluding
(3) of Table 1
- 141.203 Tier 2 Public Notice - Form, manner, and frequency of notice.
- 141.204 Tier 3 Public Notice - Form, manner, and frequency of notice.
- 141.205 Content of the public notice.
- 141.206 Notice to new billing units or new customers.
- 141.207 Special notice of the availability of unregulated contaminant monitoring results.
- 141.208 Special notice for exceedances of the SMCL for fluoride.
- Subpart Q - Public Notification Rule, Appendix A and B
- Subpart T - Enhanced Filtration and Disinfection - Systems Serving Fewer Than 10,000 People
- 141.530 - Disinfection profile and benchmark.
- 141.544
- 141.563 Follow-up actions required.

141.570. Reporting requirements.
excluding (c)

- 143.1 - Secondary contaminants.
- 143.4

Copies of the incorporated sections and subsections of Title 40 CFR are available from the Department of Health, Airstustrial Center Building 3, P.O. Box 47822, Olympia, Washington 98504-7822, or by calling the department's drinking water hotline at 1-800-521-0323.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-480 Recordkeeping and reporting. (1) Records. The purveyor shall keep the following records of operation and water quality analyses:

(a) Bacteriological and turbidity analysis results shall be kept for five years. Chemical analysis results shall be kept for as long as the system is in operation. Records of daily source meter readings shall be kept for ten years. Other records of operation and analyses required by the department shall be kept for three years. All records shall bear the signature of the operator in responsible charge of the water system or his or her representative. Systems shall keep these records available for inspection by the department and shall send the records to the department if requested. Actual laboratory reports may be kept or data may be transferred to tabular summaries, provided the following information is included:

- (i) The date, place, and time of sampling, and the name of the person collecting the sample;
- (ii) Identification of the sample type (routine distribution system sample, repeat sample, source or finished water sample, or other special purpose sample);
- (iii) Date of analysis;
- (iv) Laboratory and person responsible for performing analysis;
- (v) The analytical method used; and
- (vi) The results of the analysis.

(b) Records of action taken by the system to correct violations of primary drinking water standards. For each violation, records of actions taken to correct the violation, and copies of public notifications shall be kept for no less than three years after the last corrective action taken.

(c) Copies of any written reports, summaries, or communications relating to sanitary surveys or SPIs of the system conducted by system personnel, by a consultant or by any local, state, or federal agency, shall be kept for ten years after completion of the sanitary survey or SPI involved.

(d) Copies of project reports, construction documents and related drawings, inspection reports and approvals shall be kept for the life of the facility.

(e) Where applicable, daily records of the following shall be kept for a minimum of three years:

- (i) Chlorine residual;
- (ii) Fluoride level;
- (iii) Water treatment plant performance including, but not limited to:
 - (A) Type of chemicals used and quantity;
 - (B) Amount of water treated; and

(C) Results of analyses.

(iv) Turbidity;

(v) Source meter readings; and

(vi) Other information as specified by the department.

(f) The purveyor shall retain copies of public notices made in accordance with Part 7, Subpart A of this chapter and certifications made to the department under 40 CFR 141.33 (e) for a period of at least three years after issuance.

(g) Purveyors using conventional, direct, or in-line filtration that recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes within their treatment plant shall, beginning no later than June 8, 2004, collect and retain on file the following information for review and evaluation by the department:

(i) A copy of the recycle notification and information submitted to the department in accordance with WAC 246-290-660 (4)(a)(i).

(ii) A list of all recycle flows and the frequency with which they are returned.

(iii) Average and maximum backwash flow rate through the filters and the average and maximum duration of the filter backwash process in minutes.

(iv) Typical filter run length and a written summary of how filter run length is determined.

(v) The type of treatment provided for the recycle flow.

(vi) Data on the physical dimensions of the equalization and/or treatment units, typical and maximum hydraulic loading rates, type of treatment chemicals used and average dose and frequency of use, and frequency at which solids are removed, if applicable.

(h) Purveyors required to conduct disinfection profiling and benchmarking in accordance with 40 CFR 141.530 through 141.544 shall retain the results on file indefinitely.

(2) Reporting.

(a) Unless otherwise specified in this chapter, the purveyor shall report to the department within forty-eight hours the failure to comply with any national primary drinking water regulation (including failure to comply with any monitoring requirements) as set forth in this chapter. For violations assigned to Tier 1 in WAC 246-290-71001, the department must be notified as soon as possible, but no later than twenty-four hours after the violation is known.

(b) The purveyor shall submit to the department reports required by this chapter, including tests, measurements, and analytic reports. Monthly reports are due before the tenth day of the following month, unless otherwise specified in this chapter.

(c) The purveyor shall submit to the department copies of any written summaries or communications relating to the status of monitoring waivers during each monitoring cycle or as directed by the department.

(d) Source meter readings shall be made available to the department.

(e) Water facilities inventory form (WFI).

(i) Purveyors of **community** and **NTNC** systems shall submit an annual WFI update to the department;

(ii) Purveyors of **TNC** systems shall submit an updated WFI to the department as requested;

(iii) Purveyors shall submit an updated WFI to the department within thirty days of any change in name, cate-

gory, ownership, or responsibility for management of the water system, or addition of source or storage facilities; and

(iv) At a minimum the completed WFI shall provide the current names, addresses, and telephone numbers of the owners, operators, and emergency contact persons for the system.

(v) Purveyors shall provide in the WFI total annual water production and use, including:

(i) Total annual water production for each source;

(ii) Monthly and annual totals for water purchased from or sold to other purveyors; and

(iii) For purveyors with more than one thousand service connections, monthly and annual totals for purveyor consumer classes. Monthly data may be estimated if the water system bills less frequently than monthly.

(f) Bacteriological.

(i) The purveyor shall notify the department of the presence of:

(A) Coliform in a sample, within ten days of notification by the laboratory; and

(B) Fecal coliform or *E. coli* in a sample, by the end of the business day in which the purveyor is notified by the laboratory. If the purveyor is notified of the results after normal close of business, then the purveyor shall notify the department before the end of the next business day.

(g) Systems monitoring for unregulated contaminants in accordance with WAC 246-290-300(9), shall send a copy of the results of such monitoring to the department within thirty days of receipt of analytical results.

(h) Systems monitoring for disinfection by-products in accordance with WAC 246-290-300(7) shall report information to the department as specified in 40 CFR 141.134.

(i) Systems monitoring for disinfectant residuals in accordance with WAC 246-290-300(7) shall report information to the department as specified in subsection (2)(a) of this section, and 40 CFR 141.134(c).

(j) Systems required to monitor for disinfection by-product precursor removal in accordance with WAC 246-290-300(7) shall report information to the department as specified in 40 CFR 141.134(d).

(k) Systems shall submit to the department, in accordance with 40 CFR 141.31(d), a certification that the system has complied with the public notification regulations (Part 7, Subpart A of this chapter) when a public notification is required. Along with the certification, the system shall submit a representative copy of each type of notice.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-601 Purpose of surface water treatment. (1) Part 6 of chapter 246-290 WAC establishes filtration and disinfection as treatment technique requirements for water systems using surface or GWI sources. The Part 6 treatment technique requirements are established in lieu of maximum contaminant levels (MCLs) for the following contaminants:

(a) *Giardia lamblia*;

(b) Viruses;

(c) Heterotrophic plate count bacteria;

(d) *Legionella*;

(e) *Cryptosporidium* for systems serving at least ten thousand people and beginning January 14, 2005, for systems serving less than ten thousand people; and

(f) Turbidity.

(2) For water systems using unfiltered surface sources, in whole or part, and that have been required to install, but have yet to complete the installation and operation of, filtration facilities, the turbidity levels at entry points to distribution and sampling/analytical requirements shall be in accordance with 40 CFR 141.13 and 40 CFR 141.22, respectively.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-630 General requirements. (1) The purveyor shall ensure that treatment is provided for surface and GWI sources consistent with the treatment technique requirements specified in Part 6 of chapter 246-290 WAC.

(2) The purveyor shall install and properly operate water treatment processes to ensure at least:

(a) 99.9 percent (3 log) removal and/or inactivation of *Giardia lamblia* cysts;

(b) 99.99 percent (4 log) removal and/or inactivation of viruses; and

(c) 99 percent (2 log) removal of *Cryptosporidium* oocysts if required to filter.

(3) The purveyor shall ensure that the requirements of subsection (2) of this section are met between a point where the source water is not subject to contamination by untreated surface water and a point at or before the first consumer.

(4) The department may require higher levels of removal and/or inactivation of *Giardia lamblia* cysts, *Cryptosporidium* oocysts, and viruses than specified in subsection (2) of this section if deemed necessary to protect the health of consumers served by the system.

(5) The purveyor shall ensure that personnel operating a system subject to Part 6 of chapter 246-290 WAC meet the requirements under chapter 70.119 RCW and chapter 246-292 WAC.

(6) The purveyor of a **Group A community** system serving water from a surface or GWI source to the public before January 1, 1991, shall comply with applicable minimum treatment requirements. The purveyor shall meet either:

(a) The filtration and disinfection requirements under WAC 246-290-660 and 246-290-662 respectively;

(b) The criteria to remain unfiltered under WAC 246-290-690 and the disinfection requirements under WAC 246-290-692; or

(c) The criteria to provide a limited alternative to filtration under WAC 246-290-691 and the disinfection requirements under WAC 246-290-692.

(7) The purveyor of a **Group A noncommunity** system serving water from a surface or GWI source, shall meet either:

(a) The filtration and disinfection requirements under WAC 246-290-660 and 246-290-662, respectively; or

(b) The criteria to provide a limited alternative to filtration under WAC 246-290-691 and the disinfection requirements under WAC 246-290-692.

(8) The purveyor of a **Group A** system first serving water from a surface or GWI source to the public after December 31, 1990, shall meet either:

(a) The filtration and disinfection requirements under WAC 246-290-660 and 246-290-662, respectively; or

(b) The criteria to provide a limited alternative to filtration under WAC 246-290-691 and the disinfection requirements under WAC 246-290-692.

(9) The purveyor of a system required to install filtration may choose to provide a limited alternative to filtration or abandon the surface or GWI source as a permanent or seasonal source and develop an alternate, department-approved source. Purveyors that develop alternate ground water sources or purchase water from a department-approved public water system using a ground water source shall no longer be subject to Part 6 of chapter 246-290 WAC, once the alternate source is approved by the department and is on line.

(10) A purveyor that chooses to provide a limited alternative to filtration shall submit an application to the department that contains the information necessary to determine whether the source can meet the criteria.

(11) If a limited alternative to filtration is provided, then the purveyor shall install and properly operate treatment processes to ensure greater removal and/or inactivation efficiencies of *Giardia lamblia* cysts, viruses, or other pathogenic organisms of public health concern (including *Cryptosporidium* oocysts) than would be achieved by the combination of filtration and chlorine disinfection.

(12) Systems that were required to develop a disinfection profile under 40 CFR 141.172 shall provide that profile and a calculated disinfection benchmark, as described in 40 CFR 141.172 (c)(2) and (3), along with other project information specified in WAC 246-290-110, when proposing any change to the disinfection treatment system. The proposal for change shall include an analysis of how the proposed change will affect the current level of disinfection. The profile must also be available for inspection during routine sanitary surveys conducted under WAC 246-290-416.

(13) Community and nontransient noncommunity systems serving less than ten thousand persons must meet the disinfection profiling and benchmarking provisions required in accordance with 40 CFR 141.530 through 141.544.

(14) Systems required to develop a disinfection profile under 40 CFR 141.530 shall provide that profile and a calculated disinfection benchmark, as described in 40 CFR 141.543 along with other project information specified in WAC 246-290-110, when proposing any change to the disinfection treatment system. The proposal for change shall include an analysis of how the proposed change will affect the current level of disinfection. The profile must also be available for inspection during routine sanitary surveys conducted in accordance with WAC 246-290-416.

(15) A system using conventional, direct, or in-line filtration that must arrange for the conduct of a comprehensive performance evaluation (CPE), in accordance with 40 CFR 141.175 (b)(4) or 40 CFR 141.563, may be required to arrange for comprehensive technical assistance (CTA). The department will determine the need for CTA on a case-by-case basis.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-660 Filtration. (1) Turbidity performance requirements.

(a) The purveyor shall ensure that the turbidity level of representative filtered water samples:

(i) Complies with the performance standards in Table 11(A) until January 14, 2005, and Table 11(B) beginning January 14, 2005; and

(ii) Never exceeds 5.0 NTU for any system using slow sand, diatomaceous earth((-øø));

(iii) Never exceeds 5.0 NTU for any system serving less than ten thousand people and using conventional, direct, or in-line filtration((-

(iii)) until January 14, 2005, and never exceeds 1.0 NTU beginning January 14, 2005;

(iv) Never exceeds 1.0 NTU for any system serving at least ten thousand people and using conventional, direct, or in-line filtration((-);

((iv)) (v) Never exceeds the maximum allowable turbidity determined by the department on a case-by-case basis for any system using an alternate filtration technology approved under WAC 246-290-676 (2)(b).

Table 11(A)

TURBIDITY PERFORMANCE REQUIREMENTS (UNTIL JANUARY 14, 2005)

Filtration Technology	Filtered water turbidity (in NTUs) shall be less than or equal to this value in at least 95% of the measurements made each calendar month	
	Systems serving < 10,000 people	Systems serving > 10,000 people
Conventional, Direct and In-line	0.50	0.30
Slow Sand	1.0	1.0
Diatomaceous Earth	1.0	1.0
Alternate Technology	As determined by the department through case-by-case approval of technology, in accordance with WAC 246-290-676 (2)(b).	

Table 11(B)

TURBIDITY PERFORMANCE STANDARDS (BEGINNING JANUARY 14, 2005)

Filtration Technology	Filtered water turbidity (in NTUs) shall be less than or equal to this value in at least 95% of the measurements made each calendar month
Conventional, Direct and In-line	0.30
Slow Sand	1.0
Diatomaceous Earth	1.0
Alternate Technology	As determined by the department through case-by-case approval of technology, in accordance with WAC 246-290-676 (2)(b).

PROPOSED

(b) The department may allow the turbidity of filtered water from a system using slow sand filtration to exceed 1.0 NTU, but never 5.0 NTU, if the system demonstrates to the department's satisfaction that the higher turbidity level will not endanger the health of consumers served by the system. As a condition of being allowed to produce filtered water with a turbidity exceeding 1.0 NTU, the purveyor may be required to monitor one or more parameters in addition to the parameters specified under WAC 246-290-664. The department shall notify the purveyor of the type and frequency of monitoring to be conducted.

(2) *Giardia lamblia*, *Cryptosporidium*, and virus removal credit.

(a) The department shall notify the purveyor of the removal credit granted for the system's filtration process. The department shall specify removal credit for:

(i) Existing filtration facilities based on periodic evaluations of performance and operation; and

(ii) New or modified filtration facilities based on results of pilot plant studies or full scale operation.

(b) Conventional, direct, and in-line filtration.

(i) The removal credit the department may grant to a system using conventional, direct, or in-line filtration and demonstrating effective treatment is as follows:

Filtration Technology	Percent Removal Credit (log)					
	<i>Giardia</i>		Virus		<i>Cryptosporidium</i>	
	Percent	log	Percent	log	Percent	log
Conventional	99.7	2.5	99	2.0	99	2.0
Direct and in-line	99	2.0	90	1.0	99	2.0

(ii) A system using conventional, direct, or in-line filtration shall be considered to provide effective treatment, if the purveyor demonstrates to the satisfaction of the department that the system meets the:

(A) Turbidity performance requirements under subsection (1) of this section; and

(B) Operations requirements of WAC 246-290-654.

(iii) The department may grant a higher level of *Giardia lamblia*, *Cryptosporidium*, and virus removal credit than listed under (b)(i) of this subsection, if the purveyor demonstrates to the department's satisfaction that the higher level can be consistently achieved.

(iv) As a condition of maintaining the maximum removal credit, purveyors may be required to periodically monitor one or more parameters not routinely monitored under WAC 246-290-664. The department shall notify the purveyor of the type and frequency of monitoring to be conducted.

(v) The department shall not grant removal credit to a system using conventional, direct, or in-line filtration that:

(A) Fails to meet the minimum turbidity performance requirements under subsection (1) of this section; or

(B) Fails to meet the operating requirements under WAC 246-290-654.

(c) Slow sand filtration.

The department may grant a system using slow sand filtration 99 percent (2 log) *Giardia lamblia* cyst and *Cryptosporidium* oocyst removal credit and 99 percent (2 log) virus removal credit, if the system meets the department design requirements under WAC 246-290-676 and meets the minimum turbidity performance requirements in subsection (1) of this section.

(d) Diatomaceous earth filtration.

The department may grant a system using diatomaceous earth filtration 99 percent (2 log) *Giardia lamblia* cyst and *Cryptosporidium* oocyst removal credit and 90 percent (1 log) virus removal credit, if the system meets the department design requirements under WAC 246-290-676 and meets the minimum turbidity performance requirements in subsection (1) of this section.

(e) Alternate filtration technology.

The department shall grant, on a case-by-case basis, *Giardia lamblia* cyst, *Cryptosporidium* oocyst, and virus removal credit for systems using alternate filtration technology based on results of product testing acceptable to the department.

(f) The purveyor granted no *Giardia lamblia* cyst removal credit and no *Cryptosporidium* oocyst removal credit shall:

(i) Provide treatment in accordance with WAC 246-290-662 (2) (d); and

(ii) Within ninety days of department notification regarding removal credit, submit an action plan to the department for review and approval. The plan shall:

(A) Detail how the purveyor plans to comply with the turbidity performance requirements in subsection (1) of this section and operating requirements of WAC 246-290-654; and

(B) Identify the proposed schedule for implementation.

(iii) Be considered in violation of the treatment technique specified in WAC 246-290-632 (2)(a)(i) and shall take follow-up action specified in WAC 246-290-634.

(3) Disinfection by-product precursor removal requirements.

(a) Conventional systems using sedimentation shall meet the treatment technique requirements for control of disinfection by-product precursors specified in 40 CFR 141.135.

(i) Applicability of this requirement shall be determined in accordance with 40 CFR 141.135(a).

(ii) Enhanced coagulation and enhanced softening shall be provided in accordance with 40 CFR 141.135(b), if applicable.

(iii) Compliance with the treatment technique requirements for control of disinfection by-product precursors shall be determined in accordance with 40 CFR 141.135(c).

(b) For the purposes of compliance with (a) of this subsection, sedimentation shall be considered applicable when:

(i) Surface overflow rates and other design parameters are in conformance with traditionally accepted industry standards and textbook values, such as those prescribed in nationally accepted standards, including the most recent version of the *Recommended Standards for Water Works, A Committee Report of the Great Lakes - Upper Mississippi River Board of State Public Health and Environmental Managers*; and

(ii) The system has received pathogen removal credit for the sedimentation basin.

(4) Filter backwash recycling requirements.

(a) By no later than December 8, 2003, purveyors using conventional, direct, or in-line filtration must report to the department, in writing, whether they recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes within the treatment plant.

(i) Purveyors that do recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes must also report the following information:

(A) A plant schematic showing the origin of all flows that are recycled (including, but not limited to, spent filter backwash water, thickener supernatant, and liquids from dewatering processes), the hydraulic conveyance (i.e., pipe, open channel) used to transport them, and the location where they are reintroduced back into the treatment plant.

(B) Typical recycle flow in gallons per minute (gpm), the highest observed plant flow experienced in the previous year (gpm), design flow for the treatment plant (gpm), and the approved operating capacity for the plant.

(b) By no later than June 8, 2004, purveyors using conventional, direct, or in-line filtration that recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes within the treatment plant shall:

(i) Return the recycled flow prior to, or concurrent with the location where primary coagulant is introduced into the flow stream.

(ii) By no later than June 8, 2006, complete any capital improvements (physical modifications requiring engineering planning, design, and construction) necessary to meet the requirements of (b)(i) of this subsection.

(iii) On a case-by-case basis, the department may approve an alternate location for the return of recycle flows.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-664 Monitoring for filtered systems.

(1) Source coliform monitoring.

(a) The purveyor shall ensure that source water samples of each surface or GWI source are:

(i) Collected before the first point of disinfectant application and before coagulant chemical addition; and

(ii) Analyzed for fecal coliform density in accordance with methods acceptable to the department.

(b) At a minimum, the purveyor shall ensure source samples are collected for fecal coliform analysis at a frequency equal to ten percent of the number of routine coliform samples collected within the distribution system each month under WAC 246-290-300, or once per calendar month, whichever is greater up to a maximum of one sample per day.

(2) Source turbidity monitoring.

(a) The purveyor using conventional, direct, or in-line filtration shall measure source turbidity at least once per day on a representative sample collected before disinfection and coagulant addition.

(b) Grab sampling or continuous turbidity monitoring and recording may be used to meet the requirement specified in (a) of this subsection.

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(c) Purveyors using continuous turbidity monitoring shall record continuous turbidity measurements at equal intervals, at least every four hours, in accordance with a department-approved sampling schedule.

(d) Purveyors using an approved alternate filtration technology may be required to monitor source water turbidity at least once per day on a representative sample as determined by the department.

(3) Filtered water turbidity monitoring.

(a) The purveyor using direct, conventional, or in-line filtration shall:

(i) Continuously monitor turbidity on representative samples from each individual filter unit and from the system's combined filter effluent, prior to clearwell storage;

(ii) For systems serving at least ten thousand people, record continuous turbidity measurements from each individual filter unit at equal intervals of at least every fifteen minutes, and for all systems, from the combined filter effluent at equal intervals of at least every four hours, in accordance with a department-approved sampling schedule; ~~((and))~~

(iii) Beginning January 14, 2005, systems serving less than ten thousand people shall record continuous turbidity measurements from each individual filter unit at equal intervals of at least every fifteen minutes;

(iv) Systems serving less than ten thousand people and consisting of two or fewer filters may record continuous turbidity measurements from the combined filter effluent at equal intervals of at least fifteen minutes in lieu of recording individual filter turbidity measurements; and

(v) Conduct monitoring in accordance with the analytical techniques under WAC 246-290-638.

(b) The purveyor using slow sand or diatomaceous earth filtration shall:

(i) Continuously monitor turbidity on representative samples from each individual filter unit and from the system's combined filter effluent, prior to clearwell storage;

(ii) Record continuous turbidity measurements from the combined filter effluent at equal intervals of at least every four hours in accordance with a department-approved sampling schedule; and

(iii) Conduct monitoring in accordance with the analytical techniques under WAC 246-290-638.

(c) Purveyors using an alternate filtration technology approved under WAC 246-290-676 shall provide monitoring in accordance with the technology-specific approval conditions determined by the department.

(d) Purveyors using slow sand filtration or an alternate filtration technology may reduce filtered water turbidity monitoring to one grab sample per day with departmental approval. Reduced turbidity monitoring shall be allowed only where the purveyor demonstrates to the department's satisfaction that a reduction in monitoring will not endanger the health of consumers served by the water system.

(4) Monitoring the level of inactivation and removal.

(a) Each day the system is in operation, the purveyor shall determine the total level of inactivation and removal of *Giardia lamblia* cysts, viruses, and *Cryptosporidium* oocysts achieved.

(b) The purveyor shall determine the total level of inactivation and removal based on:

(i) *Giardia lamblia* cyst, *Cryptosporidium* oocyst, and virus removal credit granted by the department for filtration; and

(ii) Level of inactivation of *Giardia lamblia* cysts and viruses achieved through disinfection.

(c) At least once per day, purveyors shall monitor the following to determine the level of inactivation achieved through disinfection:

(i) Temperature of the disinfected water at each residual disinfectant concentration sampling point used for CT calculations; and

(ii) If using chlorine, pH of the disinfected water at each chlorine residual disinfectant concentration sampling point used for CT calculations.

(d) Each day during peak hourly flow (based on historical information), the purveyor shall:

(i) Determine disinfectant contact time, T, to the point at which C is measured; and

(ii) Measure the residual disinfectant concentration, C, of the water at the point for which T is calculated. The C measurement point shall be located before or at the first consumer.

(e) The department may reduce CT monitoring requirements for purveyors that demonstrate to the department's satisfaction that the required levels of inactivation are consistently exceeded. Reduced CT monitoring shall only be allowed where the purveyor demonstrates to the department's satisfaction that a reduction in monitoring will not endanger the health of consumers.

(5) Monitoring the residual disinfectant concentration entering the distribution system.

(a) Systems serving more than thirty-three hundred people per month.

(i) The purveyor shall continuously monitor and record the residual disinfectant concentration of water entering the distribution system and report the lowest value each day.

(ii) If the continuous monitoring equipment fails, the purveyor shall measure the residual disinfectant concentration on grab samples collected at least every four hours at the entry to the distribution system while the equipment is being repaired or replaced. The purveyor shall have continuous monitoring equipment back on-line within five working days following failure.

(b) Systems serving thirty-three hundred or less people per month.

(i) The purveyor shall collect grab samples or use continuous monitoring and recording to measure the residual disinfectant concentration entering the distribution system.

(ii) Purveyors of **community** systems choosing to take grab samples shall collect:

(A) Samples at the following minimum frequencies:

Population Served	Number/day
25 - 500	1
501 - 1,000	2
1,001 - 2,500	3
2,501 - 3,300	4

(B) At least one of the grab samples at peak hourly flow; and

(C) The remaining samples evenly spaced over the time the system is disinfecting water that will be delivered to the public.

(iii) Purveyors of **noncommunity** systems choosing to take grab samples shall collect samples for disinfectant residual concentration entering the distribution system as directed by the department.

(iv) When grab samples are collected and the residual disinfectant concentration at the entry to distribution falls below 0.2 mg/L, purveyors shall collect a grab sample every four hours until the residual disinfectant concentration is 0.2 mg/L or more.

(6) Monitoring residual disinfectant concentrations within the distribution system.

(a) The purveyor shall measure the residual disinfectant concentration at representative points within the distribution system on a daily basis or as otherwise approved by the department.

(b) At a minimum, the purveyor shall measure the residual disinfectant concentration within the distribution system at the same time and location that a routine or repeat coliform sample is collected in accordance with WAC 246-290-300(3) or 246-290-320(2).

(c) The purveyor may measure HPC within the distribution system in lieu of measuring the residual disinfectant concentration in accordance with this subsection.

AMENDATORY SECTION (Amending WSR 03-08-037, filed 3/27/03, effective 4/27/03)

WAC 246-290-666 Reporting for filtered systems. (1) The purveyor shall notify the department, as soon as possible, but no later than twenty-four hours after the purveyor learns of the following events:

(a) A waterborne disease outbreak potentially attributable to the water system occurs;

(b) The turbidity of the combined filter effluent exceeds 5.0 NTU at any time for any system using slow sand, diatomaceous earth, or for any system serving less than ten thousand people and using conventional, direct, or in-line filtration;

(c) The turbidity of the combined filter effluent:

(i) Exceeds 1.0 NTU at any time for a system serving at least ten thousand people and using conventional, direct, or in-line filtration;

(ii) Beginning January 14, 2005, the turbidity of the combined filter effluent exceeds 1.0 NTU at any time for a system serving less than ten thousand people using conventional, direct, or in-line filtration;

(d) The turbidity of the combined filter effluent exceeds the maximum specified level for an alternative filtration technology approved by the department;

(e) The residual disinfection concentration falls below 0.2 mg/L at the entry point to the distribution system. The purveyor shall also report whether the residual was restored to 0.2 mg/L or more within four hours; or

(f) An event occurs that may affect the ability of the water treatment facility to produce drinking water that complies with this chapter including, but not limited to:

(i) Spills of hazardous materials in the watershed; and

(ii) Treatment process failures.

(2) The purveyor shall report results of monitoring conducted in accordance with WAC 246-290-664 to the department. Monthly report forms shall be submitted within ten days after the end of each month the system served water to the public.

(3) The purveyor shall report, at a minimum, all the information requested by the department using a department-approved form or format including:

(a) Water treatment facility operations information;

(b) Turbidity monitoring results, including:

(i) Source monitoring, if required under WAC 246-290-664(2);

(ii) Combined filter effluent. Continuous measurements shall be reported at equal intervals, at least every four hours, in accordance with a department-approved schedule;

(iii) Individual filter turbidity monitoring results. Systems serving at least ten thousand people and using conventional, direct, or in-line filtration shall report and take follow-up action as prescribed in 40 CFR 141.175(b). Beginning January 14, 2005, systems serving less than ten thousand people shall report and take follow-up action as prescribed by 40 CFR 141.563 and 141.570. Required follow-up action may include development of a filter profile, a filter self-assessment, as described in 40 CFR 141.175 (b)((4))(3) and 141.563(b), or the completion of a comprehensive performance evaluation (CPE).

(c) Disinfection monitoring information including:

(i) Level of inactivation achieved;

(ii) Residual disinfectant concentrations entering the distribution system; and

(iii) Residual disinfectant concentrations within the distribution system.

(d) Total level of removal and inactivation; and

(e) A summary of water quality complaints received from consumers served by the water system.

(4) A person certified under chapter 246-292 WAC shall complete and sign the monthly report forms required in this section.

WSR 03-24-110

PROPOSED RULES

HEALTH CARE AUTHORITY

(Community Health Services)

[Order 03-03—Filed December 3, 2003, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-16-032.

Title of Rule: Limitations on award per chapter 25, Laws of 2003, E1 for nonprofit community clinics funded under the community health services program.

Purpose: To modify funding limitation methodology that will allow services to be delivered pursuant to chapter 25, Laws of 2003, E1.

Statutory Authority for Adoption: RCW 41.05.220.

Statute Being Implemented: Chapter 25, Laws of 2003, E1.

Summary: Limitations on award per chapter 25, Laws of 2003, E1 for nonprofit community clinics funded under the community health services program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bob Blacksmith, Health Care Authority, (360) 923-2755.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The first administrative change is the addition of the words "a ratio based on" to WAC 182-20-400 (1) and (2) to correct technical language. This change allows us to accurately reflect how the funding formulae works mathematically to allow full distribution of funds.

The second administrative change is the addition of language that will limit the 40% base portion of our funding formulae for medical and dental awards to a maximum of \$30,000 and put funds in excess of the \$30,000 into the productivity portion of the funding formulae. This change will allow increases in funding by the legislature, if approved, to target the productivity portions of our funding formulae and more accurately reflect the needs (utilization) of the clinics.

Proposal Changes the Following Existing Rules:

- Addition of the words "a ratio based on" to WAC 182-20-400 (1) and (2) to correct technical language.
- Addition of language that will limit the 40% base portion of the funding formulae for medical and dental awards to a maximum of \$30,000 and put funds in excess of the \$30,000 into the productivity portion of the funding formulae.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and there will be no costs to small businesses.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 does not apply to Health Care Authority (HCA) rules unless requested by the Joint Administrative Rules Review Committee or applied voluntarily by the HCA.

Hearing Location: Health Care Authority, West Wing, Conference Room W302, 676 Woodland Square Loop S.E., Olympia, WA 98504, on January 6, 2004, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Nikki Johnson by December 29, 2003, TDD (888) 923-5622 or (360) 923-2805.

Submit Written Comments to: Bob Blacksmith, 676 Woodland Square Loop S.E., Olympia, WA 98504, fax (360) 923-2605, by 4:00 p.m. on January 6, 2004.

Date of Intended Adoption: January 7, 2004.

December 3, 2003
Melodie Bankers
Rules Coordinator

AMENDATORY SECTION (Amending Order 00-06, filed 2/7/01, effective 3/10/01)

WAC 182-20-400 Limitations on awards. Specific to the medical, dental, and migrant base as referenced in WAC 182-20-200 (1)(b), (2)(b), and (3)(b):

Starting July 1, 1997:

(1) Any approved contractor shall initially receive no more than a ratio based on one hundred twenty-five percent of that contractor's previous year's initial allotment.

(2) Any approved contractor shall initially receive no less than a ratio based on seventy-five percent of that contractor's previous year's initial allotment. In the event that funding is inadequate to provide seventy-five percent, criteria shall be established to equitably allocate the available funds.

(3) Funds in excess of the initial allocation shall be distributed in a supplemental allotment pursuant to WAC 182-20-200.

Starting July 1, 2004:

(4) Funds specific to WAC 182-20-200 (1)(b)(i)(A) and (2)(b)(i)(A), the forty percent base, shall be limited to no more than \$30,000.

Funds in excess of the \$30,000 limitation shall be added to the appropriate medical in WAC 182-20-200 (1)(b)(i)(B) and (C), or dental in WAC 182-20-200 (2)(b)(i)(B) and (C), productivity portions of the funding formulae.

WSR 03-24-112

PROPOSED RULES

FOREST PRACTICES BOARD

[Filed December 3, 2003, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-040.

Title of Rule: Marbled murrelet surveys.

Purpose: Amend forest practices rules (Title 222 WAC) to incorporate the Pacific Seabird Group (PSG) protocol entitled, "Methods for surveying marbled murrelets in forests: A revised protocol for land management and research," January 6, 2003, as the standard for surveying for marbled murrelets in forest stands.

Statutory Authority for Adoption: The Forest Practices Board's authority to adopt forest practices rules is granted under RCW 76.09.040 and 76.09.050.

Statute Being Implemented: Title [Chapter] 76.09 RCW.

Summary: The proposal amends WAC 222-12-090 and 222-16-010 to establish the use of the January 6, 2003, PSG survey protocol for marbled murrelet surveys, add a third-year survey option for determining whether a forest stand is a defined occupied marbled murrelet site, and correct a mislabeling of a graphic in the definition of marbled murrelet detection area.

Reasons Supporting Proposal: The 2003 PSG survey protocol and the third-year survey option are expected to increase accuracy in determining marbled murrelet occupancy in a forest stand.

Name of Agency Personnel Responsible for Drafting: Ashley DeMoss, Olympia, (360) 902-1388; Implementation and Enforcement: Eric Schroff, Olympia, (360) 902-1483.

Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The board's rules for the protection of marbled murrelets, a species listed as threatened under the federal Endangered Species Act and Washington state law, rely upon accurate determination of their presence and nesting locations. These determinations are accomplished in part by implementing the standards for effective surveying established by the PSG protocol. The forest practices rules currently require the use of the March 1, 1997, PSG protocol; however that protocol was substantively modified by PSG. The rules would be changed to require the new January 6, 2003, protocol for future surveying. Rule changes are also proposed regarding the relationship between the definition of an occupied marbled murrelet site and murrelet circling behavior. The anticipated effect is increased accuracy in determining marbled murrelet occupancy in a forest stand.

Proposal Changes the Following Existing Rules: This proposal amends WAC 222-12-090 and 222-16-010 to accomplish the following:

- Recognize the January 6, 2003, Pacific Seabird Group (PSG) survey protocol as the standard for surveying for marbled murrelets. This replaces the March 1, 1997, PSG protocol (WAC 222-12-090).
- Recognize that marbled murrelet circling behavior is an indication of occupation of a forest stand; however the proposal provides that the presumption of occupancy that observations of circling behavior establishes may be rebutted by a new provision in the rules. This continues existing protection of forest stands that may be occupied as indicated by circling, but provides a mechanism to change designation of occupancy based solely upon circling behavior. If a third year of surveying does not observe any subcanopy indicators of occupancy, the forest stand will be redesignated as not occupied (WAC 222-16-010).
- Correct the labeling of a graphic in the rule definition of "marbled murrelet detection area" (WAC 222-16-010).

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

Small Business Economic Impact Statement

Preliminary Economic Analysis For The Proposed Change In Forest Practices Board Rules (WAC 222-12-090(14) and 222-16-010)

Pertaining to Protection of Marbled Murrelets

Introduction: As part of the rule-making procedure, an agency may be required to prepare a small business economic impact statement (SBEIS) prior to rule adoption. Specifically, subsection (1) of RCW 19.85.030 requires that: "In the adoption of a rule under chapter 34.05 RCW, an agency shall prepare a small business economic impact statement: (a) If

the proposed rule will impose more than minor costs on businesses in an industry; or (b) if requested to do so by a majority vote of the joint administrative rules review committee within forty-five days of receiving the notice of proposed rule making under RCW 34.05.320."

Legislative direction for preparing an SBEIS may be found in the Regulatory Fairness Act (chapter 19.85 RCW). The legislative intent underlying the Regulatory Fairness Act is to reduce 'the disproportionate impact of state administrative rules on small business.' A small business is defined as having fifty or fewer employees, and the SBEIS is intended to identify whether the impact of a proposed new rule does actually fall disproportionately on small businesses and, if so, then to identify ways to mitigate for it.

Another part of the rule-making procedure requires completion of a benefit-cost analysis (BCA) prior to rule adoption, in order to demonstrate that probable benefits of the proposed new rule exceed its probable costs and, further, to demonstrate that the proposed rule change is the most cost-effective means of achieving the goal of the rule change. Legislative direction for preparing a BCA may be found in the Administrative Procedure Act (chapter 34.05 RCW). The Administrative Procedure Act requires, under subsection (1) of RCW 34.05.328, that: 'Before adopting a rule described in subsection (5) of this section, an agency shall:...

(d) Determine that the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented;

(e) Determine, after considering alternative versions of the rule and the analysis required under ...c)... of this subsection, that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives stated under (a) of this subsection;...

The above determinations must be documented before final rule adoption, and included in the rule-making record. This economic analysis combines the SBEIS and the BCA and complies with the legislative requirements for these economic analyses as part of the rule-making process.

PRELIMINARY ECONOMIC ANALYSIS OF MARBLED MURRELETS RULE CHANGE Proposed New Rule

Need for Rule: The marbled murrelet (*Brachyaomphus marmoratus*) occurs only in North America, from Alaska south to Santa Cruz, California, and wintering as far south as Baja California, Mexico. In September 1992, the United States Fish and Wildlife Service listed marbled murrelets as federally threatened in Washington, Oregon, and California. The species is not listed in Alaska.

The Forest Practices Board's rules for the protection of marbled murrelets rely upon accurate determination of their presence and nesting locations. These determinations are accomplished in part by implementing the standards for effective surveying established by the Pacific Seabird Group (PSG) protocol. The forest practices rules currently require the use of the March 1, 1997, PSG protocol; the PSG updated the marbled murrelet protocol on January 6, 2003. The pro-

posed rule change would change the board's rules to reflect this change and require the use of the updated protocol. The rules also need to be changed regarding the relationship between the definition of an occupied marbled murrelet site and murrelets circling above a timber stand to better reflect the current PSG protocol.

Summary of Proposed Rule Changes¹: The proposed new rule amends WAC 222-12-090 and 222-16-010.

WAC 222-12-090: In WAC 222-12-090 the Forest Practices Board directed the Department of Natural Resources (DNR), in cooperation with the Departments of Fish and Wildlife, Agriculture, Ecology, and such other agencies, affected Indian tribes, or interested parties as may have appropriate expertise, to prepare and submit to the board for approval, revisions to the forest practices board manual. The manual is a supplement to the forest practices rules. Subsection (14) of WAC 222-12-090 pertains to a survey protocol for marbled murrelets and directs that the PSG's survey protocol in effect March 1, 1997, be used when surveying for marbled murrelets in a stand.

The proposed new rule amends WAC 222-12-090(14) replacing the protocol in effect March 1, 1997, (a 1994 PSG protocol) with the PSG's current survey protocol dated January 6, 2003.

WAC 222-16-010: WAC 222-16-010(1) includes a definition of "occupied murrelet site." Under the current rule, a contiguous area of suitable habitat or area distinguishable from the adjacent forest based on vegetative characteristics important to nesting marbled murrelets is considered occupied where at least one of the following marbled murrelets behaviors or conditions occur:

- (a) A nest is located; or
- (b) Downy chicks or eggs or eggshells are found; or
- (c) Marbled murrelets are detected flying low, through, into or out of the forest canopy; or
- (d) Birds calling from the stationary location within the area; or
- (e) Birds circling above the timber stand within one tree height of the top of the canopy.

Circling and other above-canopy flights such as dives, indicate possible occupancy of a site. The 2003 PSG protocol states that circling behaviors are a red flag that should prompt additional survey effort to observe subcanopy activity. The PSG recommends that in all cases where circling is observed, additional surveys be conducted to determine occupancy.

The proposed rule amends WAC 222-16-010 so that if after the completion of the two-year survey protocol the site is determined to be occupied based on subsection (1)(e) above ("circling"), but no other behaviors or conditions (subsection (1)(a) through (d)) are observed, an additional third-year of survey may be conducted if a landowner wishes to not accept the occupancy designation. If during the third year survey none of the behaviors or conditions listed in subsection (1)(a) through (d) are observed, the site will be considered probably unoccupied or "probable absence."

Summary of 2003 Protocol for Surveying Marbled Murrelets²: The objectives of the protocol are to: (1) Document the occurrence or probable absence of murrelets in a forest at the time of surveys; (2) interpret the biological sig-

nificance of behaviors observed during surveys to evaluate how murrelets are using the site (i.e., classify sites as "presence," "occupied," or "probable absence"); (3) identify the geographic distribution of the marbled murrelet; and (4) provide consistency in surveys among land managers.

The unit of measure for surveys is the **detection** of a single bird or group of birds, defined as the sighting or hearing of one or more birds acting in a similar manner and initially occurring at the same time. A site with murrelet **presence** is a site of potential habitat where there has been at least one murrelet detection. An **occupied site** is where murrelets have been observed exhibiting **subcanopy behaviors**, which are behaviors that occur at or below the forest canopy and that strongly indicate that the site has some importance for breeding.

The Pacific Seabird Group (PSG) established survey protocols for standardized techniques to detect murrelets in forests in 1994. Survey results indicate that murrelets frequently don't occupy a site every year, so a two-year protocol requiring equal intensity of surveying in both years was established. The survey consists of a number of visits to the site to determine presence of birds and/or occupancy behavior. Because the probability of detecting presence or occupancy on any one visit is relatively low, surveys need to be continued until occupancy behavior is detected at which time the site is classified as "**occupied**," or a sufficient number of surveys have been conducted to determine that there is a low probability that the site is occupied. A **stopping rule** was established for each survey year after which the probability of occupancy in that year is determined to be low. When the stopping rule is implemented and the full compliment of surveys is conducted in each of the two years, the site is classified as "**probable absence**" of murrelet.

For both the 1994 and 2003 protocols, the stopping rule for each year has two steps. In the 1994 protocol in step one, if after four visits no bird(s) were detected, then the surveying ended for that year, and the site was classified as "probable absence" for that year. If birds were detected but no occupancy behavior was found in the first step, then one more visit was conducted. If no occupancy behavior was found after a total of five visits then the site was classified as 'probable absence' for that year. The protocol was repeated in the second year. If the protocol was completed for each year of the two-year survey without detecting occupancy, the site was classified as "probable absence."

The overall objective of the survey design is to achieve a high confidence that occupied sites are classified correctly, but some error is unavoidable. Given that, a secondary goal is to achieve survey efficiency, i.e., optimize the number of surveys that are needed to classify occupancy; in establishing the protocol, the PSG followed the frequently used convention of establishing a target of 95% confidence in survey outcome and a 5% misclassification error³. This means that if the protocol is followed and the site is occupied, there is a 95% probability that occupancy will be detected and a 5% probability that an occupied site will be classified as "probable absence."

To assess the two-year protocol for marbled murrelets, estimates of the probability of detection of presence and occupancy for a single visit were constructed using a ten-year

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data set from murrelet surveys conducted during 1989-1998. Based on this data, the 1994 protocol had only an 85% probability of detecting occupancy given that a site was occupied, and a 15% probability of misclassifying the occupied site as "probable absence."

To achieve the target 95% correct classification rate for occupied sites, the protocol was updated in 2003 to include more visits in each of the two years to estimate occupancy status at any individual site. The most important change is the recommended number of survey visits in the **stopping rule**. In the 2003 protocol, the minimum number of visits per year to determine presence (step 1) was increased from 4 to 5, and the total number of visits before a site could be classified as "probable absence" in a given year was increased from 5 to 9.

The recommended approach is summarized below with the recommended number of visits in the 2003 protocol and the recommended visits in the 1994 protocol shown in parentheses (): "If, in year 1, detections are made within the first 5 (4) visits but subcanopy behaviors are not observed, the full 9 (5) visits are made in year 1 and year 2, for a two-year total of 18 (10) visits (unless occupancy is established in fewer visits).

If, in year 1, no detections have been made after 5 (4) visits, surveys can cease for that year. In year 2, if presence-only detections are made within the first 5 (4) visits, the full 9 (5) visits are made for a two-year total of 14 (9) visits.

If, in year 1, no detections have been made after 5 (4) visits, surveys can cease for that year. If, in year 2, no detections have been made after 5 (4) visits, the survey can be stopped with 10 (18) total survey visits and the site classified as probable absence."

Status of Surveyed Sites: If a site is occupied, the survey is valid indefinitely unless its habitat becomes unsuitable. If a surveyed site is classified as "probable absence" with no presence detections, the survey is valid for five years.

Economic Analysis: Economic analysis of the effects of the proposed new rule focuses entirely on direct effects. Secondary and subsequent effects may be positive or negative and are highly speculative, and have therefore not been included in the analysis.

Expected Cost of New Rule: WAC 222-12-090, the impact of the amendment of WAC 222-12-090 is to replace the March 1, 1994 PSG survey protocol with the January 6, 2003 PSG survey protocol.

The direct cost of the new rule is made up of two parts:
 1) The increased cost of additional survey visits and;
 2) Reduced sales because less timber will be available for harvest.

Cost of Additional Survey Visits: The cost of surveying will depend on three factors:

- A. The cost per survey visit.
- B. The proportion of sites that are occupied.
- C. Expected number of sites surveyed.

Cost Per Visit: The stand surveyed is assumed to be 60-120 acres in size, a manageable size that can be covered by one surveyor in a season. Based on accepted bids DNR paid to private and WDFW consultants, the average cost of a survey visit is assumed to be \$300⁴.

Increased Number of Visits per Protocol: The number of expected additional visits per site required under the 2003 protocol can be estimated based on the probability of occupation and detection of the site. These probabilities depend on whether the site is occupied or unoccupied.

Unoccupied Site: If a site is unoccupied, it is assumed that eventually the site will be determined to be probably unoccupied but presence may be detected during the visits. This results in three possibilities or scenarios: (1) Presence is not detected; (2) presence is detected during the first year; and (3) presence is not detected in the first year but is in the second. In all three cases the site is determined to be unoccupied at the end of the protocol.

The number of additional visits required by the 2003 protocol ranges from 2 to 8. At \$300 per visit, the increased cost from additional visits per survey ranges from \$600 to \$2,400. The average cost can be estimated by assigning probabilities to each scenario. The probabilities of each of the three scenarios are based on probabilities found in the 1989-1998 data set referred to above and are shown in column 5 of Table 1. In the 1989-1998 surveys, a presence was not detected in 70.34% of the unoccupied survey sites, while presence was found in 29.66% of the sites during the two-year protocol. While it was not reported in which of the two years presence was detected, it was assumed that the probability of detecting presence was equally divided between the first and second year, or 14.83% per year. Applying these probabilities, the average increase in cost per survey, assuming the site is unoccupied, is \$1,000.

The increased number of visits and the increased cost for the three cases is shown in Table 1 below.

Table 1: Increase in survey cost for unoccupied site.

Scenario	(1) Visits under 1994 protocol	(2) Visits under 2003 protocol	(3) Increase number of visits	(4) Increased cost at \$300 per visit	(5) Probability a given site is unoccupied	(6) Expected increase in costs
(1) Presence not detected	8	10	2	\$600	.7034	\$422
(2) Presence detected during first year	10	18	8	\$2,400	.1483	\$356
(3) Presence detected during second year	9	14	5	\$1,500	.1483	\$222
Expected average increase in cost per survey						\$1,000

PROPOSED

Occupied Site: If the site is occupied, there are three possible scenarios: (1) Occupancy would have been detected under the 1994 protocol; (2) presence would not have been detected by the 1994 protocol but will be detected by the 2003 protocol; and (3) occupancy will not be detected under the 2003 protocol.

Again using the 1989-1998 surveys as a basis for determining probabilities of the three scenarios, for 84.84% of occupied sites, occupancy will be detected under the 1994 protocol and the added cost will be zero. For 4.54% of occupied sites, occupancy will not be detected after the 2003 protocol is completed, in which case the added cost is \$2,400.

For the remaining 10.62% of the sites, occupancy will be detected under the 2003 protocol but would not have been

detected under the 1994 protocol. Detection was assumed to occur during the first year, this is a conservative assumption. In this case (scenario 2) the increased cost will range from \$300 to \$2,400 depending on which visit the occupancy is determined. The survey data indicates that given a site is occupied, the probability of detecting occupancy on any one visit is constant. For scenario 2, this results in an expected value for increased visits of 4.5 visits.

Applying these probabilities, the average increase in cost per survey, assuming the site is occupied, is \$252. The increased number of visits and the increased cost for the three cases is shown in Table 2 below.

Table 2: Estimated increase in survey cost for occupied site.

Scenario	(1) Visits under 1994 protocol	(2) Visits under 2003 protocol	(3) Expected increased number of visits	(4) Increased cost at \$300 per visit	(5) Probability a given site is occupied	(6) Expected increase in costs
(1) Occupation detection by 1994 protocol	-	-	0	\$0	.8484	\$0
(2) Occupation not detected under 1994 protocol but detected under 2003 protocol	10	11 to 18	4.5	\$1,350	.1062	\$143
(3) Occupation not detected under 2003 protocol	10	18	8	\$2,400	.0454	\$109
Total						\$252

Proportion of Occupied vs. Unoccupied Sites: If the probability that survey sites will be occupied is known, the average increase in cost per survey resulting from the rule change can be estimated. Again using the 1989-98 survey, for Washington, of 1,457 sites surveyed, 425 were found to be occupied, allowing for a detection rate of .8484, the total number of occupied sites is estimated at 501 or .3438, leaving 956 or .6561 estimated as unoccupied. If these probabilities hold true for future surveys, the estimated average increase in survey cost would be \$743 per site surveyed ($\$252 \times .3438 + \$1,000 \times .6561 = \743).

Lost Sales or Revenue: By increasing the accuracy of the protocol, the new rule is likely to increase the area that may be unavailable for harvest because it is reducing the number of misclassified occupied murrelet sites. The typical survey area is estimated to be from 60 to 120 acres. Assuming a given survey area is 90 acres and the value of the timber is \$5,370 per acre (based on a typical DNR harvest per acre of 17.9 mbf valued at \$300 per mbf), sales would be reduced by \$483,300 (90 acres*\$5,370/ac.) on the occupied site.

If the proportion of sites surveyed that are occupied is the same as from the 1989-1998 surveys data or 34.38%, then the expected cost per site surveyed is \$17,646 ($\$483,300 \times .3438 \times .1062$).

There is potential for either increasing or decreasing a landowner's revenue, depending on the results of surveys, and the use and outcome of the third-year survey option. It is estimated that large landowners have completed a significant

portion, if not all, of their suitable marbled murrelet habitat surveying in the several years since the rules were originally adopted.

Total Cost per Occupied Site Surveyed: The expected total cost per site surveyed is \$18,389 ($\$17,646 + \743); \$17,646 in reduced sale plus \$743 in added survey cost.

Expected Benefit of Proposed Rule Changes: The primary benefit of the proposed rule changes is to increase the accuracy in detecting the occupancy of marbled murrelets in a forest stand, thus providing additional protection of marbled murrelets, a species listed as threatened under the federal Endangered Species Act and Washington state law. The increased accuracy of marbled murrelet occupancy detection benefits the species (WAC 222-12-090) and may benefit landowners' revenues if an optional third year survey results in a "probable absence" classification (WAC 222-16-010).

WAC 222-12-090(14): Since 1994, the PSG has conducted inland surveys and research directed at various aspects of marbled murrelets' breeding ecology, and have generated new insights on nesting behavior, activity patterns, and habitat use. The 2003 protocol compiles information from all previous protocols and provides new recommendations for survey visits based on analyses of murrelet surveys conducted during 1989-1998⁵. The PSG's recommendations indicate that the current rules provide less protection than provided by the updated (2003) protocol. Its analysis indicates that under the current rule using the 1994 PSG protocol, the probability of detecting occupancy given that a site is

truly occupied is 84.84% and there is a 15.16% probability of misclassifying a site as "probable absence" when it is, in fact, occupied.

The PSG has adopted the position that this probability of misclassification of an occupied site should be reduced to 5%. To accomplish this, PSG has increased the number of required visits in its recommended protocol to reduce the probability of misclassification of an occupied site.

WAC 222-16-010: Under the proposed rule, landowners will have the option of surveying sites in a third year if the two-year surveys result in an occupancy determination because of low circling only. If the third year surveys indicate "probable absence" because of the lack of subcanopy behaviors, then the site would be classified as not occupied under the forest practices rules. At this time it is unknown if landowners will choose to resurvey and how many will be found to be "probable absence." The magnitude of benefit is currently unknown because it depends on the actions of the landowner and whether the marbled murrelet occupancy status changes. In any case, a greater degree of accuracy for marbled murrelet occupancy detection is beneficial because it decreases landowner and state regulatory agencies liability in regard to harm of a federal and state threatened species.

Least Burdensome Alternative: The Forest Practices Board's rules for the protection of marbled murrelets rely upon accurate determination of their presence and nesting locations. New scientific research has generated new insights on nesting behavior, activity patterns and habitat use. The proposed rule as constructed modifies the current rule to increase the accuracy of detection of occupancy to meet the minimum acceptable level of accuracy. Specifically, the proposed rule changes are expected to reduce the misclassification of marbled murrelet occupancy from 15% to 5%, the target accuracy level set by the PSG.

Small Business Economic Impact Statement: The legislative intent underlying the Regulatory Fairness Act is to reduce 'the disproportionate impact of state administrative rules on small business.' The concern is that rules that require reporting or other fixed compliance costs will have a disproportionate impact on small firms. In this case the cost to the business is going to depend on whether the business's ownership is determined to have suitable marbled murrelet habitat, not the business size.

The law defines "small business" as one having less than 50 employees, but there is no readily available information on the ownership of marbled murrelet habitat by this definition. One useful designation for which information on ownership patterns is known is "small forest landowner." A forest landowner is considered a small forest landowner if the harvest from their land averages less than two million board feet per year⁶. It is believed that there is a high correlation between small businesses and small forest landowners. As a result, small businesses are more likely to own forests that qualify for the small acreage exemption. Landowners with less than 500 acres are exempt from the murrelet critical habitat rule (WAC 222-16-080 (1)(j)(vi)), which will tend to reduce the impact on small business owners.

For these reasons, the impact of this rule on small businesses is not likely to be disproportionately greater than that on businesses as a whole. It is likely that because of the loca-

tion of many small forest landowners outside the geographic use area of murrelets *and* the fact that forest landowners with less than 500 acres are exempt from the murrelet critical habitat rule, they are expected to be proportionately less impacted than are businesses as a whole.

Results and Findings: The following conclusions can be drawn from the above analysis:

1. Small Businesses Impact: Small businesses are not expected to be disproportionately impacted as a result of the proposed new rule. In fact, there is evidence that it is likely that because of the location of many small forest landowners outside the geographic use area of murrelets *and* the fact that forest landowners with less than 500 acres are exempt from the murrelet critical habitat rule, they are expected to be proportionately less impacted than are businesses as a whole.

2. Benefits of Proposed Rule Change: The adoption of the 2003 protocol (WAC 222-12-090) is expected to reduce the probability of misclassifying an occupied site as "probable absence" from over 15% to less than 5%. The benefits of this change are (1) greater accuracy for landowners in detecting occupancy in a forest stand, (2) reduced risk of harm to a state and federal threatened species, (3) landowners and state regulatory agencies benefit from reduced liability in regard to harm of a federal and state threatened species. In addition, the change in WAC 222-16-010 which allows a third year survey if the site is determined to be occupied because of low circling only, may result in these sites being reclassified as "probable absence" in which case harvest could proceed, therefore allowing revenues that would not be possible under the current rules.

3. Cost of Proposed Rule Change: The average cost to landowners of adopting the 2003 protocol is estimated to be \$18,389 per site surveyed. This cost is made up of two parts. First, the estimated increased cost of an average of just less than 2.5 visits per site surveyed at \$300 per visit is \$743. Second, because more occupied sites will be found, additional timber may be unavailable for sale. The expected value of the reduced sales is \$17,646 per site surveyed. There is potential for either increasing or decreasing a landowner's revenue, depending on the results of surveys.

4. Comparison of Benefits and Cost of Proposed Rule Change: While the probable benefits associated with the proposed new rules are not quantifiable and therefore cannot be directly compared with the quantifiable cost of the new rule, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented, based on the findings of this analysis, it is reasonable to conclude that the probable benefits of the rule are greater than its probable costs.

5. Least Burdensome Alternative: The Forest Practices Board's rules for the protection of marbled murrelets rely upon accurate determination of their presence and nesting locations. New scientific research has generated new insights on nesting behavior, activity patterns and habitat use. The proposed rule as constructed modifies the current rule to increase the accuracy of detection of occupancy to meet the minimum acceptable level of accuracy. Specifically, the proposed rule changes are expected to reduce the misclassification of marbled murrelet occupancy from 15% to 5%, the target accuracy level set by the PSG.

After considering alternative rules that would meet the needs of the board and based on the DNR's analysis, it seems reasonable to conclude that the rule being adopted is the least burdensome alternative for those required to comply with it, and that will achieve the general goals and specific objectives set by the Board.

APPENDIX A

WDFW Estimate of Marbled Murrelet Survey Costs for Adoption of 2003 PSG Protocol

WDFW Diversity Division
October 16, 2003

Assumptions:

- ~ \$300 daily per survey visit
 - o Based on accepted bids DNR paid to private and WDFW consultants
- Stand surveyed is a manageable size that can be covered by one surveyor in a season
 - o Survey area may be 60 - 120 acres in size, = 15-30 ac/station (4 stations total)
- Does not account for improper surveys, or additional surveys required due to failure to follow protocol or poor weather conditions.

Scenario	1994 Protocol	2003 Protocol
4 visits for presence x 2 yrs	\$2,400	
5 visits for occupancy x 2 yrs	3,000	
5 visits for presence x 2 yrs		\$3,000
9 visits for occupancy x 2 yrs		5,400
Range: 1st visit determines occupancy in the 1st yr	\$300	
Full protocol needed: 10 visits over 2 yrs	3,000	
Range: 1st visit determines occupancy in the 1st yr		\$300
Full protocol needed: 18 visits over 2 yrs		5,400
Special case - Only circling behavior after 2 yrs of full compliment of protocol surveys:		
9 visits x 2 yrs + 1 visit in 3rd yr		\$5,700
9 visits x 2 yrs + full compliment of surveys in 3rd year		8,100

Other information:

- The number of murrelet surveys on private lands is decreasing. Most industrial timber companies have completed the majority of their inventory surveys on their holdings.
- Most large industry companies prior to 2003 were already conducting increased number of visits beyond

the minimum protocol requirements in the last 3-4 years.

¹ This summary is provided for the convenience of the reader and should not be relied upon as a complete list of all changes.

² The information in this section is taken from "Methods for Surveying Marbled Murrelets in Forests: A Revised Protocol for Land Management and Research," compiled and edited by Diane Evans Mack, et. al., January 6, 2003, <http://www.pacificseabirdgroup.org/mamuforms.html>.

³ For this protocol, error is defined as the probability of misclassifying a site as unoccupied when it is actually occupied. False positives were assumed to be zero, based on consensus that this error is low.

⁴ From "WDFW Estimate of Marbled Murrelet Survey Costs of Adoption of 2003 PSG Protocol" prepared by Steve Desimone and Eric Cummins. See Appendix A.

⁵ Diane Evans Mack, et. al. (p.1).

⁶ For a full definition of a Small Forest Landowner see WAC 222-16-010.

A copy of the statement may be obtained by writing to Patricia Anderson, Rules Coordinator, Forest Practices Board, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1413, fax (360) 902-1428, or viewing on the Forest Practices Board's website at www.dnr.wa.gov/forestpractices (choose "Forest Practices Rules, and then, "Marbled Murrelet Economic Analysis").

RCW 34.05.328 applies to this rule adoption. This rule alters a standard for the issuance of a forest practices application by replacing a 1997 survey protocol with a new 2003 protocol. Any survey results submitted with a forest practices application are based upon surveying done in accordance with the standards set in the protocol. A preliminary cost-benefit analysis described in RCW 34.05.328 (1)(c) is available by writing or calling the rules coordinator, or viewing it on the Forest Practices Board's website (see above).

Hearing Location: Natural Resources Building, 1111 Washington Street S.E., Room 172, Olympia, WA, on January 13, 2004, at 4:30 p.m.

Assistance for Persons with Disabilities: Contact Forest Practices Division at (360) 902-1413 by January 6, 2004, TDD (360) 902-1125.

Submit Written Comments to: Rules Coordinator, Forest Practices Board, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, forest.practicesboard@wadnr.gov, fax (360) 902-1428, by 5 p.m. on January 16, 2004.

Date of Intended Adoption: February 11, 2004.

December 2, 2003

Pat McElroy

Chair

AMENDATORY SECTION (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

WAC 222-12-090 Forest practices board manual.

When approved by the board the manual serves as an advisory technical supplement to these forest practices rules. The department, in cooperation with the departments of fish and wildlife, agriculture, ecology, and such other agencies, affected Indian tribes, or interested parties as may have appropriate expertise, is directed to prepare, and submit to the board for approval, revisions to the forest practices board manual. The manual shall include:

PROPOSED

(1) **Method for determination of adequate shade requirements on streams** needed for use with WAC 222-30-040.

(2) Standards for identifying channel migration zones and bankfull channel features.

(3) **Guidelines** for forest roads.

(4) **Guidelines** for clearing slash and debris from Type Np and Ns Waters.

(5) **Guidelines** for landing location and construction.

(6) **Guidelines** for determining acceptable stocking levels.

(7) **Guidelines** for riparian management zones.

(8) **Guidelines** for wetland delineation.

(9) **Guidelines** for wetland replacement or substitution.

(10) A list of nonnative wetland plant species.

(11) The standard methodology, which shall specify the quantitative methods, indices of resource conditions, and definitions, for conducting watershed analysis under chapter 222-22 WAC. The department, in consultation with Timber/Fish/Wildlife's Cooperative Monitoring, Evaluation and Research Committee (CMER), may make minor modifications to the version of the standard methodology approved by the board. Substantial amendments to the standard methodology requires approval by the board.

(12) **Guidelines** for forest chemicals.

(a) A list of special concerns related to aerial application of pesticides developed under WAC 222-16-070(3).

(b) Guidelines for aerial applications of pesticides and other forest chemicals under chapter 222-38 WAC.

(13) **Guidelines** for determining fish use for the purpose of typing waters under WAC 222-16-031.

(14) **Survey protocol for marbled murrelets.** The Pacific Seabird Group survey protocol (~~in effect March 1, 1997~~) dated January 6, 2003, and formally titled *Methods for Surveying Marbled Murrelets in Forests: A Revised Protocol for Land Management Land Research*, shall be used when surveying for marbled murrelets in a stand. Surveys (~~conducted before the effective date of this rule~~) are valid if they were conducted in ~~((substantial))~~ compliance with ~~((generally accepted))~~ the board-recognized Pacific Seabird Group survey protocols in effect at the beginning of the season in which ~~((they))~~ the surveys were conducted.

(15) The department shall, in consultation with the department of fish and wildlife, develop **platform protocols** for use by applicants in estimating the number of platforms, and by the department in reviewing and classifying forest practices under WAC 222-16-050. These protocols shall include:

(a) A sampling method to determine platforms per acre in the field;

(b) A method to predict the number of platforms per acre based on information measurable from typical forest inventories. The method shall be derived from regression models or other accepted statistical methodology, and incorporate the best available data; and

(c) Other methods determined to be reliable by the department, in consultation with the department of fish and wildlife.

(16) **Guidelines** for evaluating potentially unstable slopes and landforms.

(17) **Guidelines** for the small forest landowner forestry riparian easement program.

(18) **Guidelines** for riparian open space program.

(19) **Guidelines** for hardwood conversion.

(20) **Guidelines** for financial assurances.

(21) **Guidelines** for alternate plans.

(22) **Guidelines** for adaptive management program.

(23) **Guidelines** for field protocol to locate mapped divisions between stream types and perennial stream identification.

(24) **Guidelines** for interim modification of bull trout habitat overlay.

(25) **Guidelines** for bull trout presence survey protocol.

(26) **Guidelines** for placement strategy for woody debris in streams.

AMENDATORY SECTION (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

WAC 222-16-010 General definitions.* Unless otherwise required by context, as used in these rules:

"Act" means the Forest Practices Act, chapter 76.09 RCW.

"Affected Indian tribe" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.

"Alluvial fan" see "sensitive sites" definition.

"Appeals board" means the forest practices appeals board established in the act.

"Aquatic resources" means water quality, fish, the Columbia torrent salamander (*Rhyacotriton kezeri*), the Cascade torrent salamander (*Rhyacotriton cascadae*), the Olympic torrent salamander (*Rhyacotriton olympian*), the Dunn's salamander (*Plethodon dunni*), the Van Dyke's salamander (*Plethodon vandyke*), the Tailed frog (*Ascaphus truei*) and their respective habitats.

"Area of resource sensitivity" means areas identified in accordance with WAC 222-22-050 (2)(d) or 222-22-060(2).

"Bankfull depth" means the average vertical distance between the channel bed and the estimated water surface elevation required to completely fill the channel to a point above which water would enter the floodplain or intersect a terrace or hillslope. In cases where multiple channels exist, the bankfull depth is the average depth of all channels along the cross-section. (See board manual section 2.)

"Bankfull width" means:

(a) For streams - the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross-section (see board manual section 2).

(b) For lakes, ponds, and impoundments - line of mean high water.

(c) For tidal water - line of mean high tide.

(d) For periodically inundated areas of associated wetlands - line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of waters are so common and usual, and so

long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.

"Basal area" means the area in square feet of the cross section of a tree bole measured at 4 1/2 feet above the ground.

"Bedrock hollows" (colluvium-filled bedrock hollows, or hollows; also referred to as zero-order basins, swales, or bedrock depressions) means landforms that are commonly spoon-shaped areas of convergent topography within unchannelled valleys on hillslopes. (See board manual section 16 for identification criteria.)

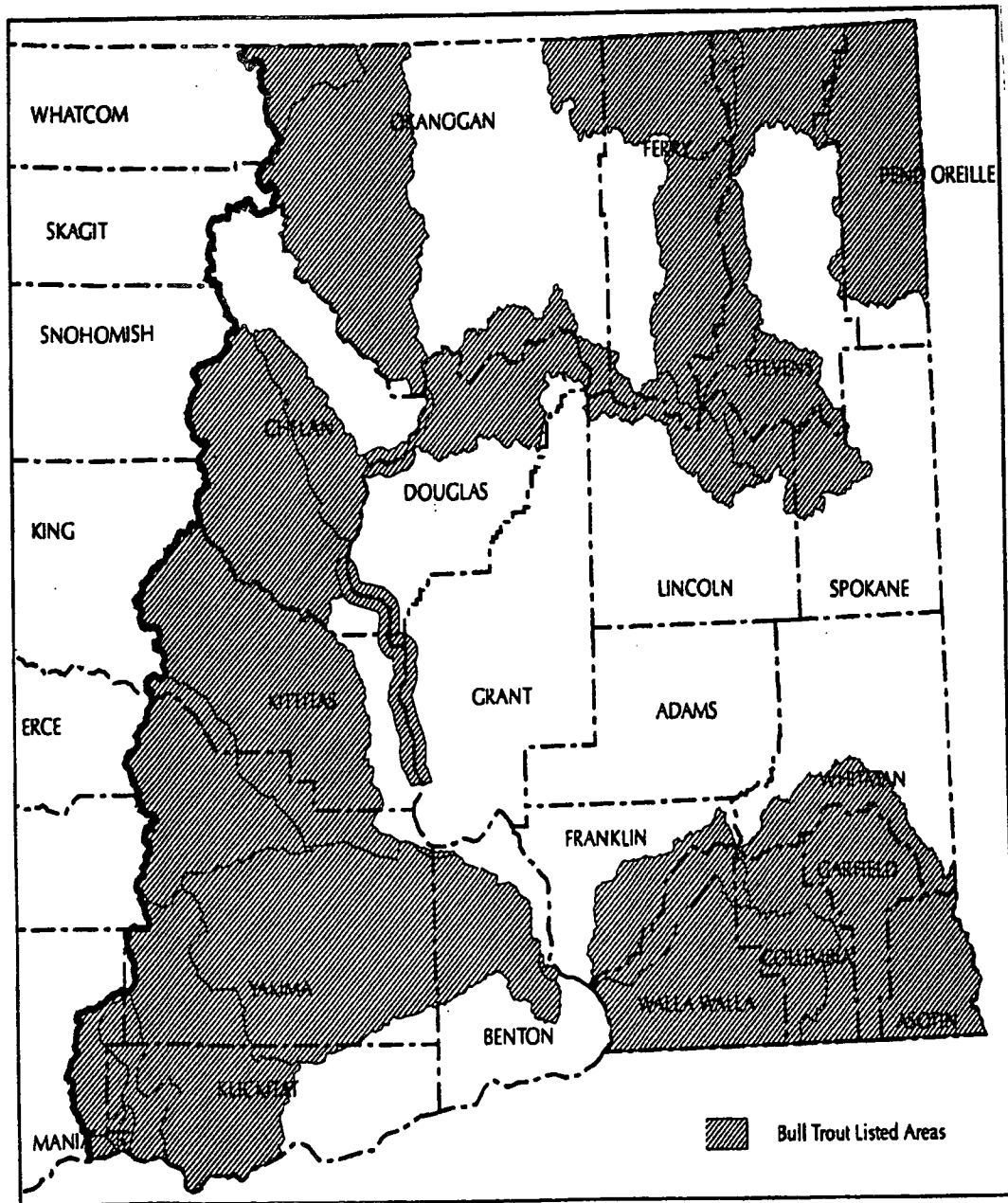
"Board" means the forest practices board established by the act.

"Bog" means wetlands which have the following characteristics: Hydric organic soils (peat and/or muck) typically 16 inches or more in depth (except over bedrock or hardpan); and vegetation such as sphagnum moss, labrador tea, bog laurel, bog rosemary, sundews, and sedges; bogs may have an overstory of spruce, western Hemlock, lodgepole pine, cedar, whitepine, crabapple, or aspen, and may be associated with open water. This includes nutrient-poor fens. (See board manual section 8.)

"Borrow pit" shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.

"Bull trout habitat overlay" means those portions of Eastern Washington streams containing bull trout habitat as identified on the department of fish and wildlife's bull trout map. Prior to the development of a bull trout field protocol and the habitat-based predictive model, the "bull trout habitat overlay" map may be modified to allow for locally-based corrections using current data, field knowledge, and best professional judgment. A landowner may meet with the departments of natural resources, fish and wildlife and, in consultation with affected tribes and federal biologists, determine whether certain stream reaches have habitat conditions that are unsuitable for supporting bull trout. If such a determination is mutually agreed upon, documentation submitted to the department will result in the applicable stream reaches no longer being included within the definition of bull trout habitat overlay. Conversely, if suitable bull trout habitat is discovered outside the current mapped range, those waters will be included within the definition of "bull trout habitat overlay" by a similar process.

Bull Trout Overlay Map



PROPOSED

"Channel migration zone (CMZ)" means the area where the active channel of a stream is prone to move and this results in a potential near-term loss of riparian function and associated habitat adjacent to the stream. (See the board manual section 2 for descriptions and illustrations of CMZs, delineation guidelines), except as modified by a permanent levee or dike. For this purpose, near-term means the time scale required to grow a mature forest.

"Chemicals" means substances applied to forest lands or timber including pesticides, fertilizers, and other forest chemicals.

"Clearcut" means a harvest method in which the entire stand of trees is removed in one timber harvesting operation. Except as provided in WAC 222-30-110, an area remains clearcut until:

It meets the minimum stocking requirements under WAC 222-34-010(2) or 222-34-020(2); and

The largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

"Columbia River Gorge National Scenic Area or CRGNSA" means the area established pursuant to the Columbia River Gorge National Scenic Area Act, 16 U.S.C. §544b(a).

"CRGNSA special management area" means the areas designated in the Columbia River Gorge National Scenic Area Act, 16 U.S.C. §544b(b) or revised pursuant to 16 U.S.C. §544b(c). For purposes of this rule, the special management area shall not include any parcels excluded by 16 U.S.C. §544f(o).

"CRGNSA special management area guidelines" means the guidelines and land use designations for forest practices developed pursuant to 16 U.S.C. §544f contained in the CRGNSA management plan developed pursuant to 15 U.S.C. §544d.

"Commercial tree species" means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.

"Completion of harvest" means the latest of:

Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or

Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or

Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: Provided, That delay of reforestation under this paragraph is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

"Constructed wetlands" means those wetlands voluntarily developed by the landowner. Constructed wetlands do not include wetlands created, restored, or enhanced as part of a mitigation procedure or wetlands inadvertently created as a result of current or past practices including, but not limited to: Road construction, landing construction, railroad construction, or surface mining.

"Contamination" means introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.

"Convergent headwalls" (or headwalls) means tear-drop-shaped landforms, broad at the ridgetop and terminating where headwaters converge into a single channel; they are broadly concave both longitudinally and across the slope, but may contain sharp ridges separating the headwater channels. (See board manual section 16 for identification criteria.)

"Conversion option harvest plan" means a voluntary plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.

"Conversion to a use other than commercial timber operation" shall mean a bona fide conversion to an active use which is incompatible with timber growing.

"Cooperative habitat enhancement agreement (CHEA)" see WAC 222-16-105.

"Critical habitat (federal)" means the habitat of any threatened or endangered species designated as critical habitat by the United States Secretary of the Interior or Commerce under Sections 3 (5)(A) and 4 (a)(3) of the Federal Endangered Species Act.

"Critical nesting season" means for marbled murrelets - April 1 to August 31.

"Critical habitat (state)" means those habitats designated by the board in accordance with WAC 222-16-080.

"Cultural resources" means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

"Cumulative effects" means the changes to the environment caused by the interaction of natural ecosystem processes with the effects of two or more forest practices.

"Daily peak activity" means for marbled murrelets - one hour before official sunrise to two hours after official sunrise and one hour before official sunset to one hour after official sunset.

"Debris" means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.

"Deep-seated landslides" means landslides in which most of the area of the slide plane or zone lies below the maximum rooting depth of forest trees, to depths of tens to hundreds of feet. (See board manual section 16 for identification criteria.)

"Demographic support" means providing sufficient suitable spotted owl habitat within the SOSEA to maintain the viability of northern spotted owl sites identified as necessary to meet the SOSEA goals.

"Department" means the department of natural resources.

"Desired future condition (DFC)" is a reference point on a pathway and not an endpoint for stands. DFC means the stand conditions of a mature riparian forest at 140 years of age, the midpoint between 80 and 200 years. Where basal area is the only stand attribute used to describe 140-year old stands, these are referred to as the "Target Basal Area."

"Diameter at breast height (dbh)" means the diameter of a tree at 4 1/2 feet above the ground measured from the uphill side.

"Dispersal habitat" see WAC 222-16-085(2).

"Dispersal support" means providing sufficient dispersal habitat for the interchange of northern spotted owls within or across the SOSEA, as necessary to meet SOSEA goals. Dispersal support is provided by a landscape consisting of stands of dispersal habitat interspersed with areas of higher quality habitat, such as suitable spotted owl habitat found within RMZs, WMZs or other required and voluntary leave areas.

"Drainage structure" means a construction technique or feature that is built to relieve surface runoff and/or intercepted ground water from roadside ditches to prevent excessive buildup in water volume and velocity. A drainage structure is not intended to carry any typed water. Drainage structures include structures such as: Cross drains, relief culverts, ditch diversions, water bars, or other such structures demonstrated to be equally effective.

"Eastern Washington" means the geographic area in Washington east of the crest of the Cascade Mountains from the international border to the top of Mt. Adams, then east of the ridge line dividing the White Salmon River drainage from the Lewis River drainage and east of the ridge line dividing the Little White Salmon River drainage from the Wind River drainage to the Washington-Oregon state line.

PROPOSED

Eastern Washington Definition Map



PROPOSED

"Eastern Washington timber habitat types" means elevation ranges associated with tree species assigned for the purpose of riparian management according to the following:

Timber Habitat Types	Elevation Ranges
ponderosa pine	0 - 2500 feet
mixed conifer	2501 - 5000 feet
high elevation	above 5000 feet

"Edge" of any water means the outer edge of the water's bankfull width or, where applicable, the outer edge of the associated channel migration zone.

"End hauling" means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut material from the excavation site to a deposit site not adjacent to the point of removal.

"Equipment limitation zone" means a 30-foot wide zone measured horizontally from the outer edge of the bankfull width of a Type Np or Ns Water. It applies to all perennial and seasonal nonfish bearing streams.

"Erodible soils" means those soils that, when exposed or displaced by a forest practice operation, would be readily moved by water.

"Even-aged harvest methods" means the following harvest methods:

Clearcuts;

Seed tree harvests in which twenty or fewer trees per acre remain after harvest;

Shelterwood regeneration harvests in which twenty or fewer trees per acre remain after harvest;

Group or strip shelterwood harvests creating openings wider than two tree heights, based on dominant trees;

Shelterwood removal harvests which leave fewer than one hundred fifty trees per acre which are at least five years old or four feet in average height;

Partial cutting in which fewer than fifty trees per acre remain after harvest;

Overstory removal when more than five thousand board feet per acre is removed and fewer than fifty trees per acre at least ten feet in height remain after harvest; and

Other harvesting methods designed to manage for multiple age classes in which six or fewer trees per acre remain after harvest.

Except as provided above for shelterwood removal harvests and overstory removal, trees counted as remaining after harvest shall be at least ten inches in diameter at breast height and have at least the top one-third of the stem supporting green, live crowns. Except as provided in WAC 222-30-110, an area remains harvested by even-aged methods until it meets the minimum stocking requirements under WAC 222-34-010(2) or 222-34-020(2) and the largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

"Fen" means wetlands which have the following characteristics: Peat soils 16 inches or more in depth (except over bedrock); and vegetation such as certain sedges, hardstem bulrush and cattails; fens may have an overstory of spruce and may be associated with open water.

"Fertilizers" means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

"Fill" means the placement of earth material or aggregate for road or landing construction or other similar activities.

"Fish" means for purposes of these rules, species of the vertebrate taxonomic groups of *Cephalospidomorphi* and *Osteichthyes*.

"Fish habitat" means habitat, which is used by fish at any life stage at any time of the year including potential habitat likely to be used by fish, which could be recovered by restoration or management and includes off-channel habitat.

"Flood level - 100 year." Is a calculated flood event flow based on an engineering computation of flood magnitude that has a 1 percent chance of occurring in any given year. For purposes of field interpretation, landowners may use the following methods:

Flow information from gauging stations;

Field estimate of water level based on guidance for "Determining the 100-Year Flood Level" in the forest practices board manual section 2.

The 100-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

"Forest land" means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

"Forest land owner" shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: Provided, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

"Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

Road and trail construction;

Harvesting, final and intermediate;

Precommercial thinning;

Reforestation;

Fertilization;

Prevention and suppression of diseases and insects;

Salvage of trees; and

Brush control.

"Forest practice" shall not include: Forest species seed orchard operations and intensive forest nursery operations; or preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

"Forest road" means ways, lanes, roads, or driveways on forest land used since 1974 for forest practices or forest management activities such as fire control. "Forest roads" does not include skid trails, highways, or county roads except where the county is a forest landowner or operator.

"Forest trees" excludes trees cultivated by agricultural methods in growing cycles shorter than ten years: Provided, That Christmas trees are forest trees and: Provided further, That this exclusion applies only to trees planted on land that was not in forest use immediately before the trees were planted and before the land was prepared for planting the trees.

"Full bench road" means a road constructed on a side hill without using any of the material removed from the hillside as a part of the road. This construction technique is usually used on steep or unstable slopes.

"Green recruitment trees" means those trees left after harvest for the purpose of becoming future wildlife reserve trees under WAC 222-30-020(11).

"Ground water recharge areas for glacial deep-seated slides" means the area upgradient that can contribute water to the landslide, assuming that there is an impermeable perching layer in or under a deep-seated landslide in glacial deposits. (See board manual section 16 for identification criteria.)

"Headwater spring" means a permanent spring at the head of a perennial channel. Where a headwater spring can be found, it will coincide with the uppermost extent of Type Np Water.

"Herbicide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

"Historic site" includes:

Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

Places associated with a personality important in history; or

Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

"Horizontal distance" means the distance between two points measured at a 0% slope.

"Hyporheic" means an area adjacent to and below channels where interstitial water is exchanged with channel water and water movement is mainly in the downstream direction.

"Identified watershed processes" means the following components of natural ecological processes that may in some instances be altered by forest practices in a watershed:

Mass wasting;

Surface and road erosion;

Seasonal flows including hydrologic peak and low flows and annual yields (volume and timing);

Large organic debris;

Shading; and

Stream bank and bed stability.

"Inner gorges" means canyons created by a combination of the downcutting action of a stream and mass movement on the slope walls; they commonly show evidence of recent movement, such as obvious landslides, vertical tracks of disturbance vegetation, or areas that are concave in contour and/or profile. (See board manual section 16 for identification criteria.)

PROPOSED

"Insecticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

"Interdisciplinary team" (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

"Islands" means any island surrounded by salt water in Kitsap, Mason, Jefferson, Pierce, King, Snohomish, Skagit, Whatcom, Island, or San Juan counties.

"Limits of construction" means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

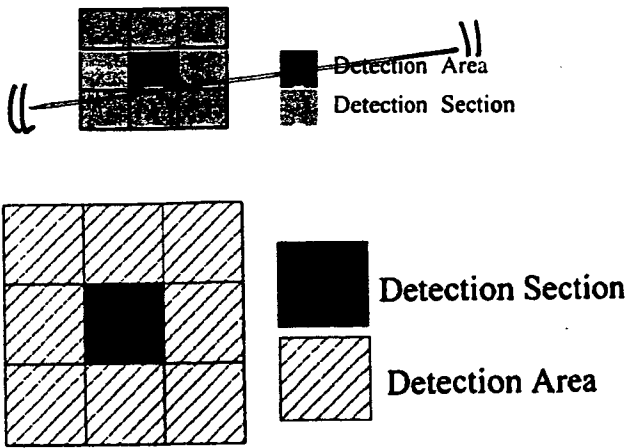
"Load bearing portion" means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

"Local government entity" means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

"Low impact harvest" means use of any logging equipment, methods, or systems that minimize compaction or disturbance of soils and vegetation during the yarding process. The department shall determine such equipment, methods or systems in consultation with the department of ecology.

"Marbled murrelet detection area" means an area of land associated with a visual or audible detection of a marbled murrelet, made by a qualified surveyor which is documented and recorded in the department of fish and wildlife data base. The marbled murrelet detection area shall be comprised of the section of land in which the marbled murrelet detection was made and the eight sections of land immediately adjacent to that section.

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"Marbled murrelet nesting platform" means any horizontal tree structure such as a limb, an area where a limb branches, a surface created by multiple leaders, a deformity, or a debris/moss platform or stick nest equal to or greater than 7 inches in diameter including associated moss if present, that is 50 feet or more above the ground in trees 32 inches dbh and

greater (generally over 90 years of age) and is capable of supporting nesting by marbled murrelets.

"Median home range circle" means a circle, with a specified radius, centered on a spotted owl site center. The radius for the median home range circle in the Hoh-Clearwater/Coastal Link SOSEA is 2.7 miles; for all other SOSEAs the radius is 1.8 miles.

"Merchantable stand of timber" means a stand of trees that will yield logs and/or fiber:

Suitable in size and quality for the production of lumber, plywood, pulp or other forest products;

Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

"Multiyear permit" means a permit to conduct forest practices which is effective for longer than two years but no longer than five years.

"Northern spotted owl site center" means the location of status 1, 2 or 3 northern spotted owls based on the following definitions:

- Status 1: Pair or reproductive - a male and female heard and/or observed in close proximity to each other on the same visit, a female detected on a nest, or one or both adults observed with young.
- Status 2: Two birds, pair status unknown - the presence or response of two birds of opposite sex where pair status cannot be determined and where at least one member meets the resident territorial single requirements.
- Status 3: Resident territorial single - the presence or response of a single owl within the same general area on three or more occasions within a breeding season with no response by an owl of the opposite sex after a complete survey; or three or more responses over several years (i.e., two responses in year one and one response in year two, for the same general area).

In determining the existence, location, and status of northern spotted owl site centers, the department shall consult with the department of fish and wildlife and use only those sites documented in substantial compliance with guidelines or protocols and quality control methods established by and available from the department of fish and wildlife.

"Notice to comply" means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

"Occupied marbled murrelet site" means:

(1) A contiguous area of suitable marbled murrelet habitat where at least one of the following marbled murrelet behaviors or conditions occur:

- (a) A nest is located; or
- (b) Downy chicks or eggs or egg shells are found; or
- (c) Marbled murrelets are detected flying below, through, into or out of the forest canopy; or
- (d) Birds calling from a stationary location within the area; or

(e) Birds circling above a timber stand within one tree height of the top of the canopy; or

(2) A contiguous forested area, which does not meet the definition of suitable marbled murrelet habitat, in which any of the behaviors or conditions listed above has been documented by the department of fish and wildlife and which is distinguishable from the adjacent forest based on vegetative characteristics important to nesting marbled murrelets.

(3) For sites defined in (1) and (2) above, the sites will be presumed to be occupied based upon observation of circling described in (1)(e), unless a two-year survey following the 2003 Pacific Seabird Group (PSG) protocol has been completed and an additional third-year of survey following a method listed below is completed and none of the behaviors or conditions listed in (1)(a) through (d) of this definition are observed. The landowner may choose one of the following methods for the third-year survey:

(a) Conduct a third-year survey with a minimum of nine visits conducted in compliance with 2003 PSG protocol. If one or more marbled murrelets are detected during any of these nine visits, three additional visits conducted in compliance with the protocol of the first nine visits shall be added to the third-year survey. Department of fish and wildlife shall be consulted prior to initiating third-year surveys; or

(b) Conduct a third-year survey designed in consultation with the department of fish and wildlife to meet site specific conditions.

(4) For sites defined in (1) above, the outer perimeter of the occupied site shall be presumed to be the closer, measured from the point where the observed behaviors or conditions listed in (1) above occurred, of the following:

(a) 1.5 miles from the point where the observed behaviors or conditions listed in (1) above occurred; or

(b) The beginning of any gap greater than 300 feet wide lacking one or more of the vegetative characteristics listed under "suitable marbled murrelet habitat"; or

(c) The beginning of any narrow area of "suitable marbled murrelet habitat" less than 300 feet in width and more than 300 feet in length.

~~((4))~~ (5) For sites defined under (2) above, the outer perimeter of the occupied site shall be presumed to be the closer, measured from the point where the observed behaviors or conditions listed in (1) above occurred, of the following:

(a) 1.5 miles from the point where the observed behaviors or conditions listed in (1) above occurred; or

(b) The beginning of any gap greater than 300 feet wide lacking one or more of the distinguishing vegetative characteristics important to murrelets; or

(c) The beginning of any narrow area of suitable marbled murrelet habitat, comparable to the area where the observed behaviors or conditions listed in (1) above occurred, less than 300 feet in width and more than 300 feet in length.

~~((5))~~ (6) In determining the existence, location and status of occupied marbled murrelet sites, the department shall consult with the department of fish and wildlife and use only those sites documented in substantial compliance with guidelines or protocols and quality control methods established by and available from the department of fish and wildlife.

"Old forest habitat" see WAC 222-16-085 (1)(a).

"Operator" shall mean any person engaging in forest practices except an employee with wages as his/her sole compensation.

"Ordinary high-water mark" means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: Provided, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

"Other forest chemicals" means fire retardants when used to control burning (other than water), nontoxic repellents, oil, dust-control agents (other than water), salt, and other chemicals used in forest management, except pesticides and fertilizers, that may present hazards to the environment.

"Park" means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

"Partial cutting" means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

"Pesticide" means any insecticide, herbicide, fungicide, or rodenticide, but does not include nontoxic repellents or other forest chemicals.

"Plantable area" is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

"Power equipment" means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

"Preferred tree species" means the following species listed in descending order of priority for each timber habitat type:

Ponderosa pine habitat type

all hardwoods
ponderosa pine
western larch
Douglas-fir
western red cedar

Mixed conifer habitat type

all hardwoods
western larch
ponderosa pine
western red cedar
white pine
Douglas-fir
lodgepole pine

"Public resources" means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

PROPOSED

"Qualified surveyor" means an individual who has successfully completed the marbled murrelet field training course offered by the department of fish and wildlife or its equivalent.

"Rehabilitation" means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

"Resource characteristics" means the following specific measurable characteristics of fish, water, and capital improvements of the state or its political subdivisions:

For fish and water:

Physical fish habitat, including temperature and turbidity;

Turbidity in hatchery water supplies; and

Turbidity and volume for areas of water supply.

For capital improvements of the state or its political subdivisions:

Physical or structural integrity.

If the methodology is developed and added to the manual to analyze the cumulative effects of forest practices on other characteristics of fish, water, and capital improvements of the state or its subdivisions, the board shall amend this list to include these characteristics.

"Riparian function" includes bank stability, the recruitment of woody debris, leaf litter fall, nutrients, sediment filtering, shade, and other riparian features that are important to both riparian forest and aquatic system conditions.

"Riparian management zone (RMZ)" means:

(1) For Western Washington

(a) The area protected on each side of a Type S or F Water measured horizontally from the outer edge of the bankfull width or the outer edge of the CMZ, whichever is greater (see table below); and

Site Class	Western Washington Total RMZ Width
I	200'
II	170'
III	140'
IV	110'
V	90'

(b) The area protected on each side of Type Np Waters, measured horizontally from the outer edge of the bankfull width. (See WAC 222-30-021(2).)

(2) For Eastern Washington

(a) The area protected on each side of a Type S or F Water measured horizontally from the outer edge of the bankfull width or the outer edge of the CMZ, whichever is greater (see table below); and

Site Class	Eastern Washington Total RMZ Width
I	130'
II	110'
III	90' or 100'*
IV	75' or 100'*
V	75' or 100'*

* Dependent upon stream size. (See WAC 222-30-022.)

(b) The area protected on each side of Type Np Waters, measured horizontally from the outer edge of the bankfull width. (See WAC 222-30-022(2).)

(3) For exempt 20 acre parcels, a specified area alongside Type S and F Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

"RMZ core zone" means:

(1) For Western Washington, the 50 foot buffer of a Type S or F Water, measured horizontally from the outer edge of the bankfull width or the outer edge of the channel migration zone, whichever is greater. (See WAC 222-30-021.)

(2) For Eastern Washington, the 30 foot buffer of a Type S or F Water, measured horizontally from the outer edge of the bankfull width or the outer edge of the channel migration zone, whichever is greater. (See WAC 222-30-022.)

"RMZ inner zone" means:

(1) For Western Washington, the area measured horizontally from the outer boundary of the core zone of a Type S or F Water to the outer limit of the inner zone. The outer limit of the inner zone is determined based on the width of the affected water, site class and the management option chosen for timber harvest within the inner zone. (See WAC 222-30-021.)

(2) For Eastern Washington, the area measured horizontally from the outer boundary of the core zone 45 feet (for streams less than 15 feet wide) or 70 feet (for streams more than 15 feet wide) from the outer boundary of the core zone. (See WAC 222-30-022.)

"RMZ outer zone" means the area measured horizontally between the outer boundary of the inner zone and the RMZ width as specified in the riparian management zone definition above. RMZ width is measured from the outer edge of the bankfull width or the outer edge of the channel migration zone, whichever is greater. (See WAC 222-30-021 and 222-30-022.)

"Road construction" means the establishment of any new sub-grade including widening, realignment, or modification of an existing road prism, with the exception of replacing or installing drainage structures, for the purposes of managing forest land under Title 222 WAC.

"Road maintenance" means any road work specifically related to maintaining water control or road safety and visibility (such as; grading, spot rocking, resurfacing, roadside vegetation control, water barring, ditch clean out, replacing or installing relief culverts, cleaning culvert inlets and outlets) on existing forest roads.

"Rodenticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

"Salvage" means the removal of snags, down logs, windthrow, or dead and dying material.

"Scarification" means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

"Sensitive sites" are areas near or adjacent to Type Np Water and have one or more of the following:

PROPOSED

(1) **Headwall seep** is a seep located at the toe of a cliff or other steep topographical feature and at the head of a Type Np Water which connects to the stream channel network via overland flow, and is characterized by loose substrate and/or fractured bedrock with perennial water at or near the surface throughout the year.

(2) **Side-slope seep** is a seep within 100 feet of a Type Np Water located on side-slopes which are greater than 20 percent, connected to the stream channel network via overland flow, and characterized by loose substrate and fractured bedrock, excluding muck with perennial water at or near the surface throughout the year. Water delivery to the Type Np channel is visible by someone standing in or near the stream.

(3) **Type Np intersection** is the intersection of two or more Type Np Waters.

(4) **Headwater spring** means a permanent spring at the head of a perennial channel. Where a headwater spring can be found, it will coincide with the uppermost extent of Type Np Water.

(5) **Alluvial fan** means an erosional land form consisting of cone-shaped deposit of water-borne, often coarse-sized sediments.

(a) The upstream end of the fan (cone apex) is typically characterized by a distinct increase in channel width where a stream emerges from a narrow valley;

(b) The downstream edge of the fan is defined as the sediment confluence with a higher order channel; and

(c) The lateral margins of a fan are characterized by distinct local changes in sediment elevation and often show disturbed vegetation.

Alluvial fan does not include features that were formed under climatic or geologic conditions which are not currently present or that are no longer dynamic.

"**Shorelines of the state**" shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

"**Side casting**" means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

"**Site class**" means a grouping of site indices that are used to determine the 50-year or 100-year site class. In order to determine site class, the landowner will obtain the site class index from the state soil survey, place it in the correct index range shown in the two tables provided in this definition, and select the corresponding site class. The site class will then drive the RMZ width. (See WAC 222-30-021 and 222-30-022.)

(1) **For Western Washington**

Site class	50-year site index range (state soil survey)
I	137+
II	119-136
III	97-118
IV	76-96
V	< 75

(2) **For Eastern Washington**

Site class	100-year site index range (state soil survey)	50-year site index range (state soil survey)
I	120+	86+
II	101-120	72-85
III	81-100	58-71
IV	61-80	44-57
V	≤ 60	< 44

(3) For purposes of this definition, the site index at any location will be the site index reported by the *Washington State Department of Natural Resources State Soil Survey*, (soil survey) and detailed in the associated forest soil summary sheets. If the soil survey does not report a site index for the location or indicates noncommercial or marginal forest land, or the major species table indicates red alder, the following apply:

(a) If the site index in the soil survey is for red alder, and the whole RMZ width is within that site index, then use site class V. If the red alder site index is only for a portion of the RMZ width, or there is on-site evidence that the site has historically supported conifer, then use the site class for conifer in the most physiographically similar adjacent soil polygon.

(b) In Western Washington, if no site index is reported in the soil survey, use the site class for conifer in the most physiographically similar adjacent soil polygon.

(c) In Eastern Washington, if no site index is reported in the soil survey, assume site class III, unless site specific information indicates otherwise.

(d) If the site index is noncommercial or marginally commercial, then use site class V.

See also section 7 of the board manual.

"**Site preparation**" means those activities associated with the removal of slash in preparing a site for planting and shall include scarification and/or slash burning.

"**Skid trail**" means a route used by tracked or wheeled skidders to move logs to a landing or road.

"**Slash**" means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

"**SOSEA goals**" means the goals specified for a spotted owl special emphasis area as identified on the SOSEA maps (see WAC 222-16-086). SOSEA goals provide for demographic and/or dispersal support as necessary to complement the northern spotted owl protection strategies on federal land within or adjacent to the SOSEA.

"**Spoil**" means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

"**Spotted owl dispersal habitat**" see WAC 222-16-085(2).

"**Spotted owl special emphasis areas (SOSEA)**" means the geographic areas as mapped in WAC 222-16-086. Detailed maps of the SOSEAs indicating the boundaries and goals are available from the department at its regional offices.

"**Stop work order**" means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by

the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

"Stream-adjacent parallel roads" means roads (including associated right-of-way clearing) in a riparian management zone on a property that have an alignment that is parallel to the general alignment of the stream, including roads used by others under easements or cooperative road agreements. Also included are stream crossings where the alignment of the road continues to parallel the stream for more than 250 feet on either side of the stream. Not included are federal, state, county or municipal roads that are not subject to forest practices rules, or roads of another adjacent landowner.

"Sub-mature habitat" see WAC 222-16-085 (1)(b).

"Suitable marbled murrelet habitat" means a contiguous forested area containing trees capable of providing nesting opportunities:

(1) With all of the following indicators unless the department, in consultation with the department of fish and wildlife, has determined that the habitat is not likely to be occupied by marbled murrelets:

- (a) Within 50 miles of marine waters;
- (b) At least 40% of the dominant and codominant trees are Douglas-fir, western hemlock, western red cedar or sitka spruce;
- (c) Two or more nesting platforms per acre;
- (d) At least 7 acres in size, including the contiguous forested area within 300 feet of nesting platforms, with similar forest stand characteristics (age, species composition, forest structure) to the forested area in which the nesting platforms occur.

"Suitable spotted owl habitat" see WAC 222-16-085(1).

"Temporary road" means a forest road that is constructed and intended for use during the life of an approved forest practices application/notification. All temporary roads must be abandoned in accordance to WAC 222-24-052(3).

"Threaten public safety" means to increase the risk to the public at large from snow avalanches, identified in consultation with the department of transportation or a local government, or landslides or debris torrents caused or triggered by forest practices.

"Threatened or endangered species" means all species of wildlife listed as "threatened" or "endangered" by the United States Secretary of the Interior or Commerce, and all species of wildlife designated as "threatened" or "endangered" by the Washington fish and wildlife commission.

"Timber" shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

"Unconfined avulsing stream" means generally fifth order or larger waters that experience abrupt shifts in channel location, creating a complex flood plain characterized by extensive gravel bars, disturbance species of vegetation of variable age, numerous side channels, wall-based channels, oxbow lakes, and wetland complexes. Many of these streams have dikes and levees that may temporarily or permanently restrict channel movement.

"Water bar" means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion.

"Watershed administrative unit (WAU)" means an area shown on the map specified in WAC 222-22-020(1).

"Watershed analysis" means, for a given WAU, the assessment completed under WAC 222-22-050 or 222-22-060 together with the prescriptions selected under WAC 222-22-070 and shall include assessments completed under WAC 222-22-050 where there are no areas of resource sensitivity.

"Weed" is any plant which tends to overgrow or choke out more desirable vegetation.

"Western Washington" means the geographic area of Washington west of the Cascade crest and the drainages defined in Eastern Washington.

"Wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs, fens, and similar areas. This includes wetlands created, restored, or enhanced as part of a mitigation procedure. This does not include constructed wetlands or the following surface waters of the state intentionally constructed from wetland sites: Irrigation and drainage ditches, grass lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities.

"Wetland functions" include the protection of water quality and quantity, providing fish and wildlife habitat, and the production of timber.

"Wetland management zone" means a specified area adjacent to Type A and B Wetlands where specific measures are taken to protect the wetland functions.

"Wildlife" means all species of the animal kingdom whose members exist in Washington in a wild state. The term "wildlife" includes, but is not limited to, any mammal, bird, reptile, amphibian, fish, or invertebrate, at any stage of development. The term "wildlife" does not include feral domestic mammals or the family Muridae of the order Rodentia (old world rats and mice).

"Wildlife reserve trees" means those defective, dead, damaged, or dying trees which provide or have the potential to provide habitat for those wildlife species dependent on standing trees. Wildlife reserve trees are categorized as follows:

Type 1 wildlife reserve trees are defective or deformed live trees that have observably sound tops, limbs, trunks, and roots. They may have part of the top broken out or have evidence of other severe defects that include: "Cat face," animal chewing, old logging wounds, weather injury, insect attack, or lightning strike. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 1 wildlife reserve trees. These trees must be stable and pose the least hazard for workers.

Type 2 wildlife reserve trees are dead Type 1 trees with sound tops, limbs, trunks, and roots.

Type 3 wildlife reserve trees are live or dead trees with unstable tops or upper portions. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 3 wildlife reserve trees. Although the roots and main portion of the trunk are sound, these reserve trees pose high hazard because of the defect in live or dead wood higher up in the tree.

Type 4 wildlife reserve trees are live or dead trees with unstable trunks or roots, with or without bark. This includes "soft snags" as well as live trees with unstable roots caused by root rot or fire. These trees are unstable and pose a high hazard to workers.

"**Windthrow**" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

"**Yarding corridor**" means a narrow, linear path through a riparian management zone to allow suspended cables necessary to support cable logging methods or suspended or partially suspended logs to be transported through these areas by cable logging methods.

"**Young forest marginal habitat**" see WAC 222-16-085 (1)(b).

Reviser's note: The spelling 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 03-24-113
PROPOSED RULES
FOREST PRACTICES BOARD
[Filed December 3, 2003, 11:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-09-114.

Title of Rule: Administrative procedures and ethics.

Purpose: The purpose is to describe the Forest Practices Board, its organization, administration and to clarify how state ethics laws apply to the board.

Statutory Authority for Adoption: RCW 34.05.220, 42.17.250, 42.17.260, and 76.09.040.

Statute Being Implemented: RCW 76.09.040, chapters 34.05 and 42.17 RCW.

Summary: The proposed rules define administrative procedures for meeting notices, meetings, agendas, petitions, and public disclosure requests. It also establishes ethics standards for the board.

Reasons Supporting Proposal: RCW 34.05.220 authorizes the agency to adopt rules governing formal and informal procedures authorized by the Administrative Procedure Act and rules of practice before the agency.

Name of Agency Personnel Responsible for Drafting and Implementation: Ashley DeMoss, 1111 Washington Street S.E., Olympia, WA, (360) 902-1388; and Enforcement: Lenny Young, 1111 Washington Street S.E., Olympia, WA, (360) 902-1744.

Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendments to chapter 222-08 WAC define administrative procedures for meeting notices, meetings, agendas, petitions, and public disclosure requests in accordance with the Administrative Procedure Act, Open Public Meetings Act, Ethics in Public Service, and the Forest Practices Act.

The purpose and anticipated effect is to provide information to the public on board administrative practices, interacting with the board, and to assist board members to comply with state ethics requirements by clarifying its application to board business.

Proposal Changes the Following Existing Rules: WAC 222-08-010 will be incorporated into chapter 222-12 WAC as this is duplicative and WAC 222-08-040 has been revised in its entirety.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules are likely to result in only minor costs to the public.

RCW 34.05.328 does not apply to this rule adoption. The proposed rules are procedural in nature, pertaining to internal operations of the board.

Hearing Location: Natural Resources Building, 1111 Washington Street S.E., Room 172, Olympia, WA, on January 13, 2004, at 4:30 p.m.

Assistance for Persons with Disabilities: Contact Forest Practices Division at (360) 902-1413, by January 6, 2004, TDD (360) 902-1125.

Submit Written Comments to: Rules Coordinator, Forest Practices Board, Department of Natural Resources, P.O. Box 47012, Olympia, WA 98504-7012, e-mail forest.practicesboard@wadnr.gov, fax (360) 902-1428, by 5 p.m. on January 16, 2004.

Date of Intended Adoption: February 11, 2004.

December 2, 2003

Pat McElroy
Chair

AMENDATORY SECTION (Amending Order 263, filed 6/16/76)

WAC 222-08-010 ((Appeals)) Purpose. ~~((All appeals from actions regarding forest practices shall be in accordance with RCW 76.09.210, 76.09.220 and 76.09.230.))~~ The purpose of this chapter is to describe the forest practices board, its organization, administrative procedures, and to provide rules implementing RCW 34.05.220 and 42.17.250 through 42.17.320 and chapter 42.52 RCW for the forest practices board. The purpose of this chapter is also to set out department procedures for administration of the forest practices regulatory program.

AMENDATORY SECTION (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

WAC 222-08-020 ((Orientation and training.)) Definitions. ~~((The department shall be responsible for a continuing program of orientation and training, relating to forest practices and rules thereof, pursuant to RCW 76.09.250. Such program shall include:~~

(1) Investigation of current developments in and practical applications of forest resources and related technology.

(2) Continuing training of department personnel in the current status of forest resources technology and related disciplines.

(3) Dissemination of information on current forest practice technology to the public, in a manner determined by the department to be effective.) (1) "Board" means forest practices board.

(2) "Board staff" means employees of the forest practices division of the department who work in support of the board.

(3) "Department" means department of natural resources.

(4) "Office" means the administrative office of the board in the forest practices division of the department.

(5) "Public record" as defined in RCW 42.17.020(36), means any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(6) "Writing" as defined in RCW 42.17.020(42), means handwriting, typewriting, printing, photographing, including, but not limited to, letters, words, pictures, sounds, and all papers, maps, magnetic or paper tapes, photographic films and prints, video recordings, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

AMENDATORY SECTION (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

WAC 222-08-030 ((Reporting procedures)) Function, organization, and office. ((The department shall:

(1) Survey and identify all silviculturally related non-point sources of pollution and related control programs in the state;

(2) Prepare an analysis of the above activities and programs, and

(3) Report and recommend to the forest practices board and to the governor additional rules, procedures and/or methods necessary for the control of such sources to the extent feasible.) (1) The forest practices board was created by chapter 76.09 RCW to adopt forest practices rules as described in WAC 222-12-010.

(2) The board's membership as described in RCW 76.09.030(1), consists of twelve members to include: The commissioner of public lands or the commissioner's designee, the director of the department of community, trade, and economic development or the director's designee, the director of the department of agriculture or the director's designee, the director of the department of ecology or the director's designee, the director of the department of fish and wildlife or the director's designee, an elected member of a county legislative authority appointed by the governor so long as that member serves as an elected official, and six members of the general public appointed by the governor, one of whom shall be an owner of not more than five hundred acres of forest land, and one of whom shall be an independent logging contractor. The six members from the general public are appointed to

four-year terms. The commissioner of public lands or designee shall chair the board.

(3) General public members shall be compensated in accordance with RCW 43.03.250. Each member shall be entitled to reimbursement for travel expenses incurred in the performance of their duties as provided in RCW 43.03.050 and 43.03.060.

(4) Staff support is provided to the board as provided in RCW 76.09.030(6). Staff shall perform the following duties under the general authority and supervision of the board:

(a) Act as administrative arm of the board;

(b) Act as records officer to the board;

(c) Coordinate the policies and activities of the board;

and

(d) Act as liaison between the board and other public agencies and stakeholders.

(5) The administrative office of the board is located at 1111 Washington Street S.E., Olympia, Washington. The board may sit or hold hearings anywhere in the state. The office hours are 8:00 a.m. to noon and 1:00 p.m. to 5:00 p.m., Monday through Friday, except legal holidays and during board meetings. The board may be contacted at:

Forest Practices Board

c/o Department of Natural Resources

Forest Practices Division

P.O. Box 47012

Olympia, WA 98504-7012

Phone: 360-902-1400

Fax: 360-902-1428

E-mail: forest.practicesboard@wadnr.gov

(6) Any person may contact the board as indicated in subsection (5) of this section to obtain information on board activities.

AMENDATORY SECTION (Amending WSR 93-12-001, filed 5/19/93, effective 6/19/93)

WAC 222-08-040 ((Regular meetings)) Operations and procedures. ((Regular meetings of the forest practices board shall be held quarterly on the second Wednesday of February, May, August and November, at a location to be designated by the forest practices board. Any person may obtain information as to said location and meeting time by contacting the Department of Natural Resources, Forest Practices Division, Olympia, Washington 98504-7012. A schedule of meetings will be published in the Washington Register in January of each year.) (1) The board holds quarterly scheduled meetings on the second Wednesday of February, May, August, and November, at such times and places as deemed necessary to conduct board business. At regularly scheduled board meetings, agenda time is allotted for public comment on rule proposals and board activities, unless the board has already set public hearings on the rule proposals. Special and emergency meetings may be called anytime by the chair of the board or by a majority of the board members. Notice of special and emergency meetings will be provided in accordance with RCW 42.30.070 and 42.30.080. All meetings are conducted in accordance with the Open Public Meetings Act, chapter 42.30 RCW, and RCW 76.09.030(4). A schedule of meetings shall be published in the Washington

State Register in January of each year. Minutes shall be taken at all meetings.

(2) Each member of the board is allowed one vote on any action before the board; pursuant to RCW 42.30.060(2), secret voting is not allowed. All actions shall be decided by majority vote. A majority of the board shall constitute a quorum for making decisions and promulgating rules necessary for the conduct of its powers and duties. When there is a quorum and a vote is taken, a majority vote is based upon the number of members participating. The chair, designee, or majority of the board may hold hearings and receive public comment on specific issues such as rule making that the board will consider in its actions.

(3) Rules marked with an asterisk (*) are adopted or amended with agreement from the department of ecology because they pertain to water quality. See WAC 222-12-010.

(4) The chair or majority of board members shall set the meeting agenda. Public requests for topics to be included in the board's quarterly public meeting agenda must include the name of the requestor, and be received at the office at least fourteen days before the scheduled meeting. Topics requested may be added to the meeting agenda at the chair's discretion or by a majority vote of the board members.

(5) Written materials for the board which are not provided in advance of the meeting date will not be distributed during the meeting unless fifteen copies are provided to staff.

NEW SECTION

WAC 222-08-050 Public records—Availability. The board's public records are available for inspection and copying except as otherwise exempted under RCW 42.17.310, any other law, and this chapter.

NEW SECTION

WAC 222-08-060 Public records officer. The public records officer or designee for the board shall be the board's rules coordinator. The public records officer shall be responsible for responses to requests for public records. All requests for public records shall be directed to: Public Records Officer, Forest Practices Board, c/o Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012.

NEW SECTION

WAC 222-08-070 Public records index. The board's rules coordinator maintains the board files, including in part, meeting minutes, correspondence, rule-making documents, contracts, and other board business. A filing system is utilized at the board's office that consists of rule-making dockets, board meeting files, contracts, and petitions for rule making. These files are indexed by subject and date. Correspondence files are indexed by date. All files are available for inspection by contacting the board's rules coordinator in the administrative office of the board.

NEW SECTION

WAC 222-08-080 Protection of public records. (1) No person shall knowingly alter, deface, or destroy public records of the board, except as allowed by law.

(2) Original public records or portions thereof shall not be removed from the premises by the public, except board members may retain their individual notes.

(3) Records furnished for inspection shall be returned in their original condition and in the same sequence or organization as when furnished.

NEW SECTION

WAC 222-08-090 Disclosure of public records. Public records may be inspected or copies of such records obtained, upon compliance with the following procedure:

(1) A request shall be made in writing, by fax or electronic mail, to the public records officer or designee. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The calendar date of the request; and
- (c) A description of the record(s) requested.

(2) Within five business days of receiving a public records request, as required by RCW 42.17.320, the office shall respond by:

- (a) Providing the record; or
- (b) Acknowledging that the office has received the request and providing a reasonable estimate of time required to respond; or

(c) Denying the request.

(3) The office may request additional time to provide the records based upon the need to:

- (a) Clarify the intent of the request;
- (b) Locate and assemble the information requested;
- (c) Notify third persons or agencies who may be affected by the request; or

(d) Determine whether any of the information requested is exempt and that a denial should be made for all or part of the request.

(3) The public records officer may, if it deems the request is unclear, ask the requester to clarify the information the requester is seeking. If the requester fails to clarify the request, the office need not respond to it.

(4) Public records shall be available for inspection in the office from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays and during board meetings.

(5) No fee shall be charged for the inspection of public records. For printed, typed and written public records of a maximum size of 8 1/2" by 14", the board shall charge twenty-five cents per page to reimburse the board for the actual costs of providing the copies and the use of copying equipment. Copies of maps, photos, films, recordings, and other nonstandard public records shall be furnished at the board's actual costs. The board shall charge the current rate for tax and shipping on all disclosure copying requests. The public records officer may waive the fees when the expense of processing the payment exceeds the cost of providing the copies. The public records officer may require that all charges be paid in advance of release of the copies.

PROPOSED

(6) The public records officer may determine that all or a portion of a public record is exempt under the provisions of chapter 42.17 RCW. Pursuant to RCW 42.17.260(1) and 42.17.310(2), the public records officer may delete portions of public records. The public records officer will explain the reasons for such deletion in writing, including the exemption that applies.

(7) Any denial of a request for public records shall be in writing, specifying the reason for the denial, including the specific exemption authorizing the nondisclosure of the record, and a brief explanation of how the exemption applies to the records withheld.

(8) Any person who objects to a denial of a request for a public record may request review of such decision by submitting a written request to the public records officer. The written request shall specifically refer to the written statement by the public records officer or designee which constituted or accompanied the denial.

(9) Immediately after receiving a written request for review of a decision denying disclosure of a public record, the public records officer or designee denying the request shall refer it to the chair of the board. The chair shall consider the matter and either affirm or reverse such denial.

(10) Administrative remedies shall not be considered exhausted until the chair of the board or designee has returned the request for review with a decision or until the close of the second business day following receipt of the written request for review of the denial of the public record, whichever occurs first.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 222-08-100 Petitions for adoption, repeal or amendment of a rule. (1) Any person may submit a petition to the board requesting the adoption, amendment, or repeal of any rule pursuant to RCW 34.05.330 and the process set forth in chapter 82-05 WAC as further supplemented by these rules. The petition should be clearly identified as such and contain sufficient information so the board and public can understand the proposal.

(2) Any petition for rule making, amendment or repeal shall be submitted no later than fourteen days before the next regularly scheduled meeting to be included on the agenda. Petitions shall be sent to the rules coordinator for the board at the following address: Forest Practices Board, c/o Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012. If the petition is more than twenty pages in length (including any supplementary materials), it shall be accompanied by fifteen copies.

(3) Submission of a petition is defined as receipt of a complete petition by the board staff. Petitions requiring additional copies as described in subsection (2) of this section will not be considered complete until copies have been provided to staff.

(4) Within five business days of submission, the board staff will send the petitioner acknowledgment of receipt of the petition, including the name and telephone number of a

contact person. If the petition is incomplete, board staff will notify the petitioner what additional information is required.

(5) Information required for proposed new rule adoption:

(a) Text of the proposed rule or description of its provisions and rationale for a new rule.

(b) Authority for the proposed rule.

(c) Reason the rule is needed, including what or who is benefited or otherwise affected by the rule.

(6) Information required for amendment of an existing rule: Rule title and chapter number, text, or description of the proposed amendment, and rationale for amendment.

(7) Information required for repeal of existing rule: Rule title and chapter number, and description of the rationale and effects of the proposed repeal.

(8) Other information to include, if applicable, to proposed rule amendments or repeals:

(a) How the rule harms or otherwise affects public resources or public health, safety, or general welfare.

(b) What alternatives to the rule exist that will serve the same purpose at less cost.

(c) If the rule is not clearly and simply stated, suggestions on how to state the rule clearly and simply.

(d) Whether the rule imposes unreasonable costs and to whom.

(e) How the rule conflicts with or duplicates other federal, state, or local laws.

(f) How the rule differs, without adequate justification, from a federal law that applies to the same activity or subject matter.

(9) No later than sixty days after receipt of a complete petition, the board will:

(a) Initiate rule-making proceedings in accordance with chapter 34.05 RCW; or

(b) Deny the petition in writing, stating its reasons for the denial and specifically addressing the concerns stated in the petition. Where appropriate, the board will indicate alternative means by which the board will address the concerns raised in the petition.

(10) If the board denies the petition, the petitioner may appeal the denial to the joint administrative rules review committee, the governor, or superior court pursuant to RCW 34.05.330 (2) and (3) and 34.05.570(4).

NEW SECTION

WAC 222-08-120 Inapplicability of model rules adopted by the chief administrative law judge. The board does not have adjudicative authority nor does the board enter declaratory orders. Therefore, the model rules adopted by the chief administrative law judge under RCW 34.05.250 and found in chapter 10-08 WAC do not apply to the board.

NEW SECTION

WAC 222-08-130 Ethics standards. This rule implementing the Ethics in Public Service Act, chapter 42.52 RCW, applies to the board.

(1) The following definitions apply to this section:

(a) "Beneficial interest" has the meaning ascribed to it under the Washington case law.

(b) "Gift" means anything of economic value for which no consideration is given.

(c) "Transaction involving the board" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the board member in question believes, or has reason to believe:

- (i) Is, or will be, the subject of board action; or
- (ii) Is one to which the board is or will be a party; or
- (iii) Is one in which the board has a direct and substantial proprietary interest.

(d) "Transaction involving the board" does not include the following:

- (i) Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a board member; or
- (ii) A claim, case, lawsuit, or similar matter if the board member did not participate in the underlying transaction involving the board that is the basis for the claim, case, or lawsuit.

Rule making is not a transaction involving the board.

(e) "Board action" means any action on the part of the board, including, but not limited to:

- (i) A decision, determination, finding, ruling, order; or
- (ii) A grant, payment, award, license, contract, transaction, sanction, approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(2) No board member may accept honoraria under the circumstances set forth in RCW 42.52.130. Board members may receive honoraria if all of the following are met:

(a) The board member will not be carrying out their board duties nor engaging in activity which focuses specifically on the board's responsibilities, policies or programs;

(b) The honorarium is not being offered because of the board member's official position on the board;

(c) The topic is such that it does not appear that the board member could have used information acquired in the course of membership on the board;

(d) The honorarium is not being offered by a person or entity which does business with or can reasonably be expected to seek business with the board; and

(e) No use of government time or resources was used by the board member to produce the materials or prepare for the article, appearance, or item for which the honorarium is being given.

(3) "Gifts":

(a) No board member shall receive or solicit, directly or indirectly, any gift if such member of the board has reason to believe that it could be reasonably perceived that the gift would influence the vote, action, or judgment of the board member, or be perceived as part of a reward for action or inaction.

(b) Notwithstanding the exceptions specified in RCW 42.52.150 (2) and (5), a board member may receive or solicit only the items specifically listed in RCW 42.52.150 (4) from a person regulated by the board or from a person who seeks to provide goods or services to the board.

(4) If a board member receives or solicits gifts as described in subsection (3) of this section, the board member shall:

(a) Recuse himself or herself from discussions by the board regarding the related action(s); and

(b) Recuse himself or herself from any vote by the board on the related action(s); and

(c) Refrain from attempting to influence any other member in any discussion or vote regarding the related action(s).

(5) Board members shall recuse themselves in compliance with subsection (4) of this section when the following circumstances apply or it is reasonably foreseeable that they will apply:

(a) The member is beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the board in whole or in part; or

(b) The member accepts, directly or indirectly, any compensation, gratuity or reward from any other person beneficially interested in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the board, in whole or in part; or

(c) The member either owns a beneficial interest in, or is an officer, agent, employee, or member of, an entity which is engaged in a transaction involving the board.

(6) Under subsection (5)(b) of this section, "any other person" has a beneficial interest in a contract, sale, lease, purchase, or grant when the other person bids or otherwise seeks to be awarded the contract, sale, lease, purchase, or grant.

(7) The circumstances contained in subsection (5) of this section do not limit the member from using his or her general expertise to educate and provide general information on the subject area to other board members.

(8) If recusal occurs pursuant to the ethics in public service law, chapter 42.52 RCW, or rules adopted pursuant to that law or this chapter, the board member must disclose to the public the reasons for his or her recusal from any board action whenever recusal occurs. The board staff must record each such recusal and basis for the recusal.

EXAMPLE: The board includes members appointed by the governor who are employed in the private sector. Board members are appointed because they have general knowledge of forestry and are often recommended by interest groups, such as the timber industry and environmental organizations. A board member is employed by a company that provides economic analysis. The board is in the process of selecting a contractor to provide small business economic impact statements for several proposed rules. The company that employs the board member has bid for the contract. The board member may use his or her general expertise to educate the other board members about the requirements for a good small business economic impact statement. However, the board member is prohibited from participating in the board discussion establishing criteria for selecting a contractor and is prohibited from participating in the vote to select a contractor. The board member would publicly announce his or her recusal and the reasons for it, and the board staff would record this information as part of the public record.

(9) No board member shall divulge state agency or board information or proprietary information in the board's posses-

sion, whether labeled confidential or not, to any unauthorized person or in advance of the time prescribed for its authorized issuance, or otherwise make use of, or permit others to make use of, information not available to the general public.

(10) No board member shall use his or her position with the board, or use board facilities, equipment, or supplies to obtain or attempt to obtain private gain or advantage, either for themselves or for other persons.

(11) No board member shall use his or her position with the board, or use board facilities, equipment, or supplies to assist another in a transaction involving the board, or use his or her influence over the board to obtain or attempt to obtain gain or advantage for the person or entity seeking to transact business with the board.

(12) No board member shall accept employment that will adversely affect the performance of that member's official duties, discredit the board, or result in a conflict of interest.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
222-08-020	222-08-140
222-08-030	222-08-150
222-08-035	222-08-160

PROPOSED

WSR 03-24-023
EXPEDITED RULES
OFFICE OF THE
SECRETARY OF STATE

[Filed November 21, 2003, 4:39 p.m.]

Title of Rule: WAC 434-219-140, establishes deadlines for the major political parties to submit the exact wording of the party declarations voters will be asked to subscribe to in order to vote a party ballot at the presidential primary.

Purpose: The purpose is to establish deadlines for actions taken by both the major political parties and the secretary of state for the conduct of the presidential primary.

Statutory Authority for Adoption: RCW 29.19.070.

Statute Being Implemented: RCW 29.19.055.

Summary: The rule change removes the word "preference" from the description of the presidential primary to more accurately reflect the common name of the primary.

Reasons Supporting Proposal: The proposed changes do not affect the deadlines or requirements of either the parties or the secretary of state but simply deletes the word "preference" from the rule to accommodate the common name of the presidential primary. It is no longer referred to as the presidential "preference" primary.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Shawn Merchant, 520 Union Avenue, Olympia, WA 98504, (360) 902-4154.

Name of Proponent: Office of the Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 434-219-140 establishes deadlines for the major political parties to submit the exact wording of the party declarations voters will be asked to subscribe to in order to vote a party ballot at the presidential primary. The rule also requires the secretary of state to certify the party declarations to each of the county auditors by August 30 of the year preceding the presidential primary.

The proposed changes do not affect the deadlines or requirements of either the parties or the secretary of state but simply deletes the word "preference" from the rule to accommodate the common name of the presidential primary. It is no longer referred to as the presidential "preference" primary.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Shawn Merchant, Office

of the Secretary of State, 520 Union Avenue, Olympia, WA 98504, AND RECEIVED BY February 2, 2004.

November 20, 2003

Steven Excell

Assistant Secretary of State

AMENDATORY SECTION (Amending WSR 99-22-073, filed 11/2/99, effective 12/3/99)

WAC 434-219-140 Declaration by voter. (1) Each registered voter desiring to participate in the presidential primary shall be given the opportunity to subscribe to any declaration provided under the national or state political party rules of a major political party for participation in the presidential nominating process of that party.

(2) No later than August 15 in the calendar year preceding the year in which the presidential (~~preference~~) primary is to be held, each major party shall submit in writing to the secretary of state the exact wording of the party declaration.

(3) The secretary of state shall certify the language of each major party's declaration to the county auditors no later than August 30 in the calendar year preceding the year in which the presidential (~~preference~~) primary is to be held.

(4) A voter may subscribe to a declaration stating that he or she wants his or her vote to be counted in the unaffiliated results, provided that failure to subscribe to this declaration does not prevent any person's vote from being counted in the unaffiliated results. The unaffiliated declaration shall be printed in substantially the following form: "I do not want to sign a party declaration. I understand that party rules may not allow my vote to be used to select delegates to the nominating conventions."

WSR 03-24-086

EXPEDITED RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed December 2, 2003, 2:27 p.m.]

Title of Rule: Chapter 296-24 WAC, General safety and health standards, this rule making relates to railing, toeboards and cover specifications.

Purpose: The requirements in WAC 296-24-75011 relating to standard guardrails are not at-least-as-effective-as the Occupational Safety and Health Administration (OSHA) requirements. The department is changing the height requirements of the guardrail to a height of 42 inches, plus or minus 3 inches in order to be at-least-as-effective-as OSHA. References will also be updated throughout the chapter.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: The department is updating the standard guardrail height to be at-least-as-effective-as OSHA and updating references throughout the rule.

Reasons Supporting Proposal: See Summary 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: The requirements in WAC 296-24-75011 Railing, toeboards, and cover specifications, address the height of guardrails. The department is fixing the guardrail height in order to be at-least-as-effective-as OSHA. There are no anticipated effects due to rule making.

Proposal Changes the Following Existing Rules: The following sections are affected by this rule making:

AMENDED SECTIONS:

WAC 296-24-012 Definitions applicable to all sections of this chapter.

- Update reference to WAC 296-800-360.
WAC 296-24-56527 Fire alarm signaling systems.
- Update reference to WAC 296-800-31080.

WAC 296-24-61703 General requirements.

- Update reference to WAC 296-800-310.

WAC 296-24-63399 Appendix C - Fire protection references for further information.

- Update reference to WAC 296-800-310.

WAC 296-24-75011 Railing, toeboards, and cover specifications.

- Update vertical height of guardrails to 42 inches nominal, in order to be at-least-as-effective-as OSHA.

WAC 296-24-95603 Electric utilization systems.

- Update reference to chapter 296-45 WAC.

Chapter 296-24 WAC, Part E, Hazardous materials, flammable and combustible liquids, spray finishing, dip tanks.

- Remove dip tanks from the title, since it was repealed on July 17, 2002.

REPEALED SECTIONS:

Chapter 296-24 WAC, Part B-1, Sanitation, temporary labor camps and nonwater carriage disposal systems.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Carmen Moore, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY February 2, 2004.

December 2, 2003

Paul Trause
Director

AMENDATORY SECTION (Amending WSR 02-12-098, filed 6/5/02, effective 8/1/02)

WAC 296-24-012 Definitions applicable to all sections of this chapter.

Note: Meaning of words. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "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 (MSHA) and the National Institute for Occupational Safety and Health (NIOSH), the provisions of WAC ((296-24-006)) 296-800-360 shall apply.

(2) "Authorized person" means 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.

(3) "Competent person" means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective action to eliminate them.

(4) "Department" means the department of labor and industries.

(5) "Director" means the director of the department of labor and industries, or his/her designated representative.

(6) "Employer" means 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 person, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee.

(7) "First aid" means, for purposes of this section, the extent of treatment that could be expected to be given by a person trained in basic first aid, using supplies from a first-aid kit. Tests, such as X rays, shall not be confused with treatment.

(8) "Hazard" means that condition, potential or inherent, which can cause injury, death, or occupational disease.

(9) "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 that which would be considered as first-aid treatment, regardless of the length of stay in the hospital or medical facility.

(10) "Qualified" means one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated the ability to solve or resolve problems relating to the subject matter, the work, or the project.

EXPEDITED

(11) "Safety factor" means the ratio of the ultimate breaking strength of a member or piece of material or equipment to the actual working stress or safe load when in use.

(12) "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.

(13) "Shall" means mandatory.

(14) "Should" means recommended.

(15) "Standard safeguard" means a device designed and constructed with the object of removing the hazard of accident incidental to the machine, appliance, tool, building, or equipment to which it is attached.

Standard safeguards shall be constructed of either metal or wood or other suitable material or a combination of these. The final determination of the sufficiency of any safeguard rests with the director of the department of labor and industries.

(16) "Suitable" means that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

(17) "Working day" means a calendar day, except Saturdays, Sundays, and legal holidays as set forth in RCW 1.16.050, as now or hereafter amended, and for the purposes of the computation of time within which an act is to be done under the provisions of this chapter, shall be computed by excluding the first working day and including the last working day.

(18) "Worker," "personnel," "person," "employee," and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, mean 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 his/her personal labor for an employer whether by manual labor or otherwise.

(19) "Work place" 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 work places covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

(20) Abbreviations used in this chapter:

(a) "ANSI" means American National Standards Institute.

(b) "API" means American Petroleum Institute.

(c) "ASA" means American Standards Association.

(d) "ASAE" means American Society of Agricultural Engineers.

(e) "ASHRE" means American Society of Heating and Refrigeration Engineers.

(f) "ASME" means American Society for Mechanical Engineers.

(g) "ASTM" means American Society for Testing and Materials.

(h) "AWS" means American Welding Society.

(i) "BTU" means British thermal unit.

(j) "BTUH" means British thermal unit per hour.

(k) "CFM" means cubic feet per minute.

(l) "CFR" means Code of Federal Regulations.

(m) "CGA" means Compressed Gas Association.

(n) "CIE" means Commission Internationale de l'Eclairage.

(o) "DOT" means department of transportation.

(p) "FRP" means fiberglass reinforced plastic.

(q) "GPM" means gallons per minute.

(r) "ICC" means Interstate Commerce Commission.

(s) "ID" means inside diameter.

(t) "LPG" means liquefied petroleum gas.

(u) "MCA" means Manufacturing Chemist Association. (New name: Chemical Manufacturers Association.)

(v) "NBFU" means National Board of Fire Underwriters.

(w) "NEMA" means National Electrical Manufacturing Association.

(x) "NFPA" means National Fire Protection Association.

(y) "NTP" means normal temperature and pressure.

(z) "OD" means outside diameter.

(aa) "PSI" means pounds per square inch.

(bb) "PSIA" means pounds per square inch atmospheric.

(cc) "PSIG" means pounds per square inch gauge.

(dd) "RMA" means Rubber Manufacturers Association.

(ee) "SAE" means Society of Automotive Engineers.

(ff) "TFI" means The Fertilizer Institute.

(gg) "TSC" means Trailer Standard Code.

(hh) "UL" means Underwriters' Laboratories, Inc.

(ii) "USASI" means United States of America Standards Institute.

(jj) "USC" means United States Code.

(kk) "USCG" means United States Coast Guard.

(ll) "WAC" means Washington Administrative Code.

(mm) "WISHA" means Washington Industrial Safety and Health Act of 1973.

~~((PART B-1
TEMPORARY LABOR CAMPS AND NONWATER-
CARRIAGE DISPOSAL SYSTEMS))~~

**PART E
HAZARDOUS MATERIALS, FLAMMABLE AND
COMBUSTIBLE LIQUIDS, SPRAY FINISHING(~~(DIP-
TANKS))~~)**

Hazardous Materials

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-56527 Fire alarm signaling systems. The employer shall assure that fire alarm signaling systems are maintained and tested in accordance with the requirements of WAC (~~(296-24-63107))~~ 296-800-31080.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-61703 General requirements. (1) Fixed extinguishing system components and agents shall be

designed and approved for use on the specific fire hazards they are expected to control or extinguish.

(2) If for any reason a fixed extinguishing system becomes inoperable, the employer shall notify employees and take the necessary temporary precautions to assure their safety until the system is restored to operating order. Any defects or impairments shall be properly corrected by trained personnel.

(3) The employer shall provide a distinctive alarm or signaling system which complies with WAC ((296-24-631)) 296-800-310, and is capable of being perceived above ambient noise or light levels, on all extinguishing systems in those portions of the workplace covered by the extinguishing system to indicate when the extinguishing system is discharging. Discharge alarms are not required on systems where discharge is immediately recognizable.

(4) The employer shall provide effective safeguards to warn employees against entry into discharge areas where the atmosphere remains hazardous to employee safety or health.

(5) The employer shall post hazard warning or caution signs at the entrance to, and inside of, areas protected by fixed extinguishing systems which use agents in concentrations known to be hazardous to employee safety and health.

(6) The employer shall assure that fixed systems are inspected annually by a person knowledgeable in the design and function of the system to assure that the system is maintained in good operating condition.

(7) The employer shall assure that the weight and pressure of refillable containers is checked at least semiannually. If the container shows a loss in net content or weight of more than five percent, or a loss in pressure of more than ten percent, it shall be subjected to maintenance.

(8) The employer shall assure that factory charged non-refillable containers which have no means of pressure indication are weighed at least semiannually. If a container shows a loss in net weight of more than five percent it shall be replaced.

(9) The employer shall assure that inspection and maintenance dates are recorded on the container, on a tag attached to the container, or in a central location. A record of the last semiannual check shall be maintained until the container is checked again or for the life of the container, whichever is less.

(10) The employer shall train employees designated to inspect, maintain, operate, or repair fixed extinguishing systems and annually review their training to keep them up-to-date in the functions they are to perform.

(11) The employer shall not use chlorobromomethane or carbon tetrachloride as an extinguishing agent where employees may be exposed.

(12) The employer shall assure that systems installed in the presence of corrosive atmospheres are constructed of noncorrosive material or otherwise protected against corrosion.

(13) Automatic detection equipment shall be approved, installed and maintained in accordance with WAC 296-24-629.

(14) The employer shall assure that all systems designed for and installed in areas with climatic extremes shall operate effectively at the expected extreme temperatures.

(15) The employer shall assure that at least one manual station is provided for discharge activation of each fixed extinguishing system.

(16) The employer shall assure that manual operating devices are identified as to the hazard against which they will provide protection.

(17) The employer shall provide and assure the use of the personal protective equipment needed for immediate rescue of employees trapped in hazardous atmospheres created by an agent discharge.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-63399 Appendix C—Fire protection references for further information. (1) Appendix general references. The following references provide information which can be helpful in understanding the requirements contained in all of the sections of Part G:

(a) Fire Protection Handbook, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(b) Accident Prevention Manual for Industrial Operations, National Safety Council, 444 North Michigan Avenue, Chicago, IL 60611.

(c) Various associations also publish information which may be useful in understanding these standards. Examples of these associations are: Fire Equipment Manufacturers Association (FEMA) of Cleveland, OH 44115-2851, and the National Association of Fire Equipment Distributors (NAFED) of Chicago, IL 60611-4267.

(2) Appendix references applicable to individual sections. The following references are grouped according to individual sections contained in Part G. These references provide information which may be helpful in understanding and implementing the standards of each section of Part G.

(a) WAC 296-24-58505 - Fire brigades:

(i) Private Fire Brigades, NFPA 27; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Initial Fire Attack, Training Standard On, NFPA 197; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Fire Fighter Professional Qualifications, NFPA 1001; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Organization for Fire Services, NFPA 1201; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(v) Organization of a Fire Department, NFPA 1202; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vi) Protective Clothing for Structural Fire Fighting, ANSI/NFPA 1971; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vii) American National Standards Institute for Men's Safety-Toe Footwear, ANSI Z41.1; American National Standards Institute, New York, NY 10036.

(viii) American National Standards Institute for Occupational and Educational Eye and Face Protection, ANSI Z87.1;

American National Standards Institute, New York, NY 10036.

(ix) American National Standards Institute, Safety Requirements for Industrial Head Protection, ANSI Z89.1; American National Standards Institute, New York, NY 10036.

(x) Specifications for Protective Headgear for Vehicular Users, ANSI Z90.1; American National Standards Institute, New York, NY 10036.

(xi) Testing Physical Fitness; Davis and Santa Maria, Fire Command, April 1975.

(xii) Development of a Job-Related Physical Performance Examination for Fire Fighters; Dotson and Others. A summary report for the National Fire Prevention and Control Administration, Washington, D.C., March 1977.

(xiii) Proposed Sample Standards for Fire Fighters' Protective Clothing and Equipment; International Association of Fire Fighters, Washington, D.C. 20006-5395.

(xiv) A Study of Facepiece Leakage of Self-Contained Breathing Apparatus by DOP Man Tests; Los Alamos National Laboratory, Los Alamos, N.M.

(xv) The Development of Criteria for Fire Fighters' Gloves; Vol. II: Glove Criteria and Test Methods; National Institute for Occupational Safety and Health, Cincinnati, Ohio, 1976.

(xvi) Model Performance Criteria for Structural Fire Fighters' Helmets; National Fire Prevention and Control Administration, Washington, D.C., 1977.

(xvii) Fire Fighters; Job Safety and Health Magazine, Occupational Safety and Health Administration, Washington, D.C., June 1978.

(xviii) Eating Smoke—The Dispensable Diet; Utech, H.P. The Fire Independent, 1975.

(xix) Project Monoxide—A Medical Study of an Occupational Hazard of Fire Fighters; International Association of Fire Fighters, Washington, D.C. 20006-5395.

(xx) Occupational Exposures to Carbon Monoxide in Baltimore Fire Fighters; Radford Baltimore, MD. Journal of Occupational Medicine, September, 1976.

(xxi) Fire Brigades; National Safety Council, Chicago, IL 60611, 1966.

(xxii) American National Standards Institute, Practice for Respiratory Protection for the Fire Service, ANSI Z88.5; American National Standards Institute, New York, NY 10036.

(xxiii) Respirator Studies for the Nuclear Regulatory Commission; October 1, 1977—September 30, 1978. Evaluation and Performance of Open-Circuit Breathing Apparatus. NUREG/CR-1235. Los Alamos National Laboratory; Los Alamos, NM 87545, January, 1980.

(b) WAC 296-24-592 - Portable fire extinguishers:

(i) Standard for Portable Fire Extinguishers, ANSI/NFPA 10; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(ii) Methods for Hydrostatic Testing of Compressed-Gas Cylinders, C-1; Compressed Gas Association, 1725 Jefferson Davis Highway, Arlington, VA 22202-4100.

(iii) Recommendations for the Disposition of Unserviceable Compressed-Gas Cylinders, C-2; Compressed Gas

Association, 1725 Jefferson Davis Highway, Arlington, VA 22202-4100.

(iv) Standard for Visual Inspection of Compressed-Gas Cylinders, C-6; Compressed Gas Association, 1725 Jefferson Davis Highway, Arlington, VA 22202-4100.

(v) Portable Fire Extinguisher Selection Guide, National Association of Fire Equipment Distributors, 401 North Michigan Avenue Chicago, IL 60611-4267.

(c) WAC 296-24-602 - Standpipe and hose systems:

(i) Standard for the Installation of Sprinkler Systems, ANSI/NFPA 13; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard of the Installation of Standpipe and Hose Systems, ANSI/NFPA 14; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard for the Installation of Centrifugal Fire Pumps, ANSI/NFPA 20; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Standard for Water Tanks for Private Fire Protection, ANSI/NFPA 22; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(v) Standard for Screw Threads and Gaskets for Fire Hose Connections, ANSI/NFPA 194; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vi) Standard for Fire Hose, NFPA 196; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vii) Standard for the Care of Fire Hose, NFPA 198; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(d) WAC 296-24-607 - Automatic sprinkler systems:

(i) Standard of the Installation of Sprinkler Systems, ANSI/NFPA 13; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard for the Care and Maintenance of Sprinkler Systems, ANSI/NFPA 13A; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard for the Installation of Standpipe and Hose Systems, ANSI/NFPA 14; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Standard for the Installation of Centrifugal Fire Pumps, ANSI/NFPA 20; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(v) Standard for Water Tanks for Private Fire Protection, ANSI/NFPA 22; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vi) Standard for Indoor General Storage, ANSI/NFPA 231; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vii) Standard for Rack Storage of Materials, ANSI/NFPA 231C; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(e) WAC 296-24-617 - Fixed extinguishing systems, general information:

(i) Standard for Foam Extinguishing Systems, ANSI/NFPA 11; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard for Hi-Expansion Foam Systems, ANSI/NFPA 11A; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard on Synthetic Foam and Combined Agent Systems, ANSI/NFPA 11B; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Standard on Carbon Dioxide Extinguishing Systems, ANSI/NFPA 12; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(v) Standard on Halon 1301, ANSI/NFPA 12A; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vi) Standard on Halon 1211, ANSI/NFPA 12B; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vii) Standard for Water Spray Systems, ANSI/NFPA 15; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(viii) Standard for Foam-Water Sprinkler Systems and Foam-Water Spray Systems, ANSI/NFPA 16; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ix) Standard for Dry Chemical Extinguishing Systems, ANSI/NFPA 17; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(f) WAC 296-24-622 - Fixed extinguishing systems, dry chemical:

(i) Standard for Dry Chemical Extinguishing Systems, ANSI/NFPA 17; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapor from Commercial Cooling Equipment, NFPA 96; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(g) WAC 296-24-623 - Fixed extinguishing systems, gaseous agents:

(i) Standard on Carbon Dioxide Extinguishing Systems, ANSI/NFPA 12; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard on Halon 1301, ANSI/NFPA 12B; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard on Halon 1211, ANSI/NFPA 12B; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Standard on Explosion Prevention Systems, ANSI/NFPA 69; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(v) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vi) Standard on Automatic Fire Detectors, ANSI/NFPA 72E; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vii) Determination of Halon 1301/1211 Threshold Extinguishing Concentrations Using the Cup Burner Method, Riley and Olson, Anslul Report AL-530-A.

(h) WAC 296-24-627 - Fixed extinguishing systems, water spray and foam agents:

(i) Standard for Foam Extinguisher Systems, ANSI/NFPA 11; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard for High-Expansion Foam Systems, ANSI/NFPA 11A; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard for Water Spray Fixed Systems for Fire Protection, ANSI/NFPA 15; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Standard for the Installation of Foam-Water Sprinkler Systems and Foam-Water Spray Systems, ANSI/NFPA 16; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(i) WAC 296-24-629 - Fire detection systems:

(i) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard for Central Station Signaling Systems, ANSI/NFPA 71; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard on Automatic Fire Detectors, ANSI/NFPA 72E; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(j) WAC ((296-24-634)) 296-800-310 - Employee alarm systems:

(i) National Electrical Code, ANSI/NFPA 70; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(ii) Standard for Central Station Signaling Systems, ANSI/NFPA 71; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iii) Standard for Local Protective Signaling Systems, ANSI/NFPA 72A; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(iv) Standard for Auxiliary Protective Signaling Systems, ANSI/NFPA 72B; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(v) Standard for Remote Station Protective Signaling Systems, ANSI/NFPA 72C; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vi) Standard for Proprietary Protective Signaling Systems, ANSI/NFPA 72D; National Fire Protection Association, Batterymarch Park, Quincy, MA 02269-9101.

(vii) Vocal Emergency Alarms in Hospitals and Nursing Facilities: Practice and Potential, National Institute of Standards and Technology, Quince Orchard and Clopper Roads, Gaithersburg, MD 20899-0011, July, 1977.

(viii) Fire Alarm and Communication Systems, National Institute of Standards and Technology, Quince Orchard and Clopper Roads, Gaithersburg, MD 20899-0011, April, 1976.

AMENDATORY SECTION (Amending Order 90-18, filed 1/10/91, effective 2/12/91)

WAC 296-24-75011 Railing, toeboards, and cover specifications. (1) A standard railing shall consist of top rail, intermediate rail, and posts, and shall have a vertical height of ((~~from thirty six to~~)) forty-two inches ((nominal)), plus or

minus three inches, from upper surface of top rail to floor, platform, runway, or ramp level and:

(a) The top rail shall be smooth-surfaced throughout the length of the railing.

(b) The intermediate rail shall be approximately halfway between the top rail and the floor, platform, runway, or ramp.

(c) The ends of the rails shall not overhang the terminal posts except where such overhang does not constitute a projection hazard.

(d) Guardrails with heights greater than 42 inches are permissible provided the extra height does not create a dangerous situation for employees and that additional mid-rails were installed so that openings beneath the top rail would not permit the passage of a 19-inch or larger spherical object.

(2) A stair railing shall be of construction similar to a standard railing but the vertical height shall be not more than thirty-four inches nor less than thirty inches from upper surface of top rail to surface of tread in line with face of riser at forward edge of tread.

(3) Minimum requirements for standard railings under various types of construction are specified in this subsection. Dimensions specified are based on the U.S. Department of Agriculture Wood Handbook, No. 72, 1955 (No. 1 (S4S) Southern Yellow Pine (Modulus of Rupture 7,400 p.s.i.)) for wood; ANSI G 41.5-1970, American National Standard Specifications for Structural Steel, for structural steel; and ANSI B 125.1-1970, American National Standard Specifications for Welded and Steamless Steel Pipe, for pipe.

(a) For wood railings, the posts shall be of at least two-inch by four-inch nominal stock spaced not to exceed six feet; the top and intermediate rails shall be of at least two-inch by four-inch nominal stock. If top rail is made of two right-angle pieces of one-inch by four-inch stock, posts may be spaced on eight-foot centers, with two-inch by four-inch intermediate rail.

(b) For pipe railings, posts and top and intermediate railings shall be at least one and one-half inches nominal diameter (outside diameter) with posts spaced not more than eight feet on centers.

(c) For structural steel railings, posts and top and intermediate rails shall be of two-inch by two-inch by three-eighths-inch angles or other metal shapes of equivalent bending strength with posts spaced not more than eight feet on centers.

(d) The anchoring of posts and framing of members for railings of all types shall be of such construction that the completed structure shall be capable of withstanding a load of at least two hundred pounds applied in any direction at any point on the top rail.

(e) Other types, sizes, and arrangements of railing construction are acceptable provided they meet the following conditions:

(i) A smooth-surfaced top rail at a height above floor, platform, runway, or ramp level of from thirty-six to forty-two inches nominal;

(ii) A strength to withstand at least the minimum requirement of two hundred pounds top rail pressure;

(iii) Protection between top rail and floor, platform, runway, ramp, or stair treads, equivalent at least to that afforded by a standard intermediate rail;

(iv) Elimination of overhang of rail ends unless such overhang does not constitute a hazard; such as, baluster railings, scrollwork railings, paneled railings.

(4) A standard toeboard shall be a minimum of four inches nominal in vertical height from its top edge to the level of the floor, platform, runway, or ramp. It shall be securely fastened in place and with not more than one-quarter-inch clearance above floor level. It may be made of any substantial material either solid or with openings not over one inch in greatest dimension.

Where material is piled to such height that a standard toeboard does not provide protection, paneling from floor to intermediate rail, or to top rail shall be provided.

(5) A handrail shall consist of a lengthwise member mounted directly on a wall or partition by means of brackets attached to the lower side of the handrail so as to offer no obstruction to a smooth surface along the top and both sides of the handrail. The handrail shall be of rounded or other section that will furnish an adequate handhold for anyone grasping it to avoid falling. The ends of the handrail should be turned in to the supporting wall or otherwise arranged so as not to constitute a projection hazard.

(a) The height of handrails shall be not more than thirty-four inches nor less than thirty inches from upper surface of handrail to surface of tread in line with face of riser or to surface of ramp.

(b) The size of handrails shall be: When of hardwood, at least two inches in diameter; when of metal pipe, at least one and one-half inches in diameter. The length of brackets shall be such as will give a clearance between handrail and wall or any projection thereon of at least one and one-half inches. The spacing of brackets shall not exceed eight feet.

(c) The mounting of handrails shall be such that the completed structure is capable of withstanding a load of at least two hundred pounds applied in any direction at any point on the rail.

(6) All handrails and railings shall be provided with a clearance of not less than one and one-half inches between the handrail or railing and any other object.

(7) Floor opening covers may be of any material that meets the following strength requirements:

(a) Trench or conduit covers and their supports, when located in plant roadways, shall be designed to carry a truck rear-axle load of at least twenty thousand pounds.

(b) Manhole covers and their supports, when located in plant roadways, shall comply with local standard highway requirements if any; otherwise, they shall be designed to carry a truck rear-axle of at least twenty thousand pounds.

(c) The construction of floor opening covers may be of any material that meets the strength requirements. Covers projecting not more than one inch above the floor level may be used providing all edges are chamfered to an angle with the horizontal of not over thirty degrees. All hinges, handles, bolts, or other parts shall set flush with the floor or cover surface.

(8) Skylight screens shall be of such construction and mounting that they are capable of withstanding a load of at least two hundred pounds applied perpendicularly at any one area on the screen. They shall also be of such construction and mounting that under ordinary loads or impacts, they will

not deflect downward sufficiently to break the glass below them. The construction shall be of grillwork with openings not more than four inches long or of slatwork with openings not more than two inches wide with length unrestricted.

(9) Wall opening barriers (rails, rollers, picket fences, and half doors) shall be of such construction and mounting that, when in place at the opening, the barrier is capable of withstanding a load of at least two hundred pounds applied in any direction (except upward) at any point on the top rail or corresponding member.

(10) Wall opening grab handles shall be not less than twelve inches in length and shall be so mounted as to give one and one-half inches clearance from the side framing of the wall opening. The size, material, and anchoring of the grab handle shall be such that the completed structure is capable of withstanding a load of at least two hundred pounds applied in any direction at any point of the handle.

(11) Wall opening screens shall be of such construction and mounting that they are capable of withstanding a load of at least two hundred pounds applied horizontally at any point on the near side of the screen. They may be of solid construction, of grillwork with openings not more than eight inches long, or of slatwork with openings not more than four inches wide with length unrestricted.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-95603 Electric utilization systems. (1) Scope.

(a) **Covered.** The provisions of WAC 296-24-95603 through 296-24-985 cover electrical installations and utilization equipment installed or used within or on buildings, structures, and other premises including:

- (i) Yards;
- (ii) Carnivals;
- (iii) Parking and other lots;
- (iv) Mobile homes;
- (v) Recreational vehicles;
- (vi) Industrial substations under 750 volts. Chapter ((296-44)) 296-45 WAC, Safety standards((—)) for electrical ((Construction Code)) workers, shall apply to industrial substations of 750 volts or more;
- (vii) Conductors that connect the installations to a supply of electricity; and
- (viii) Other outside conductors on the premises.

(b) **Not covered.** The provisions of WAC 296-24-95603 through 296-24-985 do not cover:

- (i) Installations in ships, watercraft, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.
- (ii) Installations underground in mines.
- (iii) Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.
- (iv) Installations of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.

(v) Installations under the exclusive control of electric utilities for the purpose of communication or metering; or for the generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

(2) Extent of application.

(a) The requirements contained in the sections listed below shall apply to all electrical installations and utilization equipment, regardless of when they were designed or installed:

Sections:			
WAC 296-24-95605	(2)		Examination, installation, and use of equipment.
"	"	(3)	Splices.
"	"	(4)	Arcing parts.
"	"	(5)	Marking.
"	"	(6)	Identification of disconnecting means.
"	"	(7)(b)	Guarding of live parts.
WAC 296-24-95607	(5)(a)(i)		Protection of conductors and equipment.
"	"	(5)(a)(iv)	Location in or on premises.
"	"	(5)(a)(v)	Arcing or suddenly moving parts.
"	"	(6)(a)(ii)	2-Wire DC systems to be grounded.
"	"	(6)(a)(iii) and (iv)	AC systems to be grounded.
"	"	(6)(a)(v)	AC systems 50 to 1000 volts not required to be grounded.
"	"	(6)(c)	Grounding connections.
"	"	(6)(d)	Grounding path.
WAC 296-24-95607	(6)(e)(iv)	(A) through (D)	Fixed equipment required to be grounded.
"	"	(6)(e)(v)	Grounding of equipment connected by cord and plug.
"	"	(6)(e)(vi)	Grounding or nonelectrical equipment.
"	"	(6)(f)(i)	Methods of grounding fixed equipment.
WAC 296-24-95609	(7)(a)(i) and (ii)		Flexible cords and cables, uses.
"	"	(7)(a)(iii)	Flexible cords and cables prohibited.
"	"	(7)(b)(ii)	Flexible cords and cables, splices.
"	"	(7)(b)(iii)	Pull at joints and terminals of flexible cords and cables.
WAC 296-24-95613			Hazardous (classified) locations.

(b) Every electric utilization system and all utilization equipment installed after March 15, 1972, and every major replacement, modification, repair, or rehabilitation, after March 15, 1972, of any part of any electric utilization system or utilization equipment installed before March 15, 1972, shall comply with the provisions of WAC 296-24-956 through 296-24-985.

Note: "Major replacements, modifications, repairs, or rehabilitations" include work similar to that involved when a new building or facility is built, a new wing is added, or an entire floor is renovated.

EXPEDITED

(c) The following provisions apply to electric utilization systems and utilization equipment installed after April 16, 1981:

- WAC 296-24-95605 (8)(d)(i) and (ii) .. Entrance and access to work space (over 600 volts).
- WAC 296-24-95607 (5) (a)(vi)(B) Circuit breakers operated vertically.
- " " (5)(a)(vi)(C) Circuit breakers used as switches.
- " " (6)(g)(ii) Grounding of systems of 1000 volts or more supplying portable or mobile equipment.
- WAC 296-24-95609 (10)(f)(ii)(B) Switching series capacitors over 600 volts.
- WAC 296-24-95611 (3)(b) Warning signs for elevators and escalators.
- " " (9) Electrically controlled irrigation machines.
- " " (10)(e) Ground-fault circuit interrupters for fountains.
- WAC 296-24-95615 (1)(a)(ii) Physical protection of conductors over 600 volts.
- " " (3)(b) Marking of Class 2 and Class 3 power supplies.
- " " (4) Fire protective signaling circuits.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-24-120 Sanitation.

WSR 03-24-092
EXPEDITED RULES
OFFICE OF THE
SECRETARY OF STATE
 (Corporations Division)
 [Filed December 3, 2003, 10:07 a.m.]

Title of Rule: Adoption of a system of classification of goods and services under the State Trademark Act, chapter 19.77 RCW.

Purpose: Section 4, chapter 34, Laws of 2003, directs the Office of the Secretary of State to adopt a classification schedule for the filing of trademarks. This section further directs that to the extent possible, the schedule of classification should conform to the schedule adopted by the United States Patent and Trademark Office (USPTO). This rule making adopts the USPTO schedule of goods and services for use under chapter 19.77 RCW, the State Trademark Act. This rule making also repeals a hearing process that is no longer authorized by chapter 19.77 RCW.

Statutory Authority for Adoption: RCW 19.77.115.

Statute Being Implemented: RCW 19.77.115.

Summary: This rule will permanently adopt the schedule for classification of goods and services established for trade and service mark filings by the USPTO. This change has been in effect since July 27, 2003, via emergency rule

adoption. The rule also permanently repeals sections of chapter 434-12 WAC that describe a hearing process for revoking trademarks. The statutes authorizing this hearing process were repealed.

Reasons Supporting Proposal: (1) Comply with statutory directive to adopt the federal standard for classification of goods and services.

(2) Repeal obsolete regulatory provisions governing a hearing process no longer authorized by Washington law.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: William B. Kellington, 801 Capitol Way South, Olympia, WA, (360) 753-2524.

Name of Proponent: Office of the Secretary of State, Corporations Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule adopts the USPTO schedule for classifying goods and services for the purpose of registering trade and service marks under chapter 19.77 RCW, the Washington Trademark Act. This will reduce confusion resulting from differences in classes available and class definitions between the Washington and the federal trademark laws.

Proposal Changes the Following Existing Rules: The rule makes permanent the emergency repeal of existing sections of chapter 434-12 WAC. Prior to the emergency repeal, this section provided rules for a hearing process to revoke trademark registrations. The statute authorizing this hearing process was repealed in the late 1980s.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO William B. Kellington, Office of the Secretary of State, Corporations Division, 801 Capitol Way South, Olympia, WA 98504-0234, AND RECEIVED BY February 2, 2004.

December 2, 2003

Steve Excell

Assistant Secretary of State

NEW SECTION

WAC 434-12-015 Classification of goods and services. (1) The corporations division adopts the following table for classification of goods and services:

Goods

1. Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins; unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

EXPEDITED

2. Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

4. Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks.

5. Pharmaceutical, veterinary, and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

6. Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; nonelectric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

7. Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.

8. Hand tools and implements (hand-operated); cutlery; side arms; razors.

9. Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire extinguishing apparatus.

10. Surgical, medical, dental, and veterinary apparatus and instruments, artificial limbs, eyes, and teeth; orthopedic articles; suture materials.

11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply, and sanitary purposes.

12. Vehicles; apparatus for locomotion by land, air, or water.

13. Firearms; ammunition and projectiles; explosives; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones; horological and chronometric instruments.

15. Musical instruments.

16. Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks.

17. Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

18. Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

19. Building materials (nonmetallic); nonmetallic rigid pipes for building; asphalt, pitch and bitumen; nonmetallic transportable buildings; monuments, not of metal.

20. Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

21. Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

23. Yarns and threads, for textile use.

24. Textiles and textile goods, not included in other classes; beds and table covers.

25. Clothing, footwear, headgear.

26. Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

27. Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (nontextile).

28. Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.

32. Beers; mineral and aerated waters and other nonalcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

33. Alcoholic beverages (except beers).

34. Tobacco; smokers' articles; matches.

Services

35. Advertising; business management; business administration; office functions.

36. Insurance; financial affairs; monetary affairs; real estate affairs.
37. Building construction; repair; installation services.
38. Telecommunications.
39. Transport; packaging and storage of goods; travel arrangement.
40. Treatment of materials.
41. Education; providing of training; entertainment; sporting and cultural activities.
42. Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services.
43. Services for providing food and drink; temporary accommodations.
44. Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.
45. Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals.

WAC 434-12-210

WAC 434-12-220

WAC 434-12-230

Rules of evidence.

Record.

Form and content of decision.

(2) This table is adopted from the schedule for classification of goods and services published by the United States Patent and Trademark Office.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-12-010	Authority and purpose.
WAC 434-12-020	Applicable statute.
WAC 434-12-030	Definitions.
WAC 434-12-040	Form of papers.
WAC 434-12-050	Caption.
WAC 434-12-060	Signing papers.
WAC 434-12-070	Verification.
WAC 434-12-080	Computation of time.
WAC 434-12-090	Appearance and practice before secretary.
WAC 434-12-100	Service of process.
WAC 434-12-110	Joinder, consolidation.
WAC 434-12-120	Withdrawal of petition.
WAC 434-12-130	Notice of hearing.
WAC 434-12-140	Hearing examiner.
WAC 434-12-150	Motions.
WAC 434-12-160	Discovery.
WAC 434-12-170	Subpoenas.
WAC 434-12-180	Prehearing conference.
WAC 434-12-200	Hearings are public.



WSR 03-23-022

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed November 10, 2003, 3:47 p.m.]

Date of Adoption: November 7, 2003.

Purpose: In accordance with RCW 71.09.040(4), the department is revising the evaluation sections of chapter 388-880 WAC, and any related rules, that refer to "evaluations, evaluation criteria, evaluation preparation, and other procedures" to determine if a person meets the definition of a sexually violent predator pursuant to chapter 71.09 RCW. When effective, the permanent rule will replace and supersede emergency rules filed as WSR 03-19-119.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-880-032; and amending WAC 388-880-005, 388-880-007, 388-880-010, 388-880-020, 388-880-030, 388-880-031, 388-880-040, 388-880-042, 388-880-044, 388-880-045, 388-880-050, and 388-880-060.

Statutory Authority for Adoption: RCW 71.09.040(4).

Adopted under notice filed as WSR 03-18-106 on September 2, 2003.

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 5, Amended 12, 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 5, Amended 12, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

November 7, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Chapter 388-880 WAC

~~((SEXUAL PREDATOR PROGRAM))~~ SPECIAL
COMMITMENT—~~((ESCORTED LEAVE))~~ SEXU-
ALLY VIOLENT PREDATORS

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-005 Special commitment of sexually violent predators—Legal basis. (1) Chapter 71.09 RCW authorizes the department to develop a sexual predator program (SPP) for a person the court determines to be a sexually violent predator.

(2) ~~((Beginning July 1, 1990,))~~ The department's SPP shall provide:

(a) Custody, supervision, and evaluation of a person court-detained to the SPP to determine if the person meets the definition of a sexually violent predator under chapter 71.09 RCW; and

(b) Treatment, care, evaluation and control of a person court-committed as a sexually violent predator.

(3) Evaluations and evaluation procedures may be established in coordination with the department, the department of corrections and the end of sentence review committee.

(4) Secure facilities operated by the department for the sexual predator program include the special commitment center (SCC) total confinement facility, the secure community transition facility, and any community-based facilities established under chapter 71.09 RCW and operated by the secretary or under contract with the secretary.

(5) The secretary or designee may execute such agreements as appropriate and necessary to implement this chapter.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-007 Purpose. These rules carry out the legislative intent of chapter 71.09 RCW, authorizing the department to provide evaluation, care, control, and treatment of persons court-detained or court-committed to the sexual predator program (~~((identified as the special commitment center))~~).

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-010 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

"**Appropriate facility**" means the total confinement facility the department uses to hold and evaluate a person court-detained under chapter 71.09 RCW.

"**Care**" means a service the department provides during a person's detention or commitment within a secure facility toward adequate health, shelter, and physical sustenance.

"**Control**" means a restraint, restriction, or confinement the department applies protecting a person from endangering self, others, or property during a period of custody under chapter 71.09 RCW.

"**Department**" means the department of social and health services.

"**Escorted leave**" means a leave of absence from a facility housing persons court-detained or court-committed under chapter 71.09 RCW under the continuous supervision of an escort.

"**Evaluation**" means an examination, report, or recommendation by a professionally qualified person (~~((makes determining))~~ to determine if a person has a personality disorder and/or mental abnormality (~~((as defined in chapter 71.09 RCW,))~~ which renders the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.

"Immediate family" includes a resident's parents, step-parents, parent surrogates, legal guardians, grandparents, spouse, brothers, sisters, half or stepbrothers or sisters, children, stepchildren, and other dependents.

"Indigent" means a resident who has not been credited with twenty-five dollars or more total from any source for deposit to the resident's trust fund account during the thirty days preceding the request for an escorted leave and has less than a twenty-five dollar balance in his/her trust fund account on the day the escorted leave is requested, and together with his/her requesting immediate family member affirm in writing that they cannot afford to pay the costs of the escorted leave without undue hardship. A declaration of indigency shall be signed by the resident and the resident's requesting immediate family member on forms provided by the department.

"Individual treatment plan (ITP)" means an outline the SCC staff persons develop detailing how control, care, and treatment services are provided to a court-committed person or to a court-detained person.

"Less restrictive alternative" means court-ordered treatment in a setting less restrictive than total confinement which satisfies the conditions stated in RCW 71.09.092.

"Less restrictive alternative facility" means a secure community transition facility as defined under RCW 71.09.020(1).

"Mental abnormality" means a congenital or acquired condition, including a personality disorder, affecting the person's emotional or volitional capacity, predisposing the person to the commission of criminal sexual acts in a degree constituting such person a menace to the health and safety of others.

"Oversight" means official direction, guidance, review, inspection, investigation, and information gathering activities conducted for the purposes of program quality assurance by persons or entities within, or external to, the SCC.

"Personality disorder" carries the same definition as found in the DSM-IV-TR and includes psychopathy as assessed using the Hare PCL-R or similar instrument.

"Predatory" means acts a person directs toward:

- (1) Strangers;
- (2) Individuals with whom a relationship has been established or promoted for the primary purpose of victimization; or
- (3) Persons of casual acquaintance with whom no substantial personal relationship exists.

"Professionally qualified person" means:

- (1) (~~"Mental health counselor" means a person licensed as a mental health counselor under chapter 251, Laws of 2001;~~)
- (2) ~~"Psychiatric nurse" means a person licensed as a registered nurse under chapter 18.79 RCW and having two or more years supervised clinical experience;~~
- (3) **"Psychiatrist"** means a person licensed as a physician (under) in this state, or licensed or certified in another state, in accordance with chapters 18.71 and 18.57 RCW. In addition, the person shall:
 - (a) Have completed three years of graduate training in a psychiatry program approved by the American Medical Association or the American Osteopathic Association; and

(b) Be certified, or eligible to be certified, by the American Board of Psychiatry and Neurology.

~~((4)) (2) "Psychologist" means a person licensed as a doctor of psychology (under) in this state, or licensed or certified in another state, in accordance with chapter 18.83 RCW;~~

~~((5) "Social worker" means a person licensed as an advanced social worker or independent clinical social worker under chapter 251, Laws of 2001; and~~

~~(6)) (3) "Clinical practitioner" means a sex offender treatment provider certified by the department of health under chapter 18.155 RCW (, or a forensic therapist three or forensic therapist supervisor designated to perform annual evaluations).~~

"Resident" means a person court-detained or court-committed pursuant to chapter 71.09 RCW.

"Secretary" means the secretary of the department of social and health services or the secretary's designee.

"Secure community transition facility" means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under chapter 71.09 RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include, but are not limited to, the facilities established in RCW 71.09.201 and any community-based facilities established under chapter 71.09 RCW and operated by the secretary or under contract with the secretary.

"Secure facility" means a residential facility for persons court-detained or court-committed under the provisions of chapter 71.09 RCW that includes security measures sufficient to protect the community. Such facilities include total confinement facilities, secure community transition facilities, and any residence used as a court-ordered placement in RCW 71.09.096.

"Sexual predator program" means a department-administered and operated program including the special commitment center (SCC) established for:

- (1) A court-detained person's custody and evaluation; or
- (2) Control, care, and treatment of a court-committed person defined as a sexually violent predator under chapter 71.09 RCW.

"Sexually violent offense" means an act defined under chapter 9A.28 RCW, RCW 9.94A.030 and 71.09.020.

"Sexually violent predator" means any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.

"Superintendent" means the person delegated by the secretary of the department to be responsible for the general operation, program, and facilities of the SCC.

"Total confinement facility" means a facility that provides supervision and sex offender treatment services in a total confinement setting. Total confinement facilities include the special commitment center and any similar facility designated as a secure facility by the secretary.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-020 Authorization for indefinite commitment to the sexual predator program. A person must be admitted to the custody of the department ((shall admit a person as a sexually violent predator only when:

(1) ~~A court determines probable cause exists and orders the person transferred to an appropriate facility for evaluation;~~

(2) ~~The person is evaluated by one or more professionally qualified persons;~~

(3) ~~The person is found to have a personality disorder and/or mental abnormality which makes the person more likely than not to engage in predatory acts of sexual violence unless confined in a secure facility; and~~

(4)) when, under RCW 71.09.060, a court or jury ((finds a person)) determines, beyond a reasonable doubt, ((to be)) that the person is a sexually violent predator and commits the person ((is committed to the department's custody)) for placement in a secure facility operated by the department for control, care, and treatment.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-030 Sexual predator program initial evaluation((—Reporting)). (1) When a court orders a person transferred to an appropriate facility for an evaluation as to whether the person is a sexually violent predator, pursuant to RCW 71.09.040(4), the department shall, prior to the scheduled commitment hearing or trial, ~~((evaluate and))~~ provide ~~((a recommendation))~~ an evaluation to the court, and must make a recommendation as to whether the person has been convicted of or charged with a crime of sexual violence and suffers from a mental abnormality or personality disorder which makes the person more likely than not to engage in predatory acts of sexual violence if not confined in a secure facility.

(2) ~~((If the trial is continued beyond the forty five day period specified in RCW 71.09.050(1), the evaluation must be completed and provided to attorneys for the prosecution and defense by the date ordered by the trial court or at least thirty days prior to trial))~~ The evaluation must be conducted in accordance with the criteria set forth in WAC 388-880-033, and must be in the form required by and filed in accordance with WAC 388-880-034 and 388-880-036.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-031 Sexual predator program annual evaluation((—Reporting)). (1) Annually or as required by court order, the department shall conduct an evaluation and examine the mental condition of each person court-committed under chapter 71.09 RCW.

(2) The annual ~~((report shall))~~ evaluation must include consideration of whether:

(a) The person currently meets the definition of a sexually violent predator; and

(b) Conditional release to a less restrictive alternative is in the best interest of the person and conditions can be imposed that would adequately protect the community.

~~((2))~~ (3) The report of the department shall be in the form of a declaration or certification in compliance with the requirements of RCW 9A.72.085 and shall be prepared by a professionally qualified person as defined herein.

~~((3))~~ (4) The department shall file this periodic report with the court that detained or committed the person under chapter 71.09 RCW.

~~((4))~~ (5) A copy of this report shall be served on the prosecuting agency involved in the initial hearing or commitment and upon the detained or committed person and his or her counsel.

NEW SECTION

WAC 388-880-033 Evaluator—Qualifications. Professionally qualified persons under contract to provide evaluative services must:

(1) have demonstrated expertise in conducting evaluations of sex offenders, including diagnosis and assessment of re-offense risk,

(2) have demonstrated expertise in providing expert testimony related to sex offenders of other forensic topics, and

(3) provide documentation of such qualification to the department.

NEW SECTION

WAC 388-880-034 Evaluator—Pre-trial evaluation responsibilities. The evaluation done in accordance with WAC 388-880-030(1) in preparation for a trial or hearing must be based on the following:

(1) Examination of the resident, including a forensic interview and a medical examination, if necessary;

(2) Review of the following records, tests or reports relating to the person:

(a) All available criminal records, to include arrests and convictions, and records of institutional custody, including city, county, state and federal jails or institutions, with any records and notes of statements made by the person regarding criminal offenses, whether or not the person was charged with or convicted of the offense;

(b) All necessary and relevant court documents;

(c) Sex offender treatment records and, when permitted by law, substance abuse treatment program records, including group notes, autobiographical notes, progress notes, psycho-social reports and other material relating to the person's participation in treatment;

(d) Psychological and psychiatric testing, diagnosis and treatment, and other clinical examinations, including records of custody in a mental health treatment hospital or other facility;

(e) Medical and physiological testing, including plethysmography and polygraphy;

(f) Any end of sentence review report, with information for all prior commitments upon which the report or reports were made;

(g) All other relevant and necessary records, evaluations, reports and other documents from state or local agencies;

- (h) Pertinent contacts with collateral informants;
- (i) Other relevant and appropriate tests that are industry standard practices;
- (j) All evaluations, treatment plans, examinations, forensic measures, charts, files, reports and other information made for or prepared by the SCC which relate to the resident's care, control, observation, and treatment.

NEW SECTION

WAC 388-880-035 Refusal to participate in pre-trial evaluation. If the person refuses to participate in examinations, forensic interviews, psychological testing or any other interviews necessary to conduct the initial evaluation under WAC 388-880-030(1), the evaluator must notify the SCC. The SCC will notify the prosecuting agency for potential court enforcement.

NEW SECTION**WAC 388-880-036 Pre-trial evaluation—Reporting.**

(1) The evaluation must be in the form of a declaration or certification in compliance with the requirements of RCW 9A.72.085 and must be prepared by a professionally qualified person.

- (2) The report of the evaluation must include:
 - (a) A description of the nature of the examination;
 - (b) A diagnosis of the mental condition of the person;
 - (c) A determination of whether the person suffers from a mental abnormality or personality disorder;
 - (d) An opinion as to whether the person meets the definition of a sexually violent predator.
- (3) The department shall file the evaluation with the court that detained or committed the person under chapter 71.09 RCW.

(4) A copy of the evaluation must be served on the prosecuting agency involved in the initial hearing or commitment, and upon the court-detained or court-committed person and his or her counsel.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-040 Individual treatment. (1) When the court detains a person or commits a person to the SCC, SCC staff persons shall develop an individual treatment plan (ITP) for the person.

- (2) The ITP shall be based upon, but not limited to, the following information as may be available:
 - (a) The person's offense history;
 - (b) A psycho-social history;
 - (c) The person's most recent ((~~annual~~)) evaluation; and
 - (d) A statement of high risk factors for potential re-offense, as may be ascertained over time.
- (3) The ITP shall include, but not be limited to:
 - (a) A description of the person's specific treatment needs in:
 - (i) Sex offender specific treatment;
 - (ii) Substance abuse treatment;
 - (iii) Supports to promote psychiatric stability;
 - (iv) Supports for medical conditions and disability;

(v) Social, family, and life skills.

(b) An outline of intermediate and long-range treatment goals, with ((~~and~~)) cognitive and behavioral measures for achieving the goals;

(c) The treatment strategies for achieving the treatment goals;

(d) A description of SCC staff persons' responsibilities; and

(e) A general plan and criteria, keyed to the resident's achievement of long-range treatment goals, for recommending to the court whether the person should be released to a less restrictive alternative.

(4) SCC staff persons shall review the person's ITP every six months.

(5) A court-detained person's plan may include access to program services and opportunities available to persons who are court-committed, with the exception that the court-detained person may be restricted in employment and other activities, depending on program resources and incentives reserved for persons who are court-committed and/or actively involved in treatment.

(6) Nothing in this chapter shall exclude a court-detained person from engaging in the sex offender treatment program and, should the person elect to engage in treatment prior to the person's commitment trial:

(a) The person shall be accorded privileges and access to program services in a like manner as are accorded to a court-committed person in treatment; and

(b) Shall not, solely by reason of the person's voluntary participation in treatment, be judged nor assumed by staff, administrators or professional persons of the SCC or of the department to meet the definition of a sexually violent predator under chapter 71.09 RCW.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-042 Resident records—Purposes. (1) The SCC shall maintain records for each person court-detained for evaluation or court-committed for treatment as a sexually violent predator. Such records shall include:

(a) All evaluations, records, reports, and other documents obtained from other agencies relating to the person prior to the person's detention and/or commitment to the SCC;

(b) All evaluations, clinical examinations, forensic measures, charts, files, reports, and other information made for or prepared by SCC personnel, contracted professionals, or others which relate to the person's care, control, and treatment during the person's detention or commitment to, the SCC.

(2) Records made by contracted professional persons providing treatment or residential services may be maintained in their professional files, subject to contractual arrangement for SCC or department access to those records.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-044 Resident records—Access. (1) Upon request and proper showing, the department shall provide to the following persons access to a court-detained or

court-committed person for an evaluation and access to all records and reports related to the person's detention, commitment, control, care, and treatment:

- (a) The person's attorney;
- (b) The person's professionally qualified person, if any;
- (c) The prosecuting attorney, or the attorney general, if requested by the prosecuting attorney; ~~((and))~~
- (d) The professionally qualified person ~~((approved by the prosecuting attorney or the attorney general)); and~~
- (e) Any entity, person or agency having lawful access to such records.

(2) Upon documented request by a resident, the SCC shall provide the resident supervised access to all records and reports, or to redacted copies thereof, related to the person's commitment, control, care, and treatment. The SCC may reasonably limit conditions, frequency and duration of the person's access to the person's records and reports.

(3) A policy on access to resident records shall be maintained and published to residents of the SCC.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-045 Resident records—Retention. (1)

The SCC shall create schedules and requirements, consistent with department policy, for the retention, storage, and disposal of records, documents, evaluations, reports, and other material related to SCC residents, to include:

- (a) While a person is currently court-detained or court-committed to the SCC;
- (b) Following a court ruling that a person does not meet the definition of a sexually violent ~~((sexual))~~ predator within chapter 71.09 RCW and upon the person's release from the custody of the department;
- (c) Following a resident's unconditional discharge from commitment;
- (d) Following a resident's death.

(2) All original records specified herein and held by the SCC shall be retained in the SCC total confinement facility for a period of five years, and in the records center of the Secretary of State for a period consistent with department administrative policy, after a resident's:

- (a) Release following a court ruling that the person does not meet the definition of a sexually violent ~~((sexual))~~ predator within chapter 71.09 RCW;
- (b) Unconditional discharge from commitment; or
- (c) Death.

AMENDATORY SECTION (Amending WSR 02-02-054, filed 12/27/01, effective 1/27/02)

WAC 388-880-050 Rights of a person court-detained or court-committed to the special commitment center. (1) During a person's period of detention or commitment, the department shall:

- (a) Apprise the person of the person's right to an attorney and to retain a professionally qualified person to perform an evaluation on the person's behalf;
- (b) Provide access to the person and the person's records in accordance with RCW 71.09.080 and WAC 388-880-044.

(2) A person the court detains for evaluation or commits to the SCC shall:

- (a) Receive adequate care and individualized treatment;
- (b) Be permitted to wear the person's own clothing except as may be required during an escorted leave from the secure facility, and to keep and use the person's own possessions, except when deprivation of possessions is necessary for the person's protection and safety, the protection and safety of others, or the protection of property within the SCC;
- (c) Be permitted to accumulate and spend a reasonable amount of money in the person's SCC account;
- (d) Have access to reasonable personal storage space within SCC limitations;
- (e) Be permitted to have approved visitors within reasonable limitations;
- (f) Have reasonable access to a telephone to make and receive confidential calls within SCC limitations; and
- (g) Have reasonable access to letter writing material and to:

- (i) Receive and send correspondence through the mail within SCC limitations and according to established safeguards against the receipt of contraband material to include, in the resident's presence, opening and inspecting packages and fanning written material; and
- (ii) Send written communication regarding the fact of the person's detention or commitment.

(3) A person the court commits to the SCC shall have the following procedural rights to:

- (a) Have reasonable access to an attorney and be informed of the name and address of the person's designated attorney;
- (b) Petition the court for release from the SCC; and
- (c) Receive annual written notice of the person's right to petition the committing court for release. The department's written notice and waiver shall:
 - (i) Include the option to voluntarily waive the right to petition the committing court for release; and
 - (ii) Annually be forwarded to the committing court by the department.

NEW SECTION

WAC 388-880-055 Recommendation for release to a less restrictive alternative (LRA). If the court or jury determines that the person is a sexually violent predator, upon an evaluation which supports a person's unconditional discharge or release to a less restrictive alternative, the secretary or secretary's designee shall authorize the person to petition the court in accordance with RCW 71.09.090.

AMENDATORY SECTION (Amending Order 3054 [WSR 99-21-001], filed 10/6/99, effective 10/6/99)

WAC 388-880-060 Sexual predator program reimbursement. (1) The department shall obtain reimbursement under RCW 43.20B.330, 43.20B.335, 43.20B.340, 43.20B.345, 43.20B.350, 43.20B.355, 43.20B.360, and 43.20B.370 for the cost of care of a person court-committed to a SPP to the extent of the person's ability to pay.

(2) The department shall calculate ability to pay and assess liability under chapter 275-16 WAC.

PERMANENT

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-880-032 Recommendation for release to a less restrictive alternative (LRA).

WSR 03-24-001

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed November 19, 2003, 3:43 p.m.]

Date of Adoption: November 19, 2003.

Purpose: Amending WAC 388-71-0194, 388-71-0415, 388-71-0440, and 388-72A-0060. These amendments are intended to:

- Comply with legislative and budget requirements described in HB 1753 and ESSB 5404 - the 2003-05 operating budget;
- Achieve savings by raising functional eligibility requirements for MPC and by eliminating services for clients needing minimal assistance with one or two activities of daily living. (Persons currently receiving care in community residential settings who do not meet the higher eligibility standard will continue to be served, without the benefit of federal matching funds, but no new applicants with these lower levels of care will be admitted to residential care.);
- Be consistent with HB 1753 concerning practices in community-based and in-home care (nurse delegation).

When effective, the permanent rules will replace and supersede emergency rules filed as WSR 03-23-114.

The CR-101 (WSR 03-14-099) and subsequent notices stated that the department was repealing WAC 388-71-0405. This was incorrect.

Citation of Existing Rules Affected by this Order: Amending WAC 388-71-0194, 388-71-0415, 388-71-0440, and 388-72A-0060.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: RCW 74.04.050, 74.04.057, 74.04.-200, 74.09.520, 74.39.020, and 74.39A.090; ESSB 5404 (chapter 25, Laws of 2003 1st sp.s.); HB 1753 (chapter 140, Laws of 2003).

Adopted under notice filed as WSR 03-19-073 on September 12, 2003.

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 4, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 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 19, 2003

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-13-052, filed 6/12/03, effective 7/13/03)

WAC 388-71-0194 Home and community services—Nursing services. (1) ~~((A registered nurse will review the plan of care for all Medicaid personal care clients.~~

(2)) Upon department or designee referral, a registered nurse will consult about or visit a Community Options Program Entry System client, Medically Needy Residential waiver client or a Medicaid personal care client to perform a nursing service which may include the following activities:

- (a) Nursing assessment/reassessment;
- (b) Instruction to care providers and clients;
- (c) Care coordination;
- (d) File review;
- (e) Evaluation.

~~((3)) (2) The frequency and scope of the nursing service will be based on individual client need ((and will be provided as outlined in a nursing service design developed in coordination with each area agency on aging. Each design will include critical indicators of the need for the nursing service and must be approved by the following divisions as appropriate: aging and adult services administration, developmental disabilities, children's administration and mental health.~~

(4)).

(3) This nursing service will not be provided if activities duplicate services that the client is receiving from some other resource. Coordination and/or referrals to appropriate health care providers will occur as necessary.

~~((5)) (4) The registered nurse providing this service will not perform skilled treatment except in the event of an emergency. A skilled treatment is care that would require authorization, prescription, and supervision by an authorized practitioner prior to its provision by a nurse, for example, medication administration or wound care such as debridement. The need for any skilled medical or nursing treatments will be referred to a health care provider, a home health agency or a ~~((contracted delegating nurse)) other appropriate resource.~~~~

~~((6)) (5) The registered nurse must document the result of the nursing service provided on a department-approved form. The registered nurse provides a copy to the staff who has case management responsibility.~~

AMENDATORY SECTION (Amending WSR 03-13-052, filed 6/12/03, effective 7/13/03)

WAC 388-71-0415 What other services may I receive under the COPEs program? In addition to the services listed in WAC 388-71-0410, you may be eligible for other services under the COPEs or Medically Needy Residential waiver as indicated in your assessment and documented in your plan of care. Under one of these programs you may be eligible to receive the following services in your own home or in your residential setting. Note: The definition of own home as used throughout this section is defined in WAC 388-71-0202. The definition of residential settings is defined in WAC 388-71-0600.

(1) For COPEs in-home clients, adult day care if you meet the eligibility requirements under WAC 388-15-652 or its successor.

(2) Environmental modifications, if the minor physical adaptations to your home:

(a) Are necessary to ensure your health, welfare and safety;

(b) Enable you to function with greater independence in the home;

(c) Directly benefit you medically or remedially;

(d) Meet applicable state or local codes;

(e) Adaptions or improvements to the home, which are of general utility or add to the total square footage of the home are excluded.

(3) Home delivered meals provides nutritional balanced meals, limited to one meal per day, if:

(a) You are homebound and live in your own home;

(b) You are unable to prepare the meal;

(c) You don't have a caregiver (paid or unpaid) available to prepare this meal; and

(d) Receiving this meal is more cost-effective than having a paid caregiver.

(4) Home health aide service tasks in your own home, if the service tasks:

(a) Include assistance with ambulation, exercise, self-administered medications and hands on personal care;

(b) Are beyond the amount, duration or scope of Medicaid reimbursed home health services (WAC 388-551-2100) and are in addition to those available services;

(c) Are health-related. Note: Incidental services such as meal preparation may be performed in conjunction with a health-related task as long as it is not the sole purpose of the aide's visit; and

(d) Do not replace Medicare home health services.

(5) Personal emergency response system (PERS), if the service is necessary to enable you to secure help in the event of an emergency and if you:

(a) Live alone in your own home; or

(b) Are alone, in your own home, for significant parts of the day and have no regular provider for extended periods of time.

(6) Skilled nursing in your own home, if the service is:

(a) Provided by a registered nurse or licensed practical nurse under the supervision of a registered nurse; and

(b) Beyond the amount, duration or scope of Medicaid-reimbursed home health services as provided under WAC 388-551-2100.

(7) Specialized durable and nondurable medical equipment and supplies under WAC 388-543-1000, if the items are:

(a) Medically necessary under WAC 388-500-0005; and

(b) Necessary for life support; or

(c) Necessary to increase your ability to perform activities of daily living; or

(d) Necessary for you to perceive, control, or communicate with the environment in which you live; and

(e) Directly medically or remedially beneficial to you; and

(f) In addition to and do not replace any medical equipment and/or supplies otherwise provided under Medicaid and/or Medicare.

(8) Training needs identified in the comprehensive assessment or in a professional evaluation, if you need to meet a therapeutic goal such as:

(a) Adjusting to a serious impairment;

(b) Managing personal care needs; or

(c) Developing necessary skills to deal with care providers.

(9) Transportation services if you live in your own home, if the service:

(a) Provides you access to community services and resources provided in accordance with a therapeutic goal;

(b) Is not merely diversional in nature;

(c) Is in addition to and does not replace the Medicaid-brokered transportation or transportation services available in the community.

(10) For COPEs or Medically Needy Residential waiver clients, skilled nursing in a residential setting, if the service is:

(a) Provided by a registered nurse or licensed practical nurse under the supervision of a registered nurse; and

(b) Beyond the amount, duration or scope of Medicaid-reimbursed home health services as provided under WAC 388-551-2100; and

(c) In addition to and does not replace the services required by DSHS contract in residential settings.

(11) Specialized durable and nondurable medical equipment and supplies under WAC 388-543-1000, if the items are:

(a) Medically necessary under WAC 388-500-0005; and

(b) Necessary for life support; or

(c) Necessary to increase your ability to perform activities of daily living; or

(d) Necessary for you to perceive, control, or communicate with the environment in which you live; and

(e) Directly medically or remedially beneficial to you; and

(f) In addition to and do not replace any medical equipment and/or supplies otherwise provided under Medicaid and/or Medicare; and

(g) In addition to and do not replace the services required by DSHS contract in residential settings.

(12) Training needs identified in the comprehensive assessment or in a professional evaluation, if you need to meet a therapeutic goal such as:

(a) Adjusting to a serious impairment;

(b) Managing personal care needs; or

(c) Developing necessary skills to deal with care providers; and

(d) The service is in addition to and does not replace the services required by DSHS contract in residential settings.

(13) Transportation services if you live in a residential setting, if the service:

(a) Provides you access to community services and resources provided in accordance with a therapeutic goal;

(b) Is not merely diversional in nature;

(c) Is in addition to and does not replace the Medicaid-brokered transportation or transportation services available in the community; and

(d) Does not replace the services required by DSHS contract in residential settings.

Note: Clients who reside in enhanced residential care, assisted living or adult family homes are not eligible for waiver funded adult day care.

(14) Nurse delegation services if:

(a) You are living in your own home;

(b) You are eligible for COPES; and

(c) You are receiving personal care from a registered or certified nursing assistant who has completed Nurse Delegation Core Training;

(d) Your medical condition is considered stable and predictable by the delegating nurse; and

(e) Services are provided in compliance with WAC 246-840-901 through 246-840-970.

AMENDATORY SECTION (Amending WSR 02-23-063, filed 11/18/02, effective 12/19/02)

WAC 388-71-0440 Am I eligible for MPC-funded services? To be eligible for MPC-funded services you must:

(1) Have unmet need for substantial assistance with at least one (~~unmet~~) direct personal care task listed in WAC 388-71-0202; or have unmet needs for minimal assistance with three direct personal care tasks; and

(2) Be certified as Title 19 categorically needy, as defined in WAC 388-500-0005.

(3) Be assessed by department staff or designee using a department approved comprehensive assessment and have a determination of unmet needs for HCP services.

AMENDATORY SECTION (Amending WSR 03-05-097, filed 2/19/03, effective 3/22/03)

WAC 388-72A-0060 Am I eligible for MPC-funded services? You are eligible for MPC-funded services when the department or its designee assesses your needs and determines that you meet all of the following criteria:

(1) Are certified as Title XIX categorically needy, as defined in WAC 388-500-0005.

(2) Have an unmet or partially met need or the activity did not occur (because you were unable or no provider was available) in at least (~~one~~) three or more of the following, as defined in WAC 388-72A-0040:

(a) Help/oversight one or two times during the last seven days plus setup in eating;

(b) Supervision in toileting;

(c) Supervision in bathing;

(d) Supervision in dressing;

(e) Supervision plus setup in transfer;

(f) Supervision plus setup in bed mobility;

(g) Supervision plus set up help in one of the following three tasks:

(i) Walk in room, hallway and rest of immediate living environment;

(ii) Locomotion in room and immediate living environment;

(iii) Locomotion outside of immediate living environment including outdoors.

(h) Assistance required in medication management;

(i) Supervision in personal hygiene;

(j) Assistance with body care, which means you need:

(i) Application of ointment or lotions;

(ii) Your toenails trimmed;

(iii) Dry bandage changes; or

(iv) Passive range of motion treatment.

(3) You have an unmet or partially met need or the activity did not occur (because you were unable or no provider was available) with at least one or more of the following, as defined in WAC 388-72A-0040:

(a) Extensive assistance plus one person physical assistance in toileting;

(b) Extensive assistance plus one person physical assistance in one of the following three tasks:

(i) Walk in room, hallway and rest of immediate living environment;

(ii) Locomotion in room and immediate living environment;

(iii) Locomotion outside of immediate living environment including outdoors.

(c) Extensive assistance plus one person physical assistance in transfer;

(d) Limited assistance plus one person physical assistance in bed mobility and need turning/repositioning;

(e) Physical help limited to transfer plus one person physical assist in bathing;

(f) Supervision plus one person physical assist in eating;

or

(g) Daily assistance required in medication management;

or

(h) Assistance with body care, which means you need:

(i) Application of ointment or lotions;

(ii) Your toenails trimmed;

(iii) Dry bandage changes; or

(iv) Passive range of motion treatment.

(i) Extensive assistance plus one person physical assistance in dressing.

(j) Extensive assistance plus one person physical assistance in personal hygiene.

WSR 03-24-007

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed November 20, 2003, 10:47 a.m.]

Date of Adoption: November 19, 2003.

Purpose: The purpose of this rule-making order is to amend WAC 16-403-280 Adoption of United States stan-

dards as state standards, thereby adopting the new United States standards for grades of apples, which were effective on December 19, 2002. By adopting the United States standards for grades of apples, apples certified under Washington state standards will meet United States standards. This will enable apples marketed in areas that require only United States grades to be marketed without being recertified. The resulting simplified process should make marketing Washington state apples easier and should reduce the industry's marketing costs.

Citation of Existing Rules Affected by this Order: Amending WAC 16-403-280 Adoption of United States standards as state standards.

Statutory Authority for Adoption: Chapters 15.17 and 34.05 RCW.

Adopted under notice filed as WSR 03-20-094 on September 30, 2003.

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: Thirty-one days after filing.

November 19, 2003

Valoria H. Loveland

Director

AMENDATORY SECTION (Amending WSR 02-12-011, filed 5/23/02, effective 8/1/02)

WAC 16-403-280 Adoption of United States standards as state standards. In addition to the standards for apples prescribed in WAC 16-403-140 through 16-403-275, there are hereby adopted, as additional standards of the state of Washington for apples, the United States standards for grades of apples, effective ((September 1, 1964, as amended October 1, 1966, July 25, 1972, and March 25, 1976)) **December 19, 2002**, adopted by the United States Department of Agriculture, as they apply to U.S. extra fancy, U.S. fancy, U.S. No. 1 and U.S. No. 1 hail, provided, the color requirements specified for U.S. No. 1 and U.S. No. 1 hail must be good shade of red color and the percentage of color required for U.S. No. 1 and U.S. No. 1 hail for Delicious shall be 25 percent good shade of red color and provided further, that all the United States grades as applied to Red Delicious, Delicious, Golden Delicious, Gala, and Jonagold varieties shall meet the firmness requirements of WAC 16-403-142.

WSR 03-24-008

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed November 20, 2003, 10:49 a.m.]

Date of Adoption: November 19, 2003.

Purpose: The purpose of this rule-making order is to repeal WAC 16-406-001, which is outdated and no longer needed, and to amend WAC 16-406-025(2) making the tolerance requirements in that subsection consistent with the tolerance requirements in subsection (1) of WAC 16-406-020 Tolerances.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-406-001 Promulgation; and amending WAC 16-406-025 Application of tolerances.

Statutory Authority for Adoption: Chapters 15.17 and 34.05 RCW.

Adopted under notice filed as WSR 03-20-093 on September 30, 2003.

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 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 1.

Effective Date of Rule: Thirty-one days after filing.

November 19, 2003

Valoria H. Loveland

Director

AMENDATORY SECTION (Amending WSR 99-17-003, filed 8/4/99, effective 9/4/99)

WAC 16-406-025 Application of tolerances. (1) The contents of individual samples are subject to the following limitations: Provided, That the averages for the entire lot are within the tolerances specified for this grade.

(2) For packages which contain more than ten pounds, and a tolerance of ten percent or more is provided, individual samples in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than ten pounds and a tolerance of less than ten percent is provided, individual samples in any lot shall have not more than double the tolerance specified: Provided, That not more than one apricot which is (~~seriously damaged by insects or~~) affected by decay or internal breakdown may be permitted in any sample.

(3) Washington No. 1 grade. For packages containing ten pounds or less: Not more than ten percent of the samples may have more than three times the tolerances specified, except that at least one defective apricot may be permitted in

any sample: Provided, That not more than one apricot or more than six percent (whichever is the larger amount) may be affected by decay or internal breakdown.

(4) Washington No. 2 grade. For packages containing ten pounds or less: Not more than ten percent of the samples may contain more than three times the tolerances specified.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-406-001 Promulgation.

WSR 03-24-012

PERMANENT RULES

NOXIOUS WEED CONTROL BOARD

[Filed November 20, 2003, 2:51 p.m.]

Date of Adoption: November 18, 2003.

Purpose: The Noxious Weed Control Board is adopting its annual amendment to the state noxious weed list, chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties. It is adding five plants to the noxious weed list, changing the geographic areas in which several Class B noxious weeds must be controlled and changing myrtle spurge from a Class C to a Class B noxious weed.

Citation of Existing Rules Affected by this Order: Amending WAC 16-750-011 and 16-750-015.

Statutory Authority for Adoption: Chapters 17.10 and 34.05 RCW.

Adopted under notice filed as WSR 03-20-034 on September 23, 2003.

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 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 18, 2003

Ray H. Fann
Chairman

AMENDATORY SECTION (Amending WSR 03-04-001, filed 1/22/03, effective 2/22/03)

WAC 16-750-011 State noxious weed list—Class B noxious weeds.

Name	Will be a "Class B designate" in all lands lying within:
(1) <u>alyssum, hoary</u> <i>Bertero aincang</i>	(a) <u>regions 1, 2, 5, 6, 8, 9, 10</u> (b) <u>region 3, except Okanogan County</u> (c) <u>Okanogan County, of region 3, except Ranges 29 through 31 East of Townships 37 through 40 North</u> (d) <u>Adams and Whitman counties of region 7.</u>
((4)) (2) <u>blackgrass</u> <i>Alopecurus myosuroides</i>	(a) <u>regions 1, 2, 3, 5, 6, 8, 9, 10</u> (b) <u>Ferry, Stevens, Pend Oreille counties of region 4</u> (c) <u>Adams County of region 7.</u>
((2)) (3) <u>blueweed</u> <i>Echium vulgare</i>	(a) <u>regions 1, 2, 3, 4, 5, 6, 8, 9, 10</u> (b) <u>region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.</u>
((3)) (4) <u>broom, Scotch</u> <i>Cytisus scoparius</i>	(a) <u>regions 3, 4, 6, 7, 9, 10.</u>
((4)) (5) <u>bryony, white</u> <i>Bryonia alba</i>	(a) <u>regions 1, 2, 3, 4, 5, 6, 8, 9</u> (b) <u>region 7 except Whitman County</u> (c) <u>Franklin County of region 10.</u>
((5)) (6) <u>bugloss, common</u> <i>Anchusa officinalis</i>	(a) <u>regions 1, 2, 3, 5, 6, 8, 9, 10</u> (b) <u>region 4 except Stevens and Spokane counties</u> (c) <u>Lincoln, Adams, and Whitman counties of region 7.</u>
((6)) (7) <u>bugloss, annual</u> <i>Anchusa arvensis</i>	(a) <u>regions 1, 2, 3, 4, 5, 6, 8, 9</u> (b) <u>Lincoln and Adams counties</u> (c) <u>Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.</u>

PERMANENT

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
((7)) (8) camelthorn <i>Alhagi maurorum</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 9 (b) region 6 except those portions of Sections 23, 24, 25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County (c) Franklin, Columbia, Garfield, and Asotin counties of region 10 (d) an area beginning at the Washington—Oregon border at the southwest portion of section 5, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington—Oregon border, then west along the Washington—Oregon border to the point of beginning.	((13)) (14) cordgrass, common <i>Spartina anglica</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10 (b) region 2 except bays and estuaries of Skagit and Island counties and except bays and estuaries north of Everett in Snohomish County.
((8)) (9) carrot, wild <i>Daucus carota</i>	(a) regions 3, 7 (except where intentionally cultivated) (b) Spokane and Ferry counties of region 4 (except where intentionally cultivated) (c) region 6, except Yakima County (except where intentionally cultivated) (d) region 9, except Yakima County (except where intentionally cultivated) (e) region 10, except Walla Walla County (except where intentionally cultivated).	((14)) (15) daisy, oxeye <i>Leucanthemum vulgare</i>	(a) regions 7, 10 (b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East (c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
((9)) (10) catsear, common <i>Hypochaeris radicata</i>	(a) regions 3, 4, 6, 7, 10 (b) region 9 except Klickitat County.	((15)) (16) elodea, Brazilian <i>Egeria densa</i>	(a) regions 3, 4, 6, 7, 9, 10 (b) Lewis County of region 8 (c) Clallam County of region 1 (d) <u>King County of region 5, except lakes Washington, Sammamish, Union and Fenwick.</u>
((10)) (11) chervil, wild <i>Anthriscus sylvestris</i>	(a) regions 1, 3, 4, 6, 7, 9, 10 (b) region 5 except those portions of Thurston County within T15, 16, 17N, R2, 3, 4W (c) region 2 except Guemes Island in Skagit County (d) region 8 except Clark County.	((16)) (17) fanwort <i>Cabomba caroliniana</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except T8N, R3W of Cowlitz County.
((11)) (12) cinquefoil, sulfur <i>Potentilla recta</i>	(a) regions 1, 3, 8, 10 (b) region 2 except Skagit County (c) region 4 except Stevens, Ferry, and Pend Oreille counties (d) region 5 except Thurston County (e) region 6 except Yakima County (f) region 7 except Spokane County (g) region 8 except Lewis County (h) region 9 except Klickitat County.	((17)) (18) fieldcress, Austrian <i>Rorippa austriaca</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9 (b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
((12)) (13) cordgrass, smooth <i>Spartina alterniflora</i>	(a) regions 1, 3, 4, 5, 6, 7, 9, 10 (b) region 2 except Padilla Bay of Skagit County (c) region 8 except bays and estuaries of Pacific County.	((18)) (19) floating heart, yellow <i>Nymphoides peltata</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) region 4 except the Spokane River between Long Lake Dam and Nine Mile Dam.
		((19)) (20) gorse <i>Ulex europaeus</i>	(a) regions 1, 3, 4, 6, 7, 9, 10 (b) Skagit and Whatcom counties of region 2 (c) Thurston, Pierce, and King counties of region 5 (d) Wahkiakum, Cowlitz, and Lewis counties of region 8 ((e) Clallam County of region 1).
		((20)) (21) hawkweed, mouseear <i>Hieracium pilosella</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 except Thurston County (c) Thurston County lying within T17N, R1W, S31; T16N, R2W, S30 W1/2; T16N, R3W, S25, SE1/4; T16N, R3W, S36, N1/2; T16N, R2W, S31, NW1/4.
		((21)) (22) hawkweed, orange <i>Hieracium aurantiacum</i>	(a) regions 3, 6, 9, 10 (b) Clallam County of region 1 (c) Skagit County of region 2 (d) Ferry County of region 4 (e) Thurston and King counties of region 5 (f) Lincoln and Adams counties of region 7 (g) Lewis County of region 8.
		((22)) (23) hawkweed, polar <i>Hieracium atratum</i> (24) hawkweed, queen-devil <i>Hieracium glomeratum</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 outside the boundaries of Mt. Rainier National Park. (a) <u>regions 1, 2, 3, 5, 6, 7, 8, 9, 10</u> (b) <u>Ferry County of region 4.</u>

PERMANENT

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
((23)) (25) hawkweed, smooth <i>Hieracium laevigatum</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10 (b) San Juan, Island, and Skagit counties of region 2.	((32)) (34) knapweed, diffuse <i>Centaurea diffusa</i>	(a) regions 1, 2, 5, 8 (b) Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5, 6, 7, 8, 17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 E.; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M.
((24)) (26) hawkweed, yellow <i>Hieracium caespitosum</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 10 (b) region 4 except ((north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County)) Stevens and Pend Oreille counties (c) region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E, of Klickitat County.	(c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22, 26, 27, 28, 31, 32, 33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2, 10, 11, 14, 15, 19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6	
((25)) (27) hedgeparsley <i>Torilis arvensis</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 8, 10 (b) Yakima, Benton, Franklin counties (c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.	(d) Franklin County of regions 9 and 10.	
((26)) (28) helmet, policeman's <i>Impatiens glandulifera</i>	(a) regions 1, 3, 4, 6, 7, 8, 9, 10 (b) region 2 except Whatcom County (c) region 5 except Pierce and Thurston counties.	((33)) (35) knapweed, meadow <i>Centaurea jacea x nigra</i>	(a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties
((27)) (29) herb-Robert <i>Geranium robertianum</i>	(a) regions 3, 4, 6, 7, 9, 10	((34)) (36) knapweed, Russian <i>Acroptilon repens</i>	(c) region 6 except Kittitas County (d) region 8 except Clark County.
((28)) (30) houndstongue <i>Cynoglossum officinale</i>	(a) Kittitas County of region 6.	(a) regions 1, 2, 5, 7, 8 (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County	(c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26 (d) Intercounty Weed District No. 52 (e) region 10 except Franklin County.
((29)) (31) indigobush <i>Amorpha fruticosa</i>	(a) regions 1, 2, 3, 4, 5, 6 (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream (c) regions 8, 9, and 10 except within 200 feet of the Columbia River.	((35)) (37) knapweed, spotted <i>Centaurea biebersteinii</i>	(a) regions 1, 2, 3, 5, 6, ((8,)) 9 (b) Ferry County of region 4 (c) Adams and Whitman counties of region 7 (d) <u>region 8, except that portion of Lewis County below the ordinary high watermark of the Tilton River from Hwy. 508 to Lake Mayfield</u> (e) region 10 except Garfield County.
((30)) (32) knapweed, black <i>Centaurea nigra</i>	(a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties (c) region 6 except Kittitas County (d) region 8 except Clark County.	((36)) (38) knotweed, giant <i>Polygonum sachalinense</i>	(a) Kittitas County of region 6 (b) <u>Pend Oreille County of region 4.</u>
((31)) (33) knapweed, brown <i>Centaurea jacea</i>	(a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties (c) region 6 except Kittitas County (d) region 8 except Clark County.	((37)) (39) knotweed, Himalayan <i>Polygonum polystachyum</i>	(a) Kittitas County of region 6 (b) <u>Pend Oreille County of region 4</u> (c) <u>Lewis County of region 8.</u>

PERMANENT

Name	Will be a "Class B designate" in all lands lying within:
((38)) (40) knotweed, Japanese <i>Polygonum cuspidatum</i>	(a) Kittitas County of region 6 (b) Chelan County of regions 3 and 6 (c) Pend Oreille County of region 4.
((39)) (41) kochia <i>Kochia scoparia</i>	(a) Clallam County of region 1 (b) Skagit and Whatcom counties of region 2 (c) Pend Oreille County of region 4 (d) King County of region 5 (e) Kittitas County of region 6.
((40)) (42) lepyrodiclis <i>Lepyroclis holosteoides</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except an area within Whitman County east of the Pullman—Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
((41)) (43) loosestrife, garden <i>Lysimachia vulgaris</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 except King County (c) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line.
((42)) (44) loosestrife, purple <i>Lythrum salicaria</i>	(a) regions 1, 4, 7, 8 (b) region 2 except Snohomish County (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside (d) Grays Harbor, Mason, Kitsap, and Thurston counties of region 5 (e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line (f) Pierce County, except those areas lying within T2D, 21, 22N, R1W and R1E, all sections (g) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed (h) region 9 except Benton County (i) region 10 except Walla Walla County (j) Intercounty Weed Districts No. 51 and No. 52.

Name	Will be a "Class B designate" in all lands lying within:
((43)) (45) loosestrife, wand <i>Lythrum virgatum</i>	(a) regions 1, 4, 7, 8 (b) region 2 except Snohomish County (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside (d) region 5 except King County (e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line (f) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed (g) region 9 except Benton County (h) region 10 except Walla Walla County (i) Intercounty Weed Districts No. 51 and No. 52.
((44)) (46) nutsedge, yellow <i>Cyperus esculentus</i>	(a) regions 1, 2, 3, 4, 5, 7, 8 (b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M. (c) region 9 except: (i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the

PERMANENT

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road.		((e)) (d) region 10 except Franklin County, <u>unless intentionally established prior to 2004.</u>
	(ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County	((52)) (54) sandbur, long-spine <i>Cenchrus longispinus</i>	(a) regions 1, 2, 3, 4, 5, 7, 8 (b) Adams County of region 6 except for that area lying within Inter-county Weed District No. 52 (c) Intercounty Weed District No. 51 (d) Kittitas County of region 6.
	(d) region 10 except Walla Walla County.	((53)) (55) skeletonweed, rush <i>Chondrilla juncea</i>	(a) regions 1, 2, 3, 5, 8, 9 (b) Franklin County except T13N, R36E; and T14N, R36E (c) Adams County except those areas lying east of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north to the Lincoln County line.
((45)) (47) oxtongue, hawkweed <i>Picris hieracioides</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Skamania County.		(d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road 1 Northwest (e) Stevens County north of Township 33 North of region 4 (f) Ferry and Pend Oreille counties of region 4 (g) Asotin County of region 10 (h) Garfield County south of Highway 12 (i) Columbia County from the Walla Walla County line on Highway 12, all areas south of Turner Road; at Turner Road to the Garfield county line, all areas south and east of Turner Road (j) Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East.
((46)) (48) parrotfeather <i>Myriophyllum aquaticum</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Clark, Cowlitz, and Wahkiakum counties.		(a) regions 1, 2, 3, 4, 5, 7, 8, 10 (b) Intercounty Weed Districts No. 51 and 52 (c) Kittitas County of region 6 (d) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.
((47)) (49) pepperweed, perennial <i>Lepidium latifolium</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 10 (b) Intercounty Weed Districts No. 51 and 52 (c) Kittitas County of region 6 (d) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.		(a) regions 3, 4, 6, 7, 9, 10 (b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.
((48)) (50) primrose, water <i>Ludwigia hexapetala</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except T8N, R3W, S14 of Cowlitz County.		(a) regions 1, 2, 3, 4, 7, 8, 9, 10 (b) Adams County of region 6 (c) Adams County (d) Clallam County of region 1.
((49)) (51) puncturevine <i>Tribulus terrestris</i>	(a) Skagit County of region 2 (b) Kittitas County of region 6 (c) Adams County (d) Clallam County of region 1.		(a) regions 1, 2, 3, 4, 5, 7, 8, <u>unless intentionally established prior to 2004</u> (b) region 6 except Grant County, <u>unless intentionally established prior to 2004</u> (c) (region 7 except Adams County (d)) region 9 except Benton and Franklin counties, <u>unless intentionally established prior to 2004</u>
((50)) (52) ragwort, tansy <i>Senecio jacobaea</i>	(a) regions 3, 4, 6, 7, 9, 10 (b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.		(a) regions 1, 2, 3, 4, 7, 8, 9, 10 (b) Adams County of region 6 (c) region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.
((51)) (53) Saltcedar <i>Tamarix ramosissima</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, <u>unless intentionally established prior to 2004</u> (b) region 6 except Grant County, <u>unless intentionally established prior to 2004</u> (c) (region 7 except Adams County (d)) region 9 except Benton and Franklin counties, <u>unless intentionally established prior to 2004</u>	((54)) (56) sowthistle, perennial <i>Sonchus arvensis ssp. arvensis</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) Adams County of region 6 (c) region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.
		((55)) (57) spurge, leafy <i>Euphorbia esula</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except as follows:

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Name	Will be a "Class B designate" in all lands lying within:
	(i) T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County
	(ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.
(58) <i>spurge, myrtle</i> <i>Euphorbia</i> <i>myrsinites</i> L	(a) Pend Oreille County of region 4.
((56)) (59) starthistle, yellow <i>Centaurea solstitialis</i>	(a) regions 1, 2, 3, 5, 6, 8 (b) region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25 (c) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (d) Franklin County (e) region 9 except Klickitat County (f) in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E, Sections 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35; T11N, R45E, Sections 21, 22, 23, and 25; T11N, R36E, Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33; T10N, R44E, Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, and 16; T10N, R45E, Sections 23 and 24; T10N, R46E, Sections 7, 8, 17, 18, 19, 20, 21, 22, 27, 34, and 35; T9N, R46E, Sections 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36; T9N, R47E, Sections 18, 19, 30, and 31; T8N, R46E, Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24; T8N, R47E, Sections 8, 17, 18, 19, 20, 29, 30, 31, and 32.
((57)) (60) Swainsonpea <i>Sphaerophysa salsula</i>	(a) regions 1, 2, 3, 4, 5, 7, 8 (b) Columbia, Garfield, Asotin, and Franklin counties

Name	Will be a "Class B designate" in all lands lying within:
	(c) an area beginning at the Washington—Oregon border at the southwest portion of Section 15, R32E, T6N, then north to the northwest corner of Section 3, R32E, T7N, then east to the northeast corner of Section 3, R36E, T7N, then south to the southeast portion of Section 15, R36E, T6N, at the Washington—Oregon border, then west along the Washington—Oregon border to the point of beginning (d) Weed District No. 3 of Grant County (e) Adams County of region 6. (a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) Spokane and Pend Oreille counties. (a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) region 4 except those areas within Stevens County lying north of State Highway 20. (a) regions 1, 2, 3, 4, 5, 6, 8, 9 (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (c) Franklin County. (a) regions 1, 2, 5, 8, 10 (b) Douglas County of region 3 lying south of T25N, west of R25E, and east of R28E (c) Okanogan County lying within T 33, 34, 35N, R19, 20, 21, 22E, except the southwest, southeast, and northeast quarters of the northeast quarter of section 27, T35N, R21E; and the northeast quarter of the southeast quarter of section 27, T35N, R21E (d) Kittitas, Chelan, Douglas, and Adams counties of region 6 (e) Intercounty Weed District No. 51 (f) Weed District No. 3 of Grant County (g) Lincoln and Adams counties (h) The western two miles of Spokane County of region 7 (i) region 9 except as follows: (i) those areas lying within Yakima County (ii) those areas lying west of the Klickitat River and within Klickitat County. (a) regions 1, 9, 10 (b) region 7 except Spokane County
((58)) (61) thistle, musk <i>Carduus nutans</i>	
((59)) (62) thistle, plumeless <i>Carduus acanthoides</i>	
((60)) (63) thistle, Scotch <i>Onopordum acanthium</i>	
((64)) (64) toadflax, Dalmatian <i>Linaria dalmanica</i> <i>ssp. dalmanica</i>	
((62)) (65) watermilfoil, Eurasian <i>Myriophyllum spicatum</i>	

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Name	Will be a "Class B designate" in all lands lying within:
	(c) region 8 except within 200 feet of the Columbia River
	(d) Adams County of region 6
	(e) in all water bodies of public access, except the Pend Oreille River, in Pend Oreille County of region 4.

Common Name	Scientific Name
poison-hemlock	<i>Conium maculatum</i>
reed, common, nonnative genotypes	<i>Phragmites australis</i>
rye, cereal	<i>Secale cereale</i>
spikeweed	<i>Hemizonia pungens</i>
((Spurge, myrtle	<i>Euphorbia myrsinites</i> L.))
St. Johnswort, common	<i>Hypericum perforatum</i>
tansy, common	<i>Tanacetum vulgare</i>
thistle, bull	<i>Cirsium vulgare</i>
thistle, Canada	<i>Cirsium arvense</i>
toadflax, yellow	<i>Linaria vulgaris</i>
water lily, fragrant	<i>Nymphaea odorata</i>
whitetop, hairy	<i>Cardaria pubescens</i>
<u>willow-herb, hairy</u>	<i>Epilobium hirsutum</i>
wormwood, absinth	<i>Artemisia absinthium</i>

AMENDATORY SECTION (Amending WSR 03-04-001, filed 1/22/03, effective 2/22/03)

WAC 16-750-015 State noxious weed list—Class C noxious weeds.

Common Name	Scientific Name
babysbreath	<i>Gypsophila paniculata</i>
beard, old man's	<i>Clematis vitalba</i>
bindweed, field	<i>Convolvulus arvensis</i>
canarygrass, reed	<i>Phalaris arundinacea</i>
cockle, white	<i>Silene latifolia ssp. alba</i>
cocklebur, spiny	<i>Xanthium spinosum</i>
cress, hoary	<i>Cardaria draba</i>
odder, smoothseed alfalfa	<i>Cuscuta approximata</i>
goatgrass, jointed	<i>Aegilops cylindrica</i>
<u>groundsel, common</u>	<i>Senecio vulgaris</i>
hawkweed, nonnative species	<i>Hieracium sp.</i> , except species designated in the note in the left-hand column

Note:

This listing includes all species of Hieracium, except the following:

- Species designated as Class A noxious weeds in WAC 16-750-005;
- Species designated as Class B noxious weeds in WAC 16-750-011;
- native species designated below:
 - Canada hawkweed (*H. canadense*)
 - houndstongue hawkweed (*H. cynoglossoides*)
 - long-beaked hawkweed (*H. longiberbe*)
 - narrow-leaved hawkweed (*H. umbellatum*)
 - slender hawkweed (*H. gracile*)
 - western hawkweed (*H. albertinum*)
 - white-flowered hawkweed (*H. albiflorum*)
 - woolley-weed (*H. scouleri*)

henbane, black
iris, yellow flag
ivy, English, 4 cultivars only:
knottwood, Bohemian
mayweed, scentless

Hyoscyamus niger
Iris pseudocorus
Hedera hibernica 'Hibernica'
Hedera helix 'Baltica'
Hedera helix 'Pittsburgh'
Hedera helix 'Star'
Polygonum x Bohemicum
Matricaria perforata

WSR 03-24-013
PERMANENT RULES
DEPARTMENT OF REVENUE
[Filed November 20, 2003, 4:05 p.m.]

Date of Adoption: November 20, 2003.

Purpose: To provide county assessors with the rate of interest and property tax component used in valuing farm and agricultural land classified under chapter 84.34 RCW, the open space program, during assessment 2004.

This rule is being amended to update the interest rate and the property tax component used to value farm and agricultural land classified under chapter 84.34 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component.

Statutory Authority for Adoption: RCW 84.34.065.

Other Authority: RCW 84.34.141.

Adopted under notice filed as WSR 03-19-062 on September 11, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 20, 2003

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

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AMENDATORY SECTION (Amending WSR 02-23-080, filed 11/19/02, effective 12/20/02)

WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component. For assessment year ((2003)) 2004, the interest rate and the property tax component that are to be used to value classified farm and agricultural lands are as follows:

- (1) The interest rate is ((8.94)) 8.34 percent; and
- (2) The property tax component for each county is:

COUNTY	PERCENT	COUNTY	PERCENT
Adams	((1.37)) 1.40	Lewis	((1.17)) 1.15
Asotin	((1.46)) 1.48	Lincoln	((1.40)) 1.37
Benton	((1.41)) 1.36	Mason	((1.27)) 1.26
Chelan	((1.33)) 1.34	Okanogan	((1.26)) 1.20
Clallam	((1.12)) 1.18	Pacific	((1.25)) 1.33
Clark	((1.37)) 1.35	Pend Oreille	((1.32)) 1.33
Columbia	((1.38)) 1.36	Pierce	((1.49)) 1.51
Cowlitz	((1.25)) 1.23	San Juan	((0.81)) 0.73
Douglas	((1.41)) 1.37	Skagit	((1.23)) 1.22
Ferry	((1.12)) 1.03	Skamania	((1.03)) 1.02
Franklin	((1.52)) 1.55	Snohomish	((1.35)) 1.33
Garfield	1.58	Spokane	((1.49)) 1.42
Grant	((1.44)) 1.40	Stevens	((1.14)) 1.09
Grays Harbor	((1.32)) 1.35	Thurston	((1.49)) 1.42
Island	((0.94)) 0.99	Wahkiakum	((1.02)) 1.07
Jefferson	((1.18)) 1.16	Walla Walla	((1.49)) 1.43
King	((1.12)) 1.10	Whatcom	1.28
Kitsap	((1.39)) 1.34	Whitman	((1.54)) 1.57
Kittitas	((1.08)) 1.05	Yakima	1.29
Klickitat	((1.24)) 1.17		

WSR 03-24-014
PERMANENT RULES
DEPARTMENT OF REVENUE
 [Filed November 20, 2003, 4:07 p.m.]

Date of Adoption: November 20, 2003.

Purpose: To provide the rate of interest that will be included when property taxes paid in 2003 are refunded in subsequent years.

The rates of interest reflected in this rule are included when property taxes are refunded. The rates are shown in chronological order with reference to the year in which the property taxes were paid. The rule is being revised to provide the rate of interest for treasury bill auction year 2003, which is used as a basis for refunding property taxes paid in 2003 and refunded in a subsequent year.

Citation of Existing Rules Affected by this Order: Amending WAC 458-18-220 Refunds—Rate of interest.

Statutory Authority for Adoption: RCW 84.69.100.

Adopted under notice filed as WSR 03-19-061 on September 11, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 20, 2003

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 02-23-081, filed 11/19/02, effective 12/20/02)

WAC 458-18-220 Refunds—Rate of interest. The following rates of interest shall apply on refunds of taxes made pursuant to RCW 84.69.010 through 84.69.090 in accordance with RCW 84.69.100. The following rates shall also apply to judgments entered in favor of the plaintiff pursuant to RCW 84.68.030. The interest rate is derived from the equivalent coupon issue yield of the average bill rate for twenty-six week treasury bills as determined at the first bill market auction conducted after June 30th of the calendar year preceding the date the taxes were paid. The rate thus determined shall be applied to the amount of the judgment or the amount of the refund, until paid:

Year tax paid	Auction Year	Rate
1985	1984	11.27%
1986	1985	7.36%
1987	1986	6.11%
1988	1987	5.95%
1989	1988	7.04%
1990	1989	8.05%
1991	1990	8.01%
1992	1991	5.98%
1993	1992	3.42%
1994	1993	3.19%
1995	1994	4.92%
1996	1995	5.71%
1997	1996	5.22%
1998	1997	5.14%
1999	1998	5.06%
2000	1999	4.96%
2001	2000	5.98%
2002	2001	3.50%

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Year tax paid	Auction Year	Rate
2003	2002	1.73%
<u>2004</u>	<u>2003</u>	<u>0.95%</u>

WSR 03-24-026
PERMANENT RULES
STATE BOARD OF HEALTH
 [Filed November 24, 2003, 11:20 a.m.]

Date of Adoption: October 15, 2003.

Purpose: Chapter 246-650 WAC, identifies the list of mandatory disorders for newborn screening conducted by the Department of Health. The screening identifies disorders that if not detected can cause severe mental and physical defects or death. The amendments to this chapter add five disorders to the list of mandatory disorders. The additional disorders are: Biotinidase deficiency, galactosemia, homocystinuria, maple syrup urine disease, and medium chain acyl-coA dehydrogenase deficiency. In addition, privacy and security requirements for the handling and storage of the dried blood spots that are used to identify the disorders listed in chapter 246-650 WAC have been added to the rules.

Citation of Existing Rules Affected by this Order: Amending WAC 246-650-001, 246-650-010, 246-650-020, 246-650-030, 246-650-040, and 246-650-050.

Statutory Authority for Adoption: Chapters 70.83, 43.20 RCW.

Adopted under notice filed as WSR 03-17-092 on August 20, 2003.

Changes Other than Editing from Proposed to Adopted Version: Only technical editorial amendments have been made to the rule, to improve the clarity of disorder definitions and clarify that dried blood spot samples and specimen information may only be released when required by state or federal law.

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 3, 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 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, 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 2, Amended 4, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 19, 2003

Don Sloma

Executive Director

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-650-001 Purpose. The purpose of this chapter is to establish board rules to detect, in newborns, congenital disorders leading to developmental impairment or physical disabilities as required by RCW 70.83.050 and to provide protections for the confidentiality of information and human biological specimens submitted pursuant to these requirements.

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-650-010 Definitions. For the purposes of this chapter:

(1) "Board" means the Washington state board of health.

(2) "Biotinidase deficiency" means a deficiency of an enzyme (biotinidase) that facilitates the body's recycling of biotin. The result is biotin deficiency, which if undetected and untreated, may result in severe neurological damage or death.

(3) "Congenital adrenal hyperplasia" means a severe disorder of adrenal steroid metabolism which may result in death of an infant during the neonatal period if undetected and untreated.

~~((3))~~ (4) "Congenital hypothyroidism" means a disorder of thyroid function during the neonatal period causing impaired mental functioning if undetected and untreated.

~~((4))~~ (5) "Department" means the Washington state department of health.

~~((5))~~ (6) "Galactosemia" means a deficiency of enzymes that help the body convert the simple sugar galactose into glucose resulting in a buildup of galactose and galactose-1-PO₄ in the blood. If undetected and untreated, accumulated galactose-1-PO₄ may cause significant tissue and organ damage often leading to sepsis and death.

(7) "Homocystinuria" means deficiency of enzymes necessary to break down or recycle the amino acid homocysteine resulting in a buildup of methionine and homocysteine. If undetected and untreated may cause thromboembolism, mental and physical disabilities.

(8) "Maple syrup urine disease" (MSUD) means deficiency of enzymes necessary to breakdown the branch chained amino acids leucine, isoleucine, and valine resulting in a buildup of these and metabolic intermediates in the blood. If undetected and untreated may result in mental and physical retardation or death.

(9) "Medium chain acyl-coA dehydrogenase deficiency" (MCADD) means deficiency of an enzyme (medium chain acyl-coA dehydrogenase) necessary to breakdown medium chain length fatty acids. If undetected and untreated, fasting, infection or stress may trigger acute hypoglycemia leading to physical and neurological damage or death.

(10) "Newborn" means an infant born in a hospital in the state of Washington prior to discharge from the hospital of birth or transfer.

~~((6))~~ (11) "Newborn screening specimen/information form" means the information form provided by the department including the filter paper portion and associated dried blood spots. A specimen/information form containing

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patient information is "Health care information" as defined by the Uniform Healthcare Information Act, RCW 70.02.010(6).

~~(12)~~ "Phenylketonuria" (PKU) means a ((metabolic disorder characterized by abnormal phenylalanine metabolism causing impaired mental functioning if undetected and untreated)) deficiency of an enzyme necessary to convert the amino acid phenylalanine into tyrosine resulting in a buildup of phenylalanine in the blood. If undetected and untreated may cause severely impaired mental functioning.

~~((7))~~ (13) "Hemoglobinopathy" means a hereditary blood disorder caused by genetic alteration of hemoglobin which results in characteristic clinical and laboratory abnormalities and which leads to developmental impairment or physical disabilities.

~~((8))~~ (14) "Significant screening test result" means a laboratory test result indicating a suspicion of abnormality and requiring further diagnostic evaluation of the involved infant for the specific disorder.

AMENDATORY SECTION (Amending Order 225B, filed 12/23/91, effective 1/23/92)

WAC 246-650-020 Performance of screening tests.

(1) Hospitals providing birth and delivery services or neonatal care to infants shall:

(a) Inform parents or responsible parties, by providing a departmental information pamphlet or by other means, of:

(i) The purpose of screening newborns for congenital disorders,

(ii) Disorders of concern as listed in WAC 246-650-020(2),

(iii) The requirement for newborn screening, and

(iv) The legal right of parents or responsible parties to refuse testing because of religious tenets or practices as specified in RCW 70.83.020, and

(v) The specimen storage, retention and access requirements specified in WAC 246-650-050.

(b) Obtain a blood specimen for laboratory testing as specified by the department from each newborn prior to discharge from the hospital or, if not yet discharged, no later than five days of age.

(c) Use department-approved newborn screening specimen/information forms and directions for obtaining specimens.

(d) Enter all identifying and related information required on the specimen/information form ~~((attached to the specimen))~~ following directions of the department.

(e) In the event a parent or responsible party refuses to allow newborn ~~((metabolic))~~ screening, obtain signatures from parents or responsible parties on the department specimen/information form.

(f) Forward the specimen/information form with dried blood spots or signed refusal ~~((with the attached identifying forms))~~ to the Washington state public health laboratory no later than the day after collection or refusal signature.

(2) Upon receipt of specimens, the department shall:

(a) Perform appropriate screening tests for:

(i) Phenylketonuria, congenital hypothyroidism, congenital adrenal hyperplasia, and hemoglobinopathies,

(ii) Biotinidase deficiency, galactosemia, homocystinuria, maple syrup urine disease and medium chain acyl-coA dehydrogenase deficiency according to the schedule in WAC 246-650-030;

(b) Report significant screening test results to the infant's attending physician or family if an attending physician cannot be identified; and

(c) Offer diagnostic and treatment resources of the department to physicians attending infants with presumptive positive screening tests within limits determined by the department.

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-650-030 Implementation of ~~((hemoglobinopathy))~~ screening to detect biotinidase deficiency, galactosemia, homocystinuria, maple syrup urine disease and medium chain acyl-coA dehydrogenase deficiency. The department shall(~~:~~

~~(1) Begin performing appropriate screening tests for hemoglobinopathy on all newborn screening specimens received from Pierce County by May 1, 1991;~~

~~(2) Expand screening by performing appropriate screening tests on all newborn screening specimens received from King County along with those received from Pierce County by August 1, 1991;~~

~~(3) Fully implement screening by performing appropriate screening tests on all newborn screening specimens received by November 1, 1991;~~

~~(4) On or before January 31, 1991, and annually thereafter, report to the board the following information concerning tests conducted pursuant to this section:~~

~~(a) The costs of tests as charged by the department;~~

~~(b) The results of each category of tests, by county of birth and ethnic group, as reported on the newborn screening form and, if available, birth certificates;~~

~~(c) Follow-up procedures and the results of such follow-up procedures))~~ implement screening tests for biotinidase deficiency, galactosemia, homocystinuria, maple syrup urine disease and medium chain acyl-coA dehydrogenase deficiency beginning in January 2004. Screening for these disorders shall be fully implemented as quickly as feasible and not later than June 2004.

NEW SECTION

WAC 246-650-040 Report to the board. The department shall report to the board annually the following information concerning tests conducted pursuant to this section:

(1) The costs of tests as charged by the department;

(2) The results of each category of tests, by county of birth and ethnic group, as reported on the newborn screening form and, if available, birth certificates; and

(3) Follow-up procedures and the results of such follow-up procedures.

NEW SECTION

WAC 246-650-050 Privacy and security of screening specimen/information forms. The specimen/information

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form submitted to the department pursuant to WAC 246-650-020 becomes the property of the state of Washington upon receipt by the Washington state public health laboratory. The department shall protect the privacy of newborns and their families and assure that all specimen/information forms submitted for screening are protected from inappropriate use or access.

(1) Storage: The specimen/information forms shall be kept at ambient temperature in secured storage to preserve their confidentiality and prevent access by unauthorized persons.

(2) Retention/destruction: The specimen/information form shall be retained until the child is twenty-one years old in accordance with the requirements for hospitals specified in RCW 70.41.190. After this time the form will be destroyed.

EXCEPTION FOR PARENTAL REQUEST: Upon request of a parent or guardian (or a patient who is over the age of eighteen years), the department will destroy the specimen/information form only after all required screening tests have been performed and if the patient's screening/clinical status related to these tests is not in question.

(3) Access: Access to stored specimen/information forms shall be restricted to department employees and those contractors or others approved by the department as necessary to meet specific program needs. Access is contingent upon compliance with all applicable federal and state laws, regulations, and policies safeguarding the privacy and confidentiality of medical information. The department shall assure that those granted access understand the confidentiality requirements and have a signed confidentiality agreement on file.

(4) Release: Dried blood spot samples and specimen information may only be released when required by state or federal law or under the following conditions:

(a) A sample from a specimen and copies of associated information (patient information and testing results, if requested) may be released to:

(i) A health care provider at the request of the patient or their legal representative after completing and signing a written request form approved by the department. The release form must be provided to the director of newborn screening before the request will be fulfilled.

(ii) A researcher with the written, informed consent of the patient or their patient's legal representative as part of a research project that has been reviewed and approved by the DOH/DSHS human subjects research review board and the secretary or designee of the department of health.

(iii) A named person in a legally executed subpoena following review and approval of the state attorney general.

(iv) A person to whom release is mandated by order of a court of competent jurisdiction.

(b) Anonymous samples may be released if the department determines that the intended use has significant potential health benefit and that each of the following criteria have been met:

(i) The investigation design is adequate to assure anonymity will be preserved.

(ii) All newborn screening tests have been completed and the status of the infant is resolved.

(iii) At least one fully adequate spot will remain after the anonymous sample has been taken.

(iv) Sufficient resources (personnel) are available for extracting the samples.

(v) The DOH/DSHS human subjects research review board has reviewed and approved the investigation. This requirement may be waived by the department for a very small (i.e., less than 100 sample) pilot study where the intent is to evaluate a testing tool, as opposed to an evaluation where the intent is to measure some characteristic of a population.

(5) Notification: The department shall notify parents of the specimen storage, retention/destruction and access requirements through the department's newborn screening informational pamphlet.

WSR 03-24-028

PERMANENT RULES

UTILITIES AND TRANSPORTATION COMMISSION

[General Order R-510, Docket No. A-010648—Filed November 24, 2003, 3:32 p.m., effective January 1, 2004]

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 04-01 issue of the Register.

WSR 03-24-030

PERMANENT RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed November 24, 2003, 4:02 p.m.]

Date of Adoption: November 20, 2003.

Purpose: The Mental Health Division is adopting new WAC 388-865-0217 and amending WAC 388-865-0150, to implement a state funded eligibility category, psychiatric indigent inpatient (PII) program, to provide emergent psychiatric inpatient services to qualified persons. This program replaces the psychiatric inpatient portion of the medically indigent program, which the legislature ended on June 30, 2003. When effective, the permanent rule will replace the emergency rule filed as WSR 03-19-009.

Citation of Existing Rules Affected by this Order: Amending WAC 388-865-0150.

Statutory Authority for Adoption: RCW 71.05.560, 71.24.035, and 71.34.800.

Other Authority: Chapter 25, Laws of 2003 1st sp.s.
Adopted under notice filed as WSR 03-19-096 on September 15, 2003.

Changes Other than Editing from Proposed to Adopted Version: The following changes were made in response to public comments:

1. WAC 388-865-0217, subsection (3)(b) will become subsection (3)(c) and read "If a client's income and/or resources exceed the standard for medically needy (MN), as

described in WAC 388-478-0070, the client must spend down the excess amount as described in 388-519-0100...." This change was made because there was a public comment that the resource rule references were unclear.

2. WAC 388-865-0217, subsection (3)(c) will become subsection (3)(d) and read "A client who is voluntarily admitted must have incurred an emergency medical expense requirement (EMER) of two thousand dollars over a twelve-month period. A client who is detained under the Involuntary Treatment Act (ITA) is exempt from medical expense requirement (EMER)." This change was made in response to public comment that involuntary clients should be exempt from the EMER to be consistent with previous policy under the medically indigent program.

3. Proposed WAC 388-865-0217, subsection (4) will be moved to subsection (3)(b) and the language will be revised to read as follows: "Consumers applying for the psychiatric indigent inpatient (PII) program are subject to the income and resource rules for TANF and TANF-related clients in chapter 388-450 and 388-470 WAC." This change was made because there was a public comment that the resource rule references were unclear.

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 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 20, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-12-047, filed 5/31/01, effective 7/1/01)

WAC 388-865-0150 Definitions. "Adult" means a person on or after their eighteenth birthday. For persons eligible for the Medicaid program, adult means a person on or after his/her twenty-first birthday.

"Child" means a person who has not reached his/her eighteenth birthday. For persons eligible for the Medicaid program, child means a person who has not reached his/her twenty-first birthday.

"Clinical services" means those direct age and culturally appropriate consumer services which either:

- (1) Assess a consumer's condition, abilities or problems;
- (2) Provide therapeutic interventions which are designed to ameliorate psychiatric symptoms and improve a consumer's functioning.

"Consumer" means a person who has applied for, is eligible for or who has received mental health services. For a child, under the age of thirteen, or for a child age thirteen or older whose parents or legal guardians are involved in the treatment plan, the definition of consumer includes parents or legal guardians.

"Consultation" means the clinical review and development of recommendations regarding the job responsibilities, activities, or decisions of, clinical staff, contracted employees, volunteers, or students by persons with appropriate knowledge and experience to make recommendations.

"Cultural competence" means a set of congruent behaviors, attitudes, and policies that come together in a system or agency and enable that system or agency to work effectively in cross-cultural situations. A culturally competent system of care acknowledges and incorporates at all levels the importance of language and culture, assessment of cross-cultural relations, knowledge and acceptance of dynamics of cultural differences, expansion of cultural knowledge and adaptation of services to meet culturally unique needs.

"Ethnic minority" or "racial/ethnic groups" means, for the purposes of this chapter, any of the following general population groups:

- (1) African American;
- (2) An American Indian or Alaskan native, which includes:
 - (a) A person who is a member ((€f)) or considered to be a member in a federally recognized tribe;
 - (b) A person determined eligible to be found Indian by the secretary of interior, and
 - (c) An Eskimo, Aleut, or other Alaskan native.
 - (d) A Canadian Indian, meaning a person of a treaty tribe, Metis community, or nonstatus Indian community from Canada.
 - (e) An unenrolled Indian meaning a person considered Indian by a federally or nonfederally recognized Indian tribe or off reservation Indian/Alaskan native community organization.
- (3) Asian/Pacific Islander; or
- (4) Hispanic.

"Medical necessity" or "medically necessary" - A term for describing a requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions in the recipient that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause or physical deformity or malfunction, and there is no other equally effective, more conservative or substantially less costly course of treatment available or suitable for the person requesting service. For the purpose of this chapter "course of treatment" may include mere observation or, where appropriate, no treatment at all.

"Mental health division" means the mental health division of the Washington state department of social and health services (DSHS). DSHS has designated the mental health division as the state mental health authority to administer the state and Medicaid funded mental health program authorized by chapters 71.05, 71.24, and 71.34 RCW.

"Mental health professional" means:

(1) A psychiatrist, psychologist, psychiatric nurse or social worker as defined in chapter 71.05 and 71.34 RCW;

(2) A person with a masters degree or further advanced degree in counseling or one of the social sciences from an accredited college or university. Such person shall have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the supervision of a mental health professional;

(3) A person who meets the waiver criteria of RCW 71.24.260, which was granted prior to 1986.

(4) A person who had an approved waiver to perform the duties of a mental health profession that was requested by the regional support network and granted by the mental health division prior to July 1, 2001; or

(5) A person who has been granted a time-limited exception of the minimum requirements of a mental health professional by the mental health division consistent with WAC 388-865-265.

"Mental health specialist" means:

(1) A **"child mental health specialist"** is defined as a mental health professional with the following education and experience:

(a) A minimum of one hundred actual hours (not quarter or semester hours) of special training in child development and the treatment of children and youth with serious emotional disturbance and their families; and

(b) The equivalent of one year of full-time experience in the treatment of seriously emotionally disturbed children and youth and their families under the supervision of a child mental health specialist.

(2) A **"geriatric mental health specialist"** is defined as a mental health professional who has the following education and experience:

(a) A minimum of one hundred actual hours (not quarter or semester hours) of specialized training devoted to the mental health problems and treatment of persons sixty years of age or older; and

(b) The equivalent of one year of full-time experience in the treatment of persons sixty years of age or older, under the supervision of a geriatric mental health specialist.

(3) An **"ethnic minority mental health specialist"** is defined as a mental health professional who has demonstrated cultural competence attained through major commitment, ongoing training, experience and/or specialization in serving ethnic minorities, including evidence of one year of service specializing in serving the ethnic minority group under the supervision of an ethnic minority mental health specialist; and

(a) Evidence of support from the ethnic minority community attesting to the person's commitment to that community; or

(b) A minimum of one hundred actual hours (not quarter or semester hours) of specialized training devoted to ethnic minority issues and treatment of ethnic minority consumers.

(4) A **"disability mental health specialist"** is defined as a mental health professional with special expertise in working with an identified disability group. For purposes of this chapter only, **"disabled"** means an individual with a disability

other than a mental illness, including a developmental disability, serious physical handicap, or sensory impairment.

(a) If the consumer is deaf, the specialist must be a mental health professional with:

(i) Knowledge about the deaf culture and psychosocial problems faced by people who are deaf; and

(ii) Ability to communicate fluently in the preferred language system of the consumer.

(b) The specialist for consumers with developmental disabilities must be a mental health professional who:

(i) Has at least one year's experience working with people with developmental disabilities; or

(ii) Is a developmental disabilities professional as defined in RCW 71.05.020.

"Older person" means an adult who is sixty years of age or older.

"Service recipient" means for the purposes of a mental health prepaid health plan, a consumer eligible for the Title XIX Medicaid program.

"Substantial hardship" means that a consumer will not be billed for emergency involuntary treatment if he or she meets the eligibility standards of the ((medically)) psychiatric indigent inpatient program that is administered by the DSHS ((medical assistance)) economic services administration.

"Supervision" means monitoring of the administrative, clinical, or clerical work performance of staff, students, volunteers, or contracted employees by persons with the authority to give direction and require change.

"Underserved" means consumers who are:

- (1) Minorities;
- (2) Children;
- (3) Older adults;
- (4) Disabled; or
- (5) Low-income persons.

NEW SECTION

WAC 388-865-0217 Psychiatric indigent inpatient program. (1) The psychiatric indigent inpatient (PII) program is a state funded, limited casualty (LCP) program specifically for mental health clients identified in need of inpatient psychiatric care by the regional support network (RSN).

(2) The psychiatric indigent inpatient (PII) program pays only for involuntary and emergent voluntary inpatient psychiatric care in community hospitals within the state of Washington. Psychiatric indigent inpatient (PII) does not cover ancillary charges for physician, transportation, pharmacy or other costs associated with an inpatient psychiatric hospitalization.

(3) To be eligible for the psychiatric indigent inpatient (PII) program, a client is subject to the following conditions and limitations:

(a) The client must have an involuntary or voluntary inpatient psychiatric admission authorized by a regional support network (RSN) in the month of application or within the three months immediately preceding the month of application.

(b) Consumers applying for the psychiatric indigent inpatient (PII) program are subject to the income and

resource rules for TANF and TANF-related clients in chapter 388-450 and chapter 388-470 WAC.

(c) If a client's income and/or resources exceed the standard for medically needy (MN), as described in WAC 388-478-0070, the client must spend down the excess amount as described in WAC 388-519-0100 for the client to be eligible for the psychiatric indigent inpatient (PII) program.

(d) A client who is voluntarily admitted must have incurred an emergency medical expense requirement (EMER) of two thousand dollars over a twelve-month period. A client who is detained under the Involuntary Treatment Act (ITA) is exempt from the emergency medical expense requirement (EMER).

(i) Qualifying emergency medical expense requirement (EMER) expenses are psychiatric inpatient services in a community hospital.

(ii) The emergency medical expense requirement (EMER) period lasts for twelve calendar months, beginning on the first day of the month of certification for psychiatric indigent inpatient (PII) and continuing through the last day of the twelfth month.

(e) A client is limited to a single three-month period of psychiatric indigent inpatient (PII) eligibility per twelve-month emergency medical expense requirement (EMER) period.

(4) Clients are not eligible for the psychiatric indigent inpatient (PII) program if they:

- (a) Are eligible for, or receiving, any other cash or medical program; or
- (b) Entered the Washington state specifically to obtain medical care; or
- (c) Are inmates of a federal or state prison.

WSR 03-24-031

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed November 25, 2003, 11:43 a.m., effective January 1, 2004]

Date of Adoption: November 25, 2003.

Purpose: WAC 458-20-244 provides guidelines for determining if the sale of a food or food ingredient is subject to retail sales tax. In 2003, the legislature adopted the food definitions set forth in the national streamlined sales and use tax agreement. The 2003 amendments to these statutes significantly changed how sales of food and food ingredients are taxed on and after January 1, 2004. This rule provides guidance on the new food definitions and their tax implications. The effective date for the food definitions in chapter 168, Laws of 2003, is January 1, 2004.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-244 Food and food ingredients.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Adopted under notice filed as WSR 03-20-042 on September 24, 2003.

Changes Other than Editing from Proposed to Adopted Version: Subsection (12) How are vending machines taxed?, of the proposed rule was removed.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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: January 1, 2004.

November 25, 2003

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

AMENDATORY SECTION (Amending Order 88-4, filed 7/19/88)

WAC 458-20-244 Food ((products)) and food ingredients. (1) **Introduction.** ~~(Effective on June 1, 1988, the law is changed regarding the exemption of retail sales tax and use tax on food products. Formerly, sales of food products were sometimes taxable depending upon how and where the products were sold. Under the changes in the law the intent is to tax such product sales or exempt them from tax in a uniform and consistent manner so that the tax either applies or not equally for all sellers and buyers. Generally, it is the intent of the law, as amended, to provide the exemption for groceries and other unprepared food products with some specific exclusions. It is the intent of the law to tax the sales of meals and food prepared by the seller regardless of where it is served or delivered to the buyer. Again, there are some specific exclusions. This section provides the guidelines for determining if food product sales are taxable or exempt of tax under the changed law. It also explains special tax exemption provisions for food purchased with food stamps.~~

(2) **Definitions.** As used herein and for purposes of the sales tax and use tax exemptions, the following definitions apply:

(a) ~~"Food products" means only substances, products, and byproducts sold for use as food or drink by humans. The term includes, but is not limited to, the following items:~~

Baby foods, formulas	Baking soda and powder
Bakery products	Bouillon cubes
Candy	Meat, meat products,
Cereal products	—including livestock sold
Chewing gum	—for human consumption
Chocolate	Milk, milk products
Cocoa	Mustard
Coffee and coffee	Noncarbonated soft drinks

- substitutes
 - Condiments
 - Crackers
 - Diet food, not including
 - dietary supplements
 - or adjuncts
 - Eggs, egg products
 - Extracts and flavoring
 - for food
 - Fish, fish products
 - Flour
 - Food coloring
 - Frozen foods
 - Fruit, fruit products
 - Gelatin
 - Honey
 - Ice cream, toppings
 - Jam, jelly, jello
 - Marshmallows
 - Mayonnaise
 - Yeast
- Nuts
 - Oleomargarine
 - Olives, olive oil
 - Peanut butter
 - Popcorn
 - Popsicles
 - Potato chips
 - Powdered drink mixes
 - Salt and salt substitutes
 - Sandwich spreads
 - Sauces
 - Sherbet
 - Shortening
 - Soup
 - Spices and herbs
 - Sugar, sugar products,
 - sugar substitutes
 - Syrups
 - Tea
 - Vegetables, vegetable
 - products

(b) "Nonfood products" means certain substances which may be sold at food and grocery stores and which may be ingested by humans but which are not treated as food for purposes of the tax exemptions. Tax exempt food products do not include any of the following nonfood products:

- Alcoholic beverages
 - Aspirin
 - Beer or wine making
 - supplies
 - Breeding stock
 - Calcium tablets
 - Carbonated beverages
 - Chewing tobacco
 - Cod liver oil
 - Cough medicines (liquid
 - or lozenge)
 - Dietary supplements or
 - adjuncts as defined
 - below
 - First-aid products
- Ice, bottled water (mineral
 - or otherwise)
 - Mouthwashes
 - Nonedible cake decorations
 - Nonprescription medicines
 - Patent medicines
 - Pet food and supplies
 - Seeds and growing plants
 - including edible plants
 - Tobacco products
 - Tonics, vitamins
 - Toothpaste

(c) "Dietary supplements or adjuncts" are medicines or preparations in liquid, powdered, granular, tablet, capsule, lozenge, or pill form taken in addition to natural or processed foods in order to meet special vitamin or mineral needs. Dietary supplements or adjuncts are not food products entitled to tax exemption. However, the term "dietary supplements or adjuncts" does not include products whose primary purpose is to provide the complete nutritional needs of per-

sons who cannot ingest natural or processed foods. Also, this term does not include food in its raw or natural state which has been merely dried, frozen, liquified, fortified, or otherwise merely changed in form rather than content.

Such substances as dried milk, powdered spices and herbs, brewers yeast, desiccated liver, powdered kelp, herbal extracts, and the like are not dietary supplements or adjuncts subject to tax.

(d) "Eligible foods," as used in subsection (10) of this section, means any food which can be purchased with food stamps under the Federal Food Stamp Act of 1977. "Eligible foods" include any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods or hot food products prepared for immediate consumption. The term also includes seeds and plants used to grow foods for personal consumption (7 U.S.C.A. U 2012). Thus some substances are "eligible foods" which are defined above as "nonfood products."

(3) Business and occupation tax. There is no general tax exemption for sales of food or food products for B&O tax purposes. The gross proceeds of sales of food are subject to the wholesaling or retailing classification of B&O tax, as the case may be.

(4) Retail sales tax—Taxable sales. Sales of food products are subject to retail sales tax under any of the following circumstances:

(a) Effective June 1, 1988, sales by any retail vendor of any food handled on the vendor's premises which by law requires the vendor to have a food and beverage service worker's permit under RCW 69.06.010 (handling unwrapped or unpackage food) are subject to sales tax. Such sales include, but are not limited to, sandwiches prepared or chicken cooked on the premises, deli trays, home delivered pizzas or meals, and salad bars. However, certain sales of foods which require a permit are expressly excluded from taxation. See subsection (5)(a) of this section.

(b) Food products sold for consumption within a place, the entrance to which is subject to an admission charge, except for national or state parks or monuments, are subject to sales tax.

(i) Example. Food of any kind sold at a snack bar, food stand, restaurant, or by individual roving food vendors inside a sports arena, theater, or similar place of amusement or recreation which charges admission is subject to sales tax.

(ii) Even sales of food products within national or state parks where admission is charged are subject to retail sales tax upon any food the preparation of which requires the retail vendor to have a permit specified in (a) of this subsection.

(e) Sales of baked goods as a part of meals or with beverages in unsealed containers are subject to sales tax. (However, see the provision for combination businesses in subsection (6) of this section.)

(d) Vending machine sales. Sales of any food products dispensed by vending machines are subject to sales tax under a formula which requires the tax to be reported and paid by the vending machine owner or operator upon fifty seven percent of the gross receipts from such machines. However, sales tax must be reported and paid upon one hundred percent of the gross receipts of vending machines which dispense hot

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prepared food products, e.g., hot coffee, soups, tea, chocolate, etc.

(i) It is not required that food vending machines be posted with prices separately showing the sales tax amount or rate charged.

(ii) The retail sales tax may be factored out of the gross receipts of such vending machines to derive the measure for reporting B&O tax.

(5) Retail sales tax—Exempt sales. RCW 82.08.0293 exempts sales of food products for human consumption from the retail sales tax except for the taxable sales described in subsection (4) of this section.

(a) Sales of the following food products are exempt of sales tax even though sold by a person required to have a food handler's permit (i.e., handling unwrapped or unpackaged foods):

(i) Raw meat prepared by persons who slaughter animals, including fish and fowl, or dress or wrap slaughtered raw meat such as fish mongers, butchers, or meat wrappers;

(ii) Meat and cheese sliced and/or wrapped, in any quantity determined by the buyer, sold by vendors such as meat markets, delicatessens, and grocery stores;

(iii) Baked goods sold by bakeries which sell no food products other than baked goods, including bakeries located in grocery stores. (See the provision for combination businesses in subsection (6) of this section);

(iv) Bulk food products sold from bins or barrels, including but not limited to, flour, fruits, vegetables, sugar, salt, candy, chips, and cocoa;

(v) Prepared meals sold under a state administered nutrition program for the aged as provided for in the Older Americans Act (Public Law 95-478 Title III) and RCW 74.38.040(6);

(vi) Prepared meals sold to or for senior citizens, disabled persons, or low income persons by a not for profit organization organized under chapter 24.03 or 24.12 RCW.

(b) Retailers of food products must keep adequate records to demonstrate that any sales claimed to be tax exempt qualify for exemption as explained above.

(6) Combination businesses. Persons operating a combination of two kinds of food sales businesses at one location are required to keep their accounting records and sales receipts segregated between taxable and tax exempt sales.

(a) Examples of combination businesses are:

(i) A grocery store with a lunch counter or salad deli bar.

(ii) A bakery which sells baked goods "to go" and also sells baked goods with meals or beverages in unsealed containers.

(b) Combination businesses must collect and report retail sales tax upon their charges for meals and servings of food which require such businesses to have a food handler's permit.

(c) It is sufficient segregation for accounting purposes if cash registers or electronic checking machines are programmed to identify and separately tax food products which are not tax exempt.

(d) If the combined food businesses are commingled in accounting, all sales of food products will be deemed subject to sales tax.

(7) Combination and specialty packages. When a package consists of both food and nonfood products, such as a holiday or picnic basket containing beer and pretzels, cups or glasses containing food items, or carbonated beverages along with cheese and crackers, the food portion may be tax exempt if its price is stated separately; if the price is a lump sum, the sales tax applies to the entire price.

(8) Promotional items. Nonfood items given to buyers to promote food product sales such as coffee sold in a decorative apothecary container or cheese sold in a serving dish are not taxable and are not deemed combination packages where it is clear that the container or dish is simply a gift furnished as a sales inducement for the food. In the same way, promotional give-aways of food items as an inducement for sales of nonfood items are not exempt (e.g., the sale of crystal ware containing candy or nuts is fully subject to sales tax).

(9) Food vending vans. Food products sales from vehicular vending vans are taxable or exempt of retail sales tax in the same manner as food sales at grocery stores. Thus, sales of candy bars, gum, or any prewrapped food products which are prepackaged by a manufacturer other than the retail vendor operating the van are exempt of retail sales tax. Sales of any unwrapped or unpackaged food items, including but not limited to, hotdogs, sandwiches, bakery items, soups, and hot or cold beverages as well as sales of hot food cooked or heated by the retail vendor are subject to sales tax.

(10) Food stamps. Sales of "eligible foods," as defined earlier, which are purchased with food stamps are exempt of retail sales tax.

(a) When both food stamps and cash (or check) are used to make purchases, the food stamps must be applied first to "eligible foods" which are not otherwise tax exempt "food products," for example, dietary supplements, carbonated beverages, garden seeds, bottled water, and ice. The cash or check portion of the purchase price must then be applied to items listed above which qualify as tax exempt food products. The intent is to always apply the stamps and cash in such a way as to provide the greatest possible amount of sales tax exemption under the law.

(b) The obligation rests with the seller to determine which items are eligible for purchase with food stamps.

(c) The following examples show how the tax exemptions apply in cases where a purchase of ten dollars each is made for meat (a food product), dietary supplements (an eligible food), and soap (a nonfood item) using both food stamps and cash. A tax rate of 7.8% is used for these examples.

(i) A customer pays the thirty dollar selling price with ten dollars worth of food stamps and twenty dollars cash. The stamps are applied to the dietary supplements, making them tax exempt. The cash is used for the meat and soap. The result is that sales tax is due only on the soap, in the amount of .78 (7.8% x \$10.00 worth of soap).

(ii) The customer pays with five dollars in stamps and twenty five dollars in cash. Again, the stamps are applied against the dietary supplements, leaving five dollars of their value to be purchased with cash. The meat is tax exempt and the soap and the rest of the dietary supplements are taxable. Tax is due in the amount of \$1.78 (7.8% x \$15.00 worth of soap and supplements).

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(iii) The customer pays with fifteen dollars in stamps and fifteen dollars in cash. The stamps are applied first to the supplements (ten dollars worth) and then to the meat (five dollars worth). The cash applies to the rest of the meat and the soap. The tax due is .78 (7.8% x \$10.00 worth of soap).

(11) Use tax on food. The provisions of the use tax of chapter 82.12 RCW apply for taxation or tax exemption under the same circumstances outlined above regarding retail sales tax. (See RCW 82.12.0293.) The use tax applies under any circumstance where the retail sales tax is due upon food sales in this state but the sales tax has not been paid for any reason.

(12) Other food and meals vendors. Specific provisions govern certain persons who sell food and prepared meals. See the following referenced sections for provisions regarding:

(a) Restaurants and transportation companies (e.g., air, rail, water) and other businesses or groups furnishing meals to employees, guests, patients, students, etc., see WAC 458-20-119.

(b) Hotels, motels, boarding or rooming houses, resorts, and trailer camps, see WAC 458-20-166.

(c) Religious, charitable benevolent, and nonprofit service organizations, see WAC 458-20-169.) RCW 82.08.-0293 and 82.12.0293 provide retail sales tax and use tax exemptions for certain foods sold for human consumption. In 2003, the legislature adopted the food definitions set forth in the national Streamlined Sales and Use Tax Agreement. The 2003 amendments to these statutes significantly change how sales of food and food ingredients are taxed on and after January 1, 2004. This rule provides guidelines for determining if the sale of a food or food ingredient is subject to retail sales tax.

There is no general business and occupation (B&O) tax exemption for sales of food and food ingredients. Therefore, even if a sale of food is exempt from retail sales tax, the income from that sale is included in gross proceeds when calculating the business's retailing B&O tax.

(2) **Related rules.** The department has adopted other rules that provide important tax reporting information to persons who sell food and prepared meals:

(a) WAC 458-20-119 (Sales of meals);

(b) WAC 458-20-124 (Restaurants, cocktail bars, taverns and similar businesses);

(c) WAC 458-20-12401 (Special stadium sales and use tax);

(d) WAC 458-20-166 (Hotels, motels, boarding houses, rooming houses, resorts, summer camps, trailer camps, etc.);

(e) WAC 458-20-167 (Education institutions, school districts, student organizations, and private schools);

(f) WAC 458-20-168 (Hospitals, medical care facilities, and adult family homes); and

(g) WAC 458-20-169 (Nonprofit organizations).

(3) **"Food and food ingredients" defined.** "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value.

"Food and food ingredients" does not include:

(a) "Alcoholic beverages," which means beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume; and

(b) "Tobacco," which means cigarettes, cigars, chewing or pipe tobacco, or any other items that contain tobacco.

(4) **Taxability of prepared food.** The exemption for "food and food ingredients" provided in RCW 82.08.0293 does not apply to prepared food. The sale of prepared food is subject to retail sales tax, unless otherwise exempt by law. See subsection (5) of this section for information about the taxability of soft drinks and subsection (6) of this section for information about the taxability of dietary supplements.

(a) **Prepared food.** "Prepared food" means:

(i) Food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate does not include a container or packaging used to transport the food;

(ii) Food sold in a heated state or heated by the seller; or

(iii) Two or more food ingredients mixed or combined by the seller for sale as a single item, except:

(A) Food that is only cut, repackaged, or pasteurized by the seller;

(B) Raw eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, part 401.11 of *The Food Code*, published by the Food and Drug Administration, as amended or renumbered as of January 1, 2003, so as to prevent foodborne illness; or

(C) Bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas.

(b) **Food sold with eating utensils.** Food sold with eating utensils provided by the seller is prepared food and thus subject to tax, even if the seller does not otherwise prepare the food.

(i) **Eating establishments that sell food with eating utensils.** Generally food sold by an eating establishment is subject to sales tax. An eating establishment may be mobile or in a fixed location and may or may not provide seating accommodations for its customers. Eating establishments include restaurants, caterers, pizzerias, bars, taverns, night clubs, yogurt or ice cream stores/stands, coffee or donut shops, diners, refreshment stands, drive-ins, fast food restaurants, bagel shops, lunch counters, cafeterias, private and social clubs, sandwich shops, snack bars, hot dog carts, espresso stands, concession stands at a fair or a mall, sidewalk vendors or like places of business where food is served to individuals and is customarily sold for consumption shortly after it is sold.

(A) All food served at eating establishments is subject to tax unless the seller maintains adequate records for sale of food items that are generally not sold with eating utensils and do not otherwise qualify as prepared food, such as gallons of milk, loaves of bread, whole pies, a dozen donuts, wedding or birthday cakes, and packages of rolls or muffins. The information shown on invoices, cash register receipts, or sales tickets must provide an adequate description of the food items sold to show that the sale was not of food items that are generally served with eating utensils or do not otherwise qualify as prepared food.

(B) Food sold by grocery stores, convenience stores, and department stores is generally not considered to be sold with eating utensils provided by the seller, even though eating utensils may be available to customers (e.g., napkins on the counter). For example, the sale of yogurt is not subject to retail sales tax even if napkins are available for the customer's use at the checkout stand. The food may be taxable if it is generally served with eating utensils (see part (ii) below). A grocery store is a business primarily engaged in the retail sale of a wide variety of food products. They generally contain the following departments: Dairy, baked goods, canned and dry goods, frozen foods, meats, fresh fruits and vegetables and household supplies.

Grocery stores, department stores, and convenience stores that have a separately identifiable eating establishment, such as a salad bar, sushi bar, or deli, are required to collect the tax on food items sold at that establishment unless the store maintains adequate records for sale of food items that are generally not sold with eating utensils or do not otherwise qualify as prepared food.

(ii) Food that is generally sold with eating utensils. Food that is generally sold with eating utensils, including plates, knives, forks, spoons, glasses, cups, napkins, or straws, is subject to tax, even if the seller does not in all cases actually provide the utensils. For example, sales from salad bars or "make your own sandwich" bars at a grocery store are taxable since salads and sandwiches are generally eaten with eating utensils (a fork for the salad and a napkin for the sandwich). "Make your own ice cream sundae" bars are taxable for the same reason. These items are taxable regardless of where they are sold. Cold cut platters, cheese platters, vegetable and fruit platters are taxable since the platter is an eating utensil.

(A) Box lunches are taxable since they are generally sold with eating utensils provided by the seller.

(B) If the eating utensil is provided by the manufacturer rather than by the seller, the sale of the food is not subject to retail sales tax. For example, a box of crackers and cheese that includes a spreader, is not subject to tax since the seller does not provide the spreader.

(c) "Prepared food" examples. The examples in this subsection identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of all facts and circumstances.

(i) If a carton of milk is purchased from a grocery store, the sale is exempt from retail sales tax because the milk, in this case, is an exempt food item. If an individual purchases a glass of milk from a restaurant, however, it is subject to retail sales tax because the seller provided an eating utensil, a glass.

(ii) A grocery store deli sells pasta salad that it prepares itself and potato salad that it purchases in bulk. The deli packages the pasta salad for sale, and repackages the potato salad the deli purchased in bulk into smaller containers. Sales of the potato salad are exempt from retail sales tax because "prepared food" does not include food that is merely repackaged. Sales of the pasta salad are subject to retail sales tax because the deli mixed or combined two or more food

ingredients, doing something more than cutting or repackaging the food ingredients.

(iii) A grocery store meat department prepares ready-to-bake stuffed pork chops. The stuffed pork chops are not "prepared foods" and are not subject to tax even though the seller combined two or more ingredients because "prepared foods" does not include raw meat, or foods containing raw animal foods that require cooking by the consumer, to prevent food-borne illness.

(iv) Pizza. The taxability of pizza depends on who prepares it and in what form it is sold. The following examples explain the taxability of pizza in its various forms:

(A) Pizza prepared by the seller and sold in a heated state. Pizza sold by the slice and whole hot pizzas ready to eat, including delivered pizzas, are taxable because they are sold in a heated state. Additionally, the sale of the pizza is a taxable sale of a "prepared food" because the seller mixed or combined two or more food ingredients.

(B) Ready-to-bake pizzas prepared by the seller. Fresh or frozen ready-to-bake pizza prepared by the seller is taxable as a "prepared food" because the seller mixed or combined two or more food ingredients.

(C) Ready-to-bake pizzas prepared by a third party. Fresh or frozen ready-to-bake pizza procured by the seller from a third party or wholesaler is exempt from sales tax because it does not fall under the definition of "prepared food" as the seller did not mix or combine two or more food ingredients.

(d) Exemption from taxation for certain meals (prepared food). Notwithstanding subsection (4)(a) and (b), above, meals sold under a state-administered nutrition program for the aged as provided for in the Older Americans Act (Public Law 95-478 Title III) and RCW 74.38.040, and meals sold to or for senior citizens, disabled persons, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW are exempt from retail sales and use tax. There is a sales tax exemption for meal sales for certain fund-raising by nonprofit organizations. See WAC 458-20-169.

(5) Taxability of soft drinks. The exemption for "food and food ingredients" provided in RCW 82.08.0293 does not apply to "soft drinks."

(a) "Soft drinks" defined. "Soft drinks" are nonalcoholic beverages that contain natural or artificial sweeteners. Soft drinks do not include:

(i) Beverages that contain milk or milk products, soy, rice, or similar milk substitutes; or

(ii) Beverages that contain greater than fifty percent vegetable or fruit juice by volume.

(b) "Soft drink" examples. The examples in this subsection identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of all facts and circumstances.

(i) The sale of bottled water, carbonated water, and flavored water, without natural or artificial sweeteners, is exempt from tax because they are defined as food in RCW 82.08.0293 and do not fall within the definition of "soft drinks." If these products are sold in a cup or glass, however, the sale is a sale of a "prepared food" and is subject to sales

tax. See subsection (4)(a)(i) above. Bottled water, carbonated water, and flavored water that contain natural or artificial sweeteners are subject to sales tax because they are "soft drinks."

(ii) Sports drinks that contain natural or artificial sweeteners are subject to sales tax because they fall within the definition of "soft drinks."

(iii) Fruit or vegetable juice that contains natural or artificial sweeteners and contains fifty percent or less by volume of fruit or vegetable juice is subject to sales tax because it falls within the definition of "soft drinks."

(iv) Bottled coffee or tea drinks with natural or artificial sweeteners, but without milk or milk products, are "soft drinks" and are subject to retail sales tax. Bottled coffee or tea drinks, with or without sweeteners that contain milk or milk products are not subject to sales tax because they do not fall within the definition of "soft drinks."

(6) Taxability of dietary supplements. The exemption for "food and food ingredients" provided in RCW 82.08.0293 does not apply to "dietary supplements."

(a) **"Dietary supplements" defined.** "Dietary supplement" means any product, other than tobacco, intended to supplement the diet and that:

(i) Contains one or more of the following dietary ingredients:

(A) A vitamin;

(B) A mineral;

(C) An herb or other botanical;

(D) An amino acid;

(E) A dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or

(F) A concentrate, metabolite, constituent, extract, or combination of any ingredient described in this subsection;

(ii) Is intended for ingestion in tablet, capsule, powder, soft gel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and

(iii) Is required to be labeled as a dietary supplement, identifiable by the "Supplement Facts" box found on the label and as required under 21 Code of Federal Regulations (CFR) § 101.36, as amended or renumbered as of January 1, 2003.

(b) **"Dietary supplements" examples.** The examples in this subsection identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of all facts and circumstances.

(i) Nutrition products in bar or liquid form formulated to provide balanced nutrition as a sole source of nourishment are considered a food and not a dietary supplement and are therefore exempt from taxation.

(ii) A product sold for human consumption may have one or more of the following federal Food and Drug Administration labels, a "Nutrition Facts," a "Dietary Supplements Facts," or a "Drug Facts" label. If a product label contains a "Supplement Facts" and "Nutrition Facts" box, the product is a food and not subject to tax if it does not otherwise qualify as prepared food.

(7) Is ice sold for human consumption taxed? Ice sold for human consumption is considered a food or food ingredi-

ent and is therefore exempt from retail sales tax. "Ice sold for human consumption" means ice sold in cube, shaved, or crushed form and in quantities of ten pounds or less in weight per bag or container. Blocks of ice of any weight are not considered a food or food ingredient and are therefore taxable. See WAC 458-20-120 (Sales of ice) for additional guidance on the sale of ice.

(8) Combination businesses. The sale of "food and food ingredients" or "prepared food" sold in the same manner should receive the same tax treatment regardless of the establishment in which the item is sold. Persons operating a combination of two kinds of food sales businesses at one location must keep their accounting records and sales receipts segregated between taxable and tax exempt sales. Examples of combination businesses are a grocery store with a lunch counter or salad-deli bar, a bakery that sells tax-exempt baked goods and also sells baked goods with eating utensils or as part of a meal, and a gas station/convenience store.

(a) **Tax collecting responsibility.** Combination businesses must collect and report retail sales tax upon their charges for prepared foods. It is sufficient segregation for accounting purposes if cash registers or electronic checking machines are programmed to identify and separately tax food that is not tax exempt. If the combined food business' sales are commingled in their accounting records, all sales of food and food ingredients are subject to retail sales tax.

(b) **Combination business examples.** The examples in this subsection identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of all facts and circumstances.

(i) A consumer purchases his wedding cake, a donut, and a cup of coffee from Bakery. The sale of the wedding cake is not taxable if Bakery maintains adequate records for sale of food items that are generally not sold with eating utensils and do not otherwise qualify as prepared food. The sale of the donut is taxable because it is a food that is generally sold with eating utensils, a napkin. The sale of the coffee is taxable because it is served with an eating utensil, the cup, and because it is sold in a heated state by the seller.

(ii) Grocery Store has a deli section that prepares and sells deli foods and provides a salad bar where the customer can make a salad. A customer purchases a salad that he made from the salad bar and a bottle of apple juice that is one hundred percent fruit juice. The sale of a salad from the salad bar is taxable because it is generally sold with eating utensils (e.g., a plate, fork, knife, spoon, or napkin). The sale of the apple juice is exempt because it is food and not a "soft drink" because it is more than fifty percent fruit juice.

(iii) Gas Station has a convenience store that sells "food and food ingredients," "prepared food," and nonfood products. The sale of "food and food ingredients" is not taxable if Gas Station maintains adequate records for sale of food items that are generally not sold with eating utensils and do not otherwise qualify as prepared food.

(9) How are packages of food items that contain taxable and nontaxable items taxed? When a package consists of both food and nonfood products, such as a holiday or picnic basket containing beer and pretzels, cups or glasses containing food items, or soft drinks along with cheese and

crackers, the food portion may be tax exempt if its price is stated separately. If the price is a lump sum, the sales tax applies to the entire price.

Nonfood items given to buyers to promote food or food ingredient sales such as coffee sold in a decorative apothecary container or cheese sold in a serving dish are not taxable and are not deemed combination packages where it is clear that the nonfood item is simply a gift furnished as a sales inducement for the food. In the same way, promotional giveaways of food items as an inducement for sales of nonfood items are not exempt (e.g., the sale of crystal ware containing candy or nuts is fully subject to sales tax).

(10) Purchases made under the Food Stamp Act of 1977. RCW 82.08.0297 provides a retail sales tax exemption for the sale of eligible foods that are purchased with coupons issued only under the federal Food Stamp Act of 1977. The term "food coupon" does not include manufacturers' coupons, grocers' coupons, or other coupons issued by private parties. "Eligible foods" has the same meaning as established under federal law for the purposes of the Food Stamp Act of 1977. The term includes any food or food ingredient intended for human consumption except alcoholic beverages, tobacco, and hot foods or hot food ingredients prepared for immediate consumption. 7 U.S.C. § 2012(g), as amended or renumbered as of January 1, 2003. The term "coupon," as used in this subsection, means any coupon, stamp, type of certificate, authorization card, cash or check issued in lieu of a coupon, or access device, including an electronic benefit transfer card or personal identification number issued pursuant to the provisions of the Food Stamp Act of 1977. 7 CFR § 271.2, as amended or renumbered as of January 1, 2003.

(a) Purchasing nonfood products with food coupons. Some nonfood products may be exempt if purchased with food coupons. For example, seeds and growing plants are considered "nonfood products," even though they may be sold at grocery stores and can be ingested by humans. However, seeds and plants to grow foods for the personal consumption of eligible households are "eligible foods" under the Food Stamp Act of 1977. 7 CFR § 271.2, as amended or renumbered as of January 1, 2003. Therefore, in this limited circumstance, the sale of seeds and plants is tax exempt.

When both coupons and cash (or check) are used to make purchases, the coupons must be applied first to "eligible foods" which are not otherwise tax exempt "food or food ingredients." For example, soft drinks and garden seeds are "eligible foods" under the food stamp program but are not tax exempt under RCW 82.08.0293. The intent is always to apply the coupons and cash in such a way as to provide the greatest possible amount of retail sales tax exemption under the law.

(b) Food coupon examples. The examples in this subsection identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of all facts and circumstances. The following examples demonstrate how the tax exemption applies in cases where a purchase of ten dollars each is made for meat (a food ingredient), soda pop (an eligible food), and soap (a nonfood item) using both coupons and cash.

(i) The customer pays with fifteen dollars in coupons and fifteen dollars in cash. The coupons are applied first to the soda pop (ten dollars worth) and then to the meat (five dollars worth). The cash applies to the rest of the meat and the soap. Retail sales tax is due on the ten-dollar purchase of soap because soap is not an "eligible food" under the food stamp program.

(ii) A customer pays the thirty-dollar selling price with ten dollars worth of coupons and twenty dollars cash. The coupons are applied to the soda pop, making the soda pop exempt. The cash is applied towards the purchase of the meat and soap. The result is that retail sales tax is due only on the ten-dollar purchase of soap.

(iii) The customer pays with five dollars worth of coupons and twenty-five dollars in cash. Again, the coupons are first applied towards the soda pop, leaving five dollars of the value to be purchased with cash. Retail sales tax is due on fifteen dollars, the ten-dollar purchase of soap and five dollars worth of soda pop.

(11) How are food vending van sales taxed? Food and food ingredient sales from vehicular vending vans are taxable or exempt of retail sales tax in the same manner as food sales at grocery stores. Thus, sales of candy bars, gum, or any pre-wrapped food and food ingredients which are prepackaged by a manufacturer or preparer other than the person operating the van are exempt from retail sales tax. Sales of any prepared food items or soft drinks, including, but not limited to, hotdogs, sandwiches, soups, and hot or cold beverages are subject to retail sales tax. See definition of "prepared food" in subsection (4)(a), above.

WSR 03-24-033

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 25, 2003, 2:04 p.m., effective December 31, 2003]

Date of Adoption: October 31, 2003.

Purpose: To adopt or amend rules to implement the revisions to chapter 18.04 RCW passed through the 2003 legislative session (SHB 1211).

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-410 Definitions, 4-25-640 Clients' confidential information, 4-25-750 What are the CPA firm licensing requirements? and 4-25-910 What are the bases for the board to impose discipline?; and new section WAC 4-25-670 What enforcement actions must be reported to the board?.

Statutory Authority for Adoption: For WAC 4-25-410 is RCW 18.04.055; for WAC 4-25-640 is RCW 18.04.055(2), 18.04.390 (4)(b) and 18.04.405(1); for WAC 4-25-670 is RCW 18.04.195 (10)(b) and 18.04.215 (9)(b); for WAC 4-25-750 is RCW 18.04.055(8), 18.04.195 and 18.04.205; and for WAC 4-25-910 is RCW 18.04.055(16), 18.04.295, and 18.04.305.

Adopted under notice filed as WSR 03-17-061 on August 18, 2003.

Changes Other than Editing from Proposed to Adopted Version: To WAC 4-25-670(2) added the language "pursuant to subsection (1) of this section."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 4, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 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: December 31, 2003.

November 12, 2003

Dana M. McInturff

Executive Director

AMENDATORY SECTION (Amending WSR 02-04-064, filed 1/31/02, effective 3/15/02)

WAC 4-25-410 Definitions. For purposes of these rules the following terms have the meanings indicated unless a different meaning is otherwise clearly provided in these rules:

(1) "**Act**" means the Public Accountancy Act codified as chapter 18.04 RCW.

(2) "**Active individual participant**" means a natural person whose primary occupation is at the firm or affiliated entity's business. An individual whose primary source of income from the business entity is provided as a result of passive investment is not an active individual participant.

(3) "**Affiliated entity**" means any entity, entities or persons that directly or indirectly through one or more relationships influences or controls, is influenced or controlled by, or is under common influence or control with other entities or persons. This definition includes, but is not limited to, parents, subsidiaries, investors or investees, coinvestors, dual employment or management in joint ventures or brother-sister entities.

(4) "**Attest services**" are services performed by a licensee in accordance with:

(a) Statements on Auditing Standards and related Auditing Interpretations issued by the American Institute of Certified Public Accountants (AICPA);

(b) Statements on Standards for Accounting and Review Services and related Accounting and Review Services Interpretations issued by the AICPA; and

(c) Statements on Standards for Attestation Engagements and related Attestation Engagements Interpretations issued by the AICPA.

(5) "**Audit**," "**review**," and "**compilation**" are terms reserved for use by licensees and individuals granted practice privileges under the act.

(6) "**Board**" means the board of accountancy created by RCW 18.04.035.

(7) "**Certificate**" means a certificate as a CPA issued in the state of Washington prior to July 1, 2001, as authorized by the act, unless otherwise defined in rule.

(8) "**Certificateholder**" means the holder of a certificate as a certified public accountant who has not become a licensee, has maintained CPE requirements, and who does not practice public accounting.

(9) "**Client**" means the person or entity that retains a CPA firm, a CPA, the CPA's firm, or a firm owner, an affiliated entity, or the owner of an affiliated entity through other than an employer/employee relationship.

(10) "**Commissions and referral fees**" are compensation arrangements where:

(a) The primary contractual relationship for the product or service is not between the client and the CPA firm, the CPA, the CPA's firm, or a firm owner;

(b) The CPA firm, the CPA, the CPA's firm, or a firm owner is not primarily responsible to the client for the performance or reliability of the product or service;

(c) The CPA firm, the CPA, the CPA's firm, or a firm owner adds no significant value to the product or service; or

(d) A third party instead of the client pays the CPA firm, the CPA, the CPA's firm, or a firm owner for the products or services.

(11) "**Contingent fees**" are fees established for the performance of any service pursuant to an arrangement in which no fee will be charged unless a specified finding or result is attained, or in which the amount of the fee is otherwise dependent upon the finding or result of such service.

(12) "**CPA**" or "**certified public accountant**" means a person holding a CPA certificate or a CPA license recognized in the state of Washington, including a person granted practice privileges pursuant to RCW 18.04.350(2).

(13) "**CPE**" means continuing professional education (see also "Interactive self-study program").

(14) "**Entering the state**" means an individual is practicing public accounting in the state of Washington and that individual spends more than ten percent of his or her total work hours on activities conducted within the state of Washington, maintains an office or workstation in the state of Washington or advertises to provide his or her services within the state of Washington.

(15) "**Enterprise**" means any person or entity, whether organized for profit or not, with respect to which a CPA firm, a CPA, a CPA's firm, or a firm owner performs professional services.

(16) "**Firm**" means a sole proprietorship, a corporation, or a partnership. "Firm" also means a limited liability company formed under chapter 25.15 RCW.

(17) "**Generally accepted accounting principles**" (GAAP) is an accounting term that encompasses the conventions, rules, and procedures necessary to define accepted accounting practice at a particular time. It includes not only broad guidelines of general application, but also detailed practices and procedures. Those conventions, rules, and procedures provide a standard by which to measure financial presentations.

(18) "**Generally accepted auditing standards**" (GAAS) are guidelines and procedures, promulgated by the

AICPA, for conducting individual audits of historical financial statements.

(19) **"Holding out"** means any representation to the public by the use of restricted titles as set forth in RCW 18.04.345 by a person or firm that the person or firm holds a license or practice privileges under the act and that the person or firm offers to perform any professional services to the public as a licensee. "Holding out" shall not affect a person or firm not required to hold a license under the act from engaging in practices identified in RCW 18.04.350.

(20) **"Inactive"** means the certificate is in an inactive status because a person, who held a valid certificate on June 30, 2001, has not met the current requirements of licensure and has been granted inactive certificateholder status through the renewal process established by the board.

(21) **"Independence"** means an absence of relationships that impair a licensee's impartiality and objectivity in rendering attest services.

(22) **"Interactive self-study program"** means a CPE program designed to use learning methodologies that simulate a classroom learning process by employing software or administrative systems that provide significant ongoing interactive feedback to learners regarding their learning progress.

~~((22))~~ (23) **"IRS"** means Internal Revenue Service.

(24) **"License"** means a license to practice public accountancy issued to an individual under the act or a license issued to a firm under the act.

~~((23))~~ (25) **"Licensee"** means the holder of a license to practice public accountancy issued under the act.

~~((24))~~ (26) **"Manager"** means a manager of a limited liability company licensed as a firm under the act.

~~((25))~~ (27) **"NASBA"** means the National Association of State Boards of Accountancy.

~~((26))~~ (28) **"Natural person"** means a living, human being.

~~((27))~~ (29) **"Nonlicensee owner"** means a CPA firm owner who is not licensed in any state to practice public accountancy.

~~((28))~~ (30) **"PCAOB"** means Public Company Accounting Oversight Board.

(31) **"Peer review"** means a study, appraisal, or review of one or more aspects of the attest work of a licensee or licensed firm in the practice of public accountancy, by a person or persons who hold licenses and who are not affiliated with the person or firm being reviewed, including a peer review, or any internal review or inspection intended to comply with quality control policies and procedures, but not including the "quality assurance review" under RCW 18.04.025(14).

~~((29))~~ (32) **"Practice privileges"** means an individual:

- Has a principal place of business outside of Washington state;
- Is licensed to practice public accounting in another state;
- Has notified the board of intent to enter the state;
- Meets the statutory criteria for a grant of privileges;
- Is subject to discipline in the state of Washington; and
- Must comply with the act and all board rules applicable to Washington state licensees to retain the privilege.

~~((30))~~ (33) **"Principal place of business"** means a single fixed location designated by the individual from which the individual directs, controls, and coordinates the majority of his or her business activities.

~~((31))~~ (34) **"Public practice"** or the **"practice of public accounting"** means performing or offering to perform by a person or firm holding itself out to the public as a licensee, for a client or potential client, one or more kinds of services involving the use of accounting or auditing skills, including the issuance of "audit reports," "review reports," or "compilation reports" on financial statements, or one or more kinds of management advisory, or consulting services, or the preparation of tax returns, or the furnishing of advice on tax matters.

~~((32))~~ (35) **"Quality assurance review or QAR"** is the process, established by and conducted at the direction of the board, of study, appraisal, or review of one or more aspects of the attest work of a licensee or licensed firm in the practice of public accountancy, by a person or persons who hold licenses and who are not affiliated with the person or firm being reviewed.

~~((33))~~ (36) **"Reciprocity"** means board recognition of licenses, certificates or other professional accounting credentials that the board will rely upon in full or partial satisfaction of licensing requirements.

~~((34))~~ (37) **"Referral fees"** see definition of "commissions and referral fees" in subsection (10) of this section.

~~((35))~~ (38) **"Reports on financial statements"** means any reports or opinions prepared by licensees, based on services performed in accordance with generally accepted auditing standards, standards for attestation engagements, or standards for accounting and review services, as to whether the presentation of information used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private, or governmental, conforms with generally accepted accounting principles or other comprehensive bases of accounting. "Reports on financial statements" does not include services referenced in RCW 18.04.350(6) provided by persons not holding a license under the act.

~~((36))~~ (39) **"Representing oneself"** for the purposes of RCW 18.04.295(2) and WAC 4-25-910(3), means having a license, practice privilege, certificate or registration that entitles the holder to use the title "CPA," "CPA-Inactive," or be a nonlicensee firm owner.

~~((37))~~ (40) **"Rules of professional conduct"** means rules adopted by the board to govern the conduct of CPAs and CPA firms while representing themselves to others as CPAs. These rules also govern the conduct of nonlicensee firm owners and all persons using the title CPA or CPA-Inactive.

~~((38))~~ (41) **"SEC"** means the Securities and Exchange Commission.

(42) **"State"** includes the states and territories of the United States, including the District of Columbia, Puerto Rico, Guam, and the United States Virgin Islands.

~~((39))~~ (43) **"Statements on auditing standards (SAS)"** are interpretations of the generally accepted auditing standards and are issued by the Auditing Standards Board of the AICPA. Licensees are required to adhere to these standards in the performance of audits of financial statements.

~~((40))~~ (44) "Statements on standards for accounting and review services (SSARS)" are standards, promulgated by the AICPA, to give guidance to licensees who are associated with the financial statements of nonpublic companies and issue compilation or review reports.

~~((41))~~ (45) "Statements on standards for attestation engagements (SSAE)" are guidelines, promulgated by the AICPA, for use by licensees in attesting to assertions involving matters other than historical financial statements and for which no other standards exist.

AMENDATORY SECTION (Amending WSR 02-22-082, filed 11/5/02, effective 12/31/02)

WAC 4-25-640 What are the requirements concerning records and clients' confidential information?

(1) Client: The term "client" as used throughout this section includes former and current clients. For purposes of this section, a client relationship has been formed when confidential information has been disclosed by a prospective client in an initial interview to obtain or provide professional services.

(2) Property of the licensee: In the absence of an express agreement between the licensee and the client to the contrary, all statements, records, schedules, working papers, and memoranda made by a licensee incident to or in the course of professional service to clients, except reports submitted by a licensee, are the property of the licensee.

(3) Sale or transfer of client records: No statement, record, schedule, working paper, or memorandum, including electronic records, may be sold, transferred, or bequeathed without the consent of the client or his or her personal representative or assignee, to anyone other than one or more surviving partners, shareholders, or new partners or new shareholders of the licensee, partnership, limited liability company, or corporation, or any combined or merged partnership, limited liability company, or corporation, or successor in interest.

(4) Confidential client communication or information: A licensee, certificateholder, firm owner, or employee of a licensee must not without the consent of the client or the heirs, successors or personal representatives of the client disclose any confidential communication or information pertaining to the client obtained in the course of performing professional services.

This rule does not:

(a) Affect in any way a licensee's, certificateholder's, firm owner's, or employee's of a licensee's obligation to comply with a lawfully issued subpoena or summons;

(b) Prohibit disclosures in the course of a quality review of a licensee's attest services;

(c) Preclude a licensee, certificateholder, firm owner, or employee of a licensee from responding to any inquiry made by the board or any investigative or disciplinary body established by law or formally recognized by the board. However, a licensee, certificateholder, firm owner, or employee of a licensee must not disclose or use to their own advantage any confidential client information that comes to their attention in carrying out their official responsibilities; or

(d) Preclude a review of client information in conjunction with a prospective purchase, sale, or merger of all or part of a CPA's practice.

~~((3))~~ (5) Client records: Licensees, certificateholders, and firm owners must furnish to their client or heirs, successors or personal representatives, upon request and reasonable notice:

(a) A copy of the licensee's, certificateholder's or firm owner's ~~((working papers, including))~~ records, schedules, and electronic documents, to the extent that such ~~((working papers include))~~ records ~~((that))~~ and schedules would ordinarily constitute part of the client's records and are not otherwise available to the client; and

(b) Any accounting or other records belonging to, or obtained from or on behalf of, the client, that the licensee, certificateholder, or firm owner removed from the client's premises or received for the client's account, including electronic documents; but the licensee, certificateholder, or firm owner may make and retain copies of such documents of the client when they form the basis for work done by the licensee, certificateholder, or firm owner.

Licensees, certificateholders, and firm owners must not refuse to return client records, including electronic documents, pending client payment of outstanding fees.

(6) Audit and review record retention requirements: For a period of seven years after a licensee concludes an audit or review the licensee must retain the following records and documents, including electronic records unless hard copies of such exist:

(a) Records forming the basis of the audit or review;

(b) Records documenting audit or review procedures applied;

(c) Records documenting evidence obtained including financial data, analyses, conclusions, and opinions related to the audit or review engagement; and

(d) Records documenting conclusions reached by the licensee in the audit or review engagement.

NEW SECTION

WAC 4-25-670 What enforcement actions must be reported to the board? (1) A licensee, certificateholder, or nonlicensee firm owner must notify the board, on a form and in the manner prescribed by board policy, within **thirty days** of the issuance of:

(a) A sanction, order, suspension, revocation, or modification of a license, certificate, permit or practice rights by the SEC, PCAOB, IRS, or another state board of accountancy for any cause other than failure to pay a professional license fee by the due date or failure to meet the continuing professional education requirements of another state board of accountancy; or

(b) Charges filed by the SEC, IRS, PCAOB, another state board of accountancy, or a federal or state taxing, insurance or securities regulatory body that the licensee, certificateholder, or nonlicensee firm owner committed a prohibited act that would be a violation of board ethical or technical standards.

(2) Sole practitioners are to report action pursuant to subsection (1) of this section taken against the sole practitioner,

the sole practitioner's individual CPA license, the CPA firm, or the CPA firm license.

(3) Licensed CPA firms are not required to report on action taken against owners, principals, partners, or employees.

(4) If you hold a license or certificate issued through the foreign reciprocity provisions of the act, you must notify the board of any investigations undertaken, or sanctions imposed, by a foreign credentialing body against your foreign credential within thirty days of your receiving notice that an investigation has begun or a sanction was imposed.

AMENDATORY SECTION (Amending WSR 02-04-064, filed 1/31/02, effective 3/15/02)

WAC 4-25-750 What are the CPA firm licensing requirements? Attest services may only be offered or performed in a CPA firm licensed in Washington. An entity wishing to use "CPA(s)" or "certified public accountant(s)" in the firm name must first obtain a license from the board.

(1) **How may a CPA firm be organized?** A CPA firm may be organized as:

- (a) A proprietorship;
- (b) A partnership;
- (c) A professional corporation (PC) or professional service corporation (PS);
- (d) A limited liability company (LLC);
- (e) A limited liability partnership (LLP); or
- (f) Any other form of legal entity authorized by statute for use by a CPA firm.

(2) **What happens when a CPA firm alters its legal form?** A change in the legal form of a firm constitutes a new firm. Accordingly, the new entity must first obtain a CPA firm license from the board.

(3) **What are the ownership requirements for a CPA firm?**

- (a) All owners of a licensed CPA firm are required to:
 - (i) Be natural persons;
 - (ii) Fully comply with the provisions of chapter 18.04 RCW; and
 - (iii) Subject to discipline by the board for violations of chapter 18.04 RCW or 4-25 WAC;
- (b) A simple majority of the ownership of the licensed firm in terms of financial interests and voting rights of all partners, owners, or shareholders must be:
 - (i) Licensees in this state or holders of a valid license to practice public accountancy issued by another state;
 - (ii) Entitled to practice public accounting in this state; and
 - (iii) Principally employed by the corporation or actively engaged in its business.

(c) At least one general partner of a partnership, one shareholder of a corporation, and one manager of a limited liability company must be a licensee.

(d) Each CPA proprietor, partner, shareholder or manager who is either a resident or is entering the state and practicing public accountancy in this state must hold a valid Washington state license or practice privileges.

(e) The principal partner of the partnership and any partner having authority over issuing reports on financial state-

ments must be a licensee under the act or holder of a valid license to practice public accountancy issued by another state and must be entitled to practice public accounting in this state.

(f) The principal officer of the corporation and any officer or director having authority over issuing reports on financial statements must be a licensee under the act or holder of a valid license to practice public accountancy issued by another state and must be entitled to practice public accountancy in this state.

(g) The principal manager or member of a limited liability company and any member having authority over issuing reports on financial statements must be a licensee under the act or holder of a valid license to practice public accountancy issued by another state and must be entitled to practice public accountancy in this state.

(h) A nonresident CPA owner must be licensed to practice public accountancy in at least one state.

(i) A nonlicensee owner must:

- (i) Be a natural person;
- (ii) Meet the good character requirements of RCW 18.04.105 (1)(a);
- (iii) Comply with the act and board rules; and
- (iv) Be an active individual participant in the licensed firm or affiliated entities as these terms are defined in WAC 4-25-410; and

(j) A resident nonlicensee firm owner must meet the requirements of WAC 4-25-752 and register with the board concurrent with submission of the firm license, or submission of an amendment to the firm license, to the board.

(4) **What are the requirements for the firm's main office and a branch office?** The firm's main office must be under the direct supervision of a resident licensee.

A branch office is an office of a licensed CPA firm which is physically separated from the main office. A branch office operates under the CPA firm license of the main office.

(5) **How do I apply for an initial CPA firm license?** To apply for an initial CPA firm license you must use the application form(s) provided by the board and submit the completed form(s), all applicable fees, all required documentation including the following to the board's office:

- (a) The firm name;
- (b) Address and telephone number of the main office and any branch offices of the firm;
- (c) Name of the managing licensee of the main office;
- (d) Licensee owners' names and the states in which they hold CPA licenses;
- (e) Name(s) of all nonlicensee owners;
- (f) Complete registration form(s), including the appropriate fee, for each resident nonlicensee owner;
- (g) Names of corporate directors, limited liability company managers, and all officers; and
- (h) Type of legal organization under which the firm operates.

An application is not complete and cannot be processed until all fees, required information, and required documentation is received by the board. Upon completion of processing, a CPA firm license will be mailed to the main office at the last address provided to the board.

PERMANENT

The initial CPA firm license will expire on June 30 of the third calendar year following initial licensure.

(6) **How do I renew a CPA firm license?** To renew a CPA firm license you must use the form(s) provided by the board. In January of the year of expiration, a renewal form(s) will be mailed to the main office at the last address provided to the board. You must submit a properly completed renewal form(s), all applicable fees and all required documentation to the board by April 30th of the year of expiration. Failure to file a complete renewal form for a firm license by April 30 of the year of expiration will result in late fees. The board may waive, reduce, or extend the due date of renewal and/or late fees based on individual hardship. A renewal application is not complete and cannot be processed until all fees, required information, and required documentation is received by the board. Upon completion of processing, the CPA firm license will be mailed to the main office at the last address provided to the board.

The CPA firm license will expire on June 30 of the third calendar year following the date of renewal.

(7) **When must I notify the board of changes in the CPA firm?** A CPA firm must provide the board written notification of the following within ~~((thirty))~~ ninety days of its occurrence:

- (a) Dissolution of a CPA firm;
- (b) The occurrence of any event that would cause the firm to be in violation of ~~((the provisions of the Public Accountancy Act (chapter 18.04 RCW) or these rules;))~~ RCW 18.04.195 or this rule; or
- (c) An event that requires an amendment to a firm license.

(8) **What events require a firm amendment?** A CPA firm must provide written notification to the board, by submitting a firm amendment form and the appropriate amendment fee, within ~~((sixty))~~ ninety days of the following events' occurrence:

- (a) Admission or departure of an owner;
- (b) Any change in the name of the firm;
- (c) Change in the managing licensee of the main office; and
- (d) Opening, closing, or relocating of the main office or of any branch office.

(9) **How long do I have to correct noncompliance with licensure requirements due to a change in ownership or an owner's credentials?** A CPA firm must notify the board within ~~((sixty))~~ ninety days of any change in ownership or lapse of an owner's license, certificate, registration or practice privilege that has caused the firm's license to be out of compliance with licensure requirements and must correct the non-compliance within ninety days of the lapse, unless the board grants a longer time period due to individual hardship.

AMENDATORY SECTION (Amending WSR 02-04-064, filed 1/31/02, effective 3/15/02)

WAC 4-25-910 What are the bases for the board to impose discipline? RCW 18.04.055, 18.04.295, and 18.04.305 authorize the board to revoke, suspend, refuse to renew or reinstate an individual or firm license, certificate, practice privilege, or registration as a resident nonlicensee

firm owner; impose a fine not to exceed ~~((ten))~~ thirty thousand dollars; recover investigative and legal costs; impose full restitution to injured parties; impose remedial sanctions; impose conditions precedent to renew; or prohibit a nonlicensee from holding an ownership interest in a licensed firm for the specific acts listed below.

The following are specific examples of prohibited acts that constitute grounds for discipline under RCW 18.04.295 and 18.04.305. The board does not intend this listing to be all inclusive.

(1) Fraud or deceit in obtaining a license or in any filings with the board.

(2) Making a false or misleading statement in support of another's application for a license and/or certificate.

(3) Dishonesty, fraud, or negligence while representing oneself as a CPA, CPA firm, or a nonlicensee firm owner including but not limited to:

(a) Practicing public accounting in Washington state prior to obtaining a license;

(b) Making misleading, deceptive, or untrue representations;

(c) Engaging in acts of fiscal dishonesty;

(d) Purposefully, knowingly, or negligently failing to file a report or record, or filing a false report or record, required by local, state, or federal law;

(e) Unlawfully selling unregistered securities;

(f) Unlawfully acting as an unregistered securities salesperson or broker-dealer;

(g) Discharging a trustee's duties in a negligent manner or breaching one's fiduciary duties; or

(h) Withdrawing or liquidating, as fees earned, funds received by a CPA, CPA firm, or a nonlicensee firm owner from a client as a deposit or retainer when the client contests the amount of fees earned, until such time as the dispute is resolved.

(4) The following shall be prima facie evidence that a CPA, CPA firm, or a nonlicensee firm owner has engaged in dishonesty, fraud, or negligence while representing oneself as a CPA, CPA firm, or a nonlicensee firm owner:

(a) An order of a court of competent jurisdiction finding the CPA, CPA firm, or the nonlicensee firm owner to have committed an act of negligence, fraud, or dishonesty or other act reflecting adversely on a CPA's, CPA firm's, or nonlicensee firm owner's fitness to represent himself or herself as a CPA, CPA firm, or a nonlicensee firm owner;

(b) An order of a federal, state, local or foreign jurisdiction regulatory body finding the CPA, CPA firm, or nonlicensee firm owner to have committed an act of negligence, fraud, or dishonesty or other act reflecting adversely on a CPA's, the nonlicensee firm owner's, or CPA firm's fitness to represent itself as a CPA, a nonlicensee firm owner, or a CPA firm;

(c) Cancellation, revocation, suspension, or refusal to renew the right to practice as a CPA or a nonlicensee firm owner by any other state for any cause other than failure to pay a fee or to meet the requirements of continuing education in the other state; or

(d) Suspension or revocation of the right to practice before any state or federal agency.

(5) Any state or federal criminal conviction or commission of any act constituting a crime under the laws of this state, or of another state, or of the United States.

(6) A conflict of interest such as:

(a) Self dealing as a trustee, including, but not limited to:

(i) Investing trust funds in entities controlled by or related to the trustee;

(ii) Borrowing from trust funds, with or without disclosure; and

(iii) Employing persons related to the trustee or entities in which the trust has a beneficial interest to provide services to the trust (unless specifically authorized by the trust creation document).

(b) Borrowing funds from a client unless the client is in the business of making loans of the type obtained by the CPA, CPA firm, or nonlicensee firm owner and the loan terms are not more favorable than loans extended to other persons of similar credit worthiness.

(7) A violation of the Public Accountancy Act or failure to comply with a board rule contained in chapter 4-25 WAC.

(8) Violation of one or more of the rules of professional conduct included in chapter 4-25 WAC or concealing another's violation of the Public Accountancy Act or board rules.

(9) Failure to cooperate with the board by failing to:

(a) Furnish any papers or documents requested or ordered to produce by the board;

(b) Furnish in writing a full and complete explanation related to a complaint as requested by the board;

(c) Respond to an inquiry of the board;

(d) Respond to subpoenas issued by the board, whether or not the recipient of the subpoena is the accused in the proceeding.

(10) Failure to comply with an order of the board.

(11) A CPA's or nonlicensee firm owner's adjudication as mentally incompetent is prima facie evidence that the CPA or nonlicensee firm owner lacks the professional competence required by the rules of professional conduct.

(12) Failure of a licensee, certificateholder, or nonlicensee firm owner to notify the board, on a form and in the manner prescribed by board policy, within thirty days of the issuance of:

(a) A sanction, order, suspension, revocation, or modification of a license, certificate, permit or practice rights by the SEC, PCAOB, IRS, or another state board of accountancy for any cause other than failure to pay a professional license fee by the due date or failure to meet the continuing professional education requirements of another state board of accountancy; or

(b) Charges filed by the SEC, IRS, PCAOB, another state board of accountancy, or a federal or state taxing, insurance or securities regulatory body that the licensee, certificateholder, or nonlicensee firm owner committed a prohibited act that would be a violation of board ethical or technical standards.

WSR 03-24-034

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed November 25, 2003, 2:05 p.m., effective December 31, 2003]

Date of Adoption: October 31, 2003.

Purpose: To promote the dependability of information used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises and protect the public interest by requiring that persons who hold themselves out as licensed CPAs or certificateholders conduct themselves in a competent, ethical, and professional manner.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-622 When must a CPA or CPA firm be independent?

Statutory Authority for Adoption: RCW 18.04.055(2).

Adopted under notice filed as WSR 03-17-060 on August 18, 2003.

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: December 31, 2003.

November 17, 2003

Dana M. McInturff, CPA

Executive Director

AMENDATORY SECTION (Amending WSR 98-12-049, filed 5/29/98, effective 6/29/98)

WAC 4-25-622 ((Independence.)) When must a CPA or CPA firm be independent? ((1) A CPA in public practice must be independent in the performance of the following:

(a) An audit or review of a financial statement; or

(b) A compilation of historical or prospective financial statement when the CPA's report does not disclose a lack of independence; or

(c) Other attest engagements when required by board rules or other professional standards such as the statements of standards for attestation engagements.

(2) The following specific acts are examples of impairment of independence. The board does not intend this listing to be all-inclusive.

(a) During the period of a professional engagement, or at the time of expressing an opinion, a CPA or a CPA's firm:

(i) Had or was committed to acquire any direct or material indirect financial interest in the enterprise.

~~(ii) Was a trustee of any trust or executor or administrator of any estate if such trust or estate had or was committed to acquire any direct or material indirect financial interest in the enterprise.~~

~~(iii) Had any joint closely held business investment with the enterprise or with any officer, director, or principal stockholder thereof which was material in relation to the CPA's net worth or the net worth of the CPA's firm.~~

~~(iv) Had any loan to or from the enterprise or any officer, director, or principal stockholder of the enterprise except under certain circumstances for home mortgages, other secured loans, loans not material to the CPA's net worth, and various personal loans.~~

~~(b) During the period covered by the financial statements, during the period of the professional engagement or at the time of expressing an opinion, the CPA or a CPA's firm:~~

~~(i) Was connected with the enterprise as a promoter, underwriter, or voting trustee, a director or officer or in any capacity equivalent to that of a member of management or of an employee; or~~

~~(ii) Was a trustee for any pension or profit sharing trust of the enterprise.)~~ When performing attest services, CPAs and CPA firms are responsible for maintaining independence so that attest opinions, reports, conclusions, and judgments will be impartial and viewed as impartial by parties expected to rely on the attest report. CPAs and CPA firms are required:

• To comply with all applicable independence rules, regulations, and the AICPA code of conduct as referenced in and required by WAC 4-25-631; and

• To decline attest engagements where the CPA or CPA firm has a relationship that could lead a reasonable and foreseeable user to conclude that the CPA or CPA firm is not independent.

Independence is not required when performing a compilation engagement provided the CPA's report discloses a lack of independence.

WSR 03-24-040

PERMANENT RULES

HEALTH CARE AUTHORITY

(Basic Health)

[Order 03-05—Filed November 26, 2003, 8:23 a.m.]

Date of Adoption: November 26, 2003.

Purpose: Revising rules regarding disenrollment and reenrollment of Basic Health enrollees to incorporate contract changes for 2004 and to allow an exception to the 12-month wait for reenrollment.

Citation of Existing Rules Affected by this Order: Amending WAC 182-25-090.

Statutory Authority for Adoption: RCW 70.47.050.

Adopted under notice filed as WSR 03-21-157 on October 22, 2003.

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: Thirty-one days after filing.

November 26, 2003

Melodie Bankers

Rules Coordinator

AMENDATORY SECTION (Amending Order 01-07, filed 9/12/02, effective 10/13/02)

WAC 182-25-090 Disenrollment from BHP. (1) An enrollee or employer group may disenroll effective the first day of any month by giving BHP at least ten days prior (~~written~~) notice of the intention to disenroll.

(2) BHP may disenroll any enrollee or group from BHP for good cause, which includes:

(a) Failure to meet the eligibility requirements set forth in WAC 182-25-030, 182-25-050, 182-25-060, and 182-25-070;

(b) Nonpayment of premium under the provisions of subsection (6) of this section;

(c) (~~Nonpayment of civil penalties assessed under WAC 182-25-085;~~

(~~d~~) Changes in MHCS or program availability when the enrollee's MHCS will no longer be available to him or her and no other MHCS in the area where the enrollee lives is accepting new enrollment in the enrollee's program;

(~~e~~) (~~d~~) Repeated failure to pay co-payments, coinsurance, or other cost-sharing in full on a timely basis;

(~~f~~) (~~e~~) Fraud, intentional misrepresentation of information or withholding information that the enrollee knew or should have known was material or necessary to accurately determine their eligibility or premium responsibility, failure to provide requested verification of eligibility or income, or knowingly providing false information;

(~~g~~) (~~f~~) Abuse or intentional misconduct;

(~~h~~) (~~g~~) Danger or threat to the safety or property of the MHCS or the health care authority or their staff, providers, patients or visitors; and

(~~i~~) (~~h~~) Refusal to accept or follow procedures or treatment determined by a MHCS to be essential to the health of the enrollee, when the MHCS has advised the enrollee and demonstrated to the satisfaction of BHP that no professionally acceptable alternative form of treatment is available from the MHCS.

(3) In addition to being disenrolled, any enrollee who knowingly provides false information to BHP or to a participating managed health care system may be held financially

responsible for any covered services fraudulently obtained through BHP.

(4) At least ten days prior to the effective date of disenrollment under subsection (2)(a) and (c) through ~~((h))~~ (h) of this section, BHP will send enrollees written notice of disenrollment.

(a) The notice of disenrollment will:

- (i) State the reason for the disenrollment;
- (ii) State the effective date of the disenrollment;
- (iii) Describe the procedures for disenrollment; and
- (iv) Inform the enrollee of his or her right to appeal the disenrollment decision as set forth in WAC 182-25-100 and 182-25-105.

(b) The notice of disenrollment will be sent to both the employer or sponsor and to all members of an employer group, home care agency group or financial sponsor group that is disenrolled under these provisions. Enrollees affected by the disenrollment of a group account will be offered coverage under individual accounts. Coverage under individual accounts will not begin unless the premium for individual coverage is paid by the due date for the coverage month. A one-month break in coverage may occur for enrollees who choose to transfer to individual accounts.

(5) Enrollees covered under BHP Plus or receiving maternity benefits through medical assistance will not be disenrolled from those programs when other family members lose BHP coverage, as long as they remain eligible for those programs.

(6) Under the provisions of this subsection, BHP will suspend or disenroll enrollees and groups who do not pay their premiums when due, including amounts owed for subsidy overpayment, if any. Partial payment or payment by check which cannot be processed or is returned due to non-sufficient funds will be regarded as nonpayment.

(a) At least ten days before coverage will lapse, BHP will send a delinquency notice to each subscriber whose premium payment has not been received by the due date. The delinquency notice will include a final due date and a notice that BHP coverage will lapse unless payment is received by the final due date.

(b) Except as provided in (c) of this subsection, coverage will be suspended for one month if an enrollee's premium payment is not received by the final due date, as shown on the delinquency notice. BHP will send written notice of suspension to the subscriber, ~~((stating))~~ which will include:

- (i) The effective date of the suspension;
- (ii) The due date by which payment must be received to restore coverage after the one-month suspension;
- (iii) Notification that the subscriber and any enrolled dependents will be disenrolled if payment is not received by the final due date; and

(iv) ~~((The enrollee's right to))~~ Instructions for filing an appeal under WAC 182-25-105.

(c) Enrollees whose premium payment has not been received by the delinquency due date, and who have been suspended twice within the previous twelve months will be disenrolled for nonpayment as of the effective date of the third suspension.

(d) Enrollees who are suspended and do not pay the premium for the next coverage month by the due date on the

notice of suspension will be immediately disenrolled and issued a notice of disenrollment, ~~((stating))~~ which will include:

- (i) The effective date of the disenrollment; and
- (ii) ~~((The enrollee's right to))~~ Instructions for filing an appeal under WAC 182-25-105.

(7)(a) Enrollees who voluntarily disenroll or are disenrolled from BHP may not reenroll for a period of twelve months from the date their coverage ended and until all other requirements for enrollment have been satisfied. An exception to this provision will be made for:

(i) Enrollees who left BHP for other health insurance, who are able to provide proof of continuous coverage from the date of disenrollment, and who apply to reenroll in BHP within thirty days of losing the other coverage;

(ii) Enrollees who left BHP because they lost eligibility and who subsequently become eligible to reenroll; and

(iii) Persons enrolling in subsidized BHP, who had enrolled and subsequently disenrolled from nonsubsidized BHP under subsection (1) or (2)(b) of this section while waiting on a reservation list for subsidized coverage.

(iv) Enrollees who were disenrolled by BHP because no MHCS was contracted to serve the program in which they were enrolled in the geographic area where they live; these enrollees may reenroll, provided all enrollment requirements are met, if a MHCS begins accepting enrollment for their program in their area or if they become eligible and apply for another BHP program.

(v) Enrollees who were disenrolled for failing to provide requested documentation of income or eligibility, who had attempted to comply with the request but were unable to meet the due date, and who provide all required documentation within six months of disenrollment and are eligible to reenroll.

(b) An enrollee who is required to wait twelve months for reenrollment under (a) of this subsection may not reenroll prior to the end of the required twelve-month wait. If an enrollee satisfies the required twelve-month wait after applying for subsidized coverage and while waiting to be offered coverage, enrollment will not be completed until funding is available to enroll him or her.

WSR 03-24-041

PERMANENT RULES

HEALTH CARE AUTHORITY

(Basic Health)

[Order 03-04—Filed November 26, 2003, 8:24 a.m.]

Date of Adoption: November 26, 2003.

Purpose: Repeals WAC 182-25-031, regarding Basic Health transition coverage, which was limited to contract year 2000, and expired December 31, 2000.

Citation of Existing Rules Affected by this Order: Repealing WAC 182-25-031.

Statutory Authority for Adoption: RCW 70.47.050.

Adopted under notice filed as WSR 03-19-016 on September 5, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

November 26, 2003

Melodie Bankers

Rules Coordinator

Recently Enacted State Statutes: New 0, Amended 2, 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 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 24, 2003

Rebecca Goodwin Deardorff, Director

Administrative Procedures Office

AMENDATORY SECTION (Amending WSR 02-06-020, filed 2/25/02, effective 3/28/02)

WAC 478-136-030 Limitations on use. (1) Freedom of expression is a highly valued and indispensable quality of university life. However, university facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities. Additionally, use of university facilities may be subject to reasonable time, place and manner restrictions.

(2) University facilities may be used for events and forums regarding ballot propositions and/or candidates who have filed for public office so long as the event has received preliminary approval by an administrative or academic unit and final approval by the committee on the use of university facilities. There are, however, certain limitations on the use of university facilities for these political activities.

(a) First priority for the use of campus facilities shall be given to regularly scheduled university activities.

(b) University facilities may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office only when the full rental cost of the facility is paid. However, use of state funds for payment of facility rental costs is prohibited.

(c) Forums or debates may be scheduled at full facility rental rates if all parties to a ballot proposition election or all candidates who have filed for office for a given position, regardless of party affiliation, are given equal access to the use of facilities within a reasonable time.

(d) No person shall solicit contributions on university property for political uses, except in instances where this limitation conflicts with applicable federal law regarding interference with the mails.

(e) Public areas outside university buildings may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office, excluding solicitation of funds, provided the other normal business of the university is not disrupted and entrances to and exits from buildings are not blocked.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 182-25-031 Transition coverage.

WSR 03-24-045

PERMANENT RULES

UNIVERSITY OF WASHINGTON

[Filed November 26, 2003, 8:48 a.m.]

Date of Adoption: November 21, 2003.

Purpose: To amend chapter 478-136 WAC, Use of University of Washington facilities, in order to provide rules regulating the sale, possession, consumption, and service of alcohol on the University of Washington campuses. These rule amendments follow the enactment of ESB 5560 that repeals RCW 66.44.190, which had prohibited the sale of alcohol on the Seattle campus.

Citation of Existing Rules Affected by this Order: Amending WAC 478-136-030 and 478-136-060.

Statutory Authority for Adoption: RCW 28B.20.130.

Adopted under notice filed as WSR 03-19-102 on September 16, 2003.

Changes Other than Editing from Proposed to Adopted Version: In addition to minor edits, subsections (13)(e), (f), and (g) of WAC 478-136-030 were amended to include a sentence suggested by the Washington State Liquor Control Board regarding the timely processing of special occasion licenses and banquet permits between the University of Washington and their agency. Additionally, subsection (13)(e) of WAC 478-136-030 was amended to address the use of external caterers with their own licenses to sell alcoholic beverages at University of Washington facilities.

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

(f) University facilities or services may not be used to establish or maintain offices or headquarters for political candidates or partisan political causes.

(3) University facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities serve an educational purpose, as determined by the committee on the use of university facilities.

(4) Nothing in these rules is intended to alter or affect the regular advertising, promotional, or underwriting activities carried on, by, or in the regular university media or publications. Policies concerning advertising, promotional or underwriting activities included in these media or publications are under the jurisdiction of and must be approved by their respective management or, where applicable, advisory committees, in accordance with applicable state and federal laws.

(5) In accordance with WAC 478-136-010, the university will make its facilities available only for purposes related to the educational mission of the university, as determined by the committee on the use of university facilities, including but not limited to instruction, research, public assembly, and student activities. When permission is granted to use university facilities for approved instructional or related purposes, as a condition of approval, the user of university facilities agrees to include in all materials nonendorsement statements in the form approved by the committee on the use of university facilities. "Materials" includes all communications, advertisement, and any other printed, electronic, or broadcast/telemcast information related to the user's activities offered in university facilities. The committee will determine the content, size of print and placement of the nonendorsement language. The university will not make its facilities available for instructional or related purposes that compete with courses or programs offered by the university.

(6) Solicitation, or distribution of handbills, pamphlets and similar materials by anyone, whether a member of the university community or of the general public, is not permitted in those areas of campus to which access by the public is restricted or where such solicitation or distribution would significantly impinge upon the primary business being conducted.

(7) Solicitation and distribution of materials in university residence halls are governed by residence hall policies. No solicitation of a commercial nature is permitted in university residence halls. Commercial advertising may be allowed, and is restricted to certain designated areas of each residence hall, when it is related to the university's mission and approved by the department of housing and food services.

(8) Electronic amplification on the grounds of the campus is prohibited with the following exceptions:

(a) The lawn area immediately west of the Husky Union Building will be available for open-air speaking events using directional and volume-controlled speech amplification equipment provided by the university. Use of the Husky Union Building lawn site will be available to registered or official student organizations and faculty or staff groups on a first-come, first-served basis. The amplification system will be issued upon presentation of a currently valid student, faculty or staff identification card at the Husky Union Building Reservation Office.

(b) The committee on the use of university facilities may grant permission, under special circumstances, for the use of other amplification equipment on the lawn site west of the Husky Union Building or in other outdoor locations. Permission should be requested through:

University of Washington
Secretary to the Committee on the
Use of University Facilities
400 Gerberding Hall
Box 351210
Seattle, WA 98195-1210

(or phone: 206-543-2560), sufficiently in advance of the program to allow timely consideration.

(9)(a) No person may use university facilities to camp, except if permission to do so has been granted in accordance with the provisions of chapters 478-116 and 478-136 WAC or except as provided in (b) of this subsection. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. Violators are subject to arrest and criminal prosecution under applicable state, county and city laws.

(b) This provision does not prohibit use of the university residence facilities in accordance with chapter 478-156 WAC or the use of facilities where the employee remains overnight to fulfill the responsibilities of his or her position or where a student remains overnight to fulfill the requirements of his or her course of study.

(10) Within the limits of applicable laws, the University of Washington is committed to establishing and maintaining safe conditions for persons attending football games in Husky Stadium or other athletic events or concerts in campus facilities. Accordingly, the rules enumerated below will apply to all such events and be strictly enforced.

(a) The possession or consumption of alcoholic beverages or illegal drugs is prohibited, except for alcohol allowed under a permit or license obtained under subsection (13) of this section. In addition to having the beverages or drugs confiscated, violators may be subject to university disciplinary action and/or legal proceedings, and removal from the events.

(b) Air horns, glass bottles, cans, picnic baskets, bota bags, ice chests, and thermoses (in excess of two-quart capacity) are prohibited. Individuals possessing such will not be admitted to, or will be removed from, Husky Stadium or other athletic or concert facilities until the items have been stored temporarily at locations provided for that purpose or disposed of in some other manner.

(c) Smoking is prohibited in the seating areas of all athletic stadia. Smoking is permitted on pedestrian concourses.

(d) All persons entering events in Husky Stadium or other athletic venues or events in other campus auditoria or facilities shall be subject to having all containers, bags, backpacks, coolers, or similar items visually inspected. Security personnel shall first ask permission to visually inspect the item and advise the person that he/she may refuse. Persons who refuse to allow inspection shall be allowed to return the item to a vehicle or otherwise dispose of it, after which admission shall be allowed. Persons who refuse the visual

inspection and refuse to dispose of the item shall be denied entry.

(11) Only public service announcements and acknowledgment of sponsors will be allowed on scoreboards at athletic venues.

(a) For purposes of this section, a public service announcement is defined as an announcement which promotes the activities or services of federal, state or local governments, including the University of Washington, or non-profit organizations, or generally contributes to the community's welfare and interests.

(b) In acknowledgment of their sponsorship of the scoreboards or sponsorship of events and programs, sponsors may propose public service announcements for display on the scoreboard during athletic events. The public service announcement may be accompanied by a sponsor's name or logo, but in keeping with university policy may not directly promote the products or services of the company. The text and graphics of public service announcements must be submitted at least three days in advance to the department of intercollegiate athletics for approval by the university.

(c) In addition to these public service announcements, sponsors also may be acknowledged by the display of corporate logos, trademarks, or other approved messages upon panels located on the scoreboard.

(12) The University of Washington is committed to maintaining a safe and healthful work and educational environment for all faculty, staff, students, and visitors. Accordingly, the University of Washington establishes the following smoking policy to protect nonsmokers from exposure to smoke in their university-associated environments and to protect life and property against fire hazards:

(a) Except as provided in subsections (10)(c) and (12)(b) of this section, smoking is prohibited in all university vehicles, inside all buildings owned or occupied by the university and/or used by the university's faculty, staff or students and at any outside areas or locations that may directly or indirectly affect the air supply of buildings or carry smoke into buildings.

(b) Smoking may be permitted in student rooms in university residence halls and apartments in university student housing in accordance with smoking regulations established for those facilities by the vice-president for student affairs.

(c) The director of environmental health and safety may designate specific outdoor locations as no smoking areas.

(d) Any student, staff, or faculty member who violates the university smoking policy may be subject to disciplinary action. In addition, violations of the university smoking policy may be subject to enforcement by the University of Washington police department.

(13) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities only if the procedures set forth in this section are followed.

(a) The appropriate permits/licenses for possession, sale, service, and consumption of alcohol must be obtained from the Washington state liquor control board.

(b) Permits/licenses must be displayed during the event and all other guidelines and restrictions established by the Washington state liquor control board must be followed.

(c) Alcoholic beverages may be possessed, sold, served, and consumed at the faculty center, as so designated by the university board of regents to the Washington state liquor control board, pursuant to a spirits, beer, and wine private club license issued by the Washington state liquor control board.

(d) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities leased to a commercial tenant under a lease that includes authorization for the tenant to apply and hold a license issued by the Washington state liquor control board.

(e) Except as provided in (c) and (d) of this subsection, alcoholic beverages may be possessed, sold, served, and consumed at university facilities only under permits/licenses issued by the Washington state liquor control board and only as follows:

(i) Events at which alcohol is to be sold must be approved by the committee on the use of university facilities and an application to the committee must be accompanied by a request for written authorization under (f) or (g) of this subsection or proof that the seller holds an appropriate license; and

(ii) Events at athletic venues at which alcohol is to be possessed, sold, served, or consumed must not be within the spectator viewing areas and must have restricted attendance, and a university unit, or an individual or organization applying for a permit/license must have obtained approval under (f) or (g) of this subsection; and

(iii) A university unit, or an individual or organization applying for a permit/license must have obtained approval under (f) or (g) of this subsection; and

(iv) Sale, service, and consumption of alcohol is to be confined to specified room(s) or area(s) specified on the license or permit. Unopen containers may not be sold or served. No alcohol is permitted to be taken off-premises.

(f) Written authorization to apply for a special occasion license to sell alcoholic beverages at university facilities must be obtained from the committee on the use of university facilities prior to applying for a special occasion license from the Washington state liquor control board. Authorization should be requested through the University of Washington, secretary to the committee on the use of university facilities, sufficiently in advance of the program to allow timely consideration. (Note: Some license applications must be filed with the Washington state liquor control board at least thirty days or more before the event.) Written authorization to apply for such license shall accompany the license application filed with the Washington state liquor control board.

(g) Written authorization to apply for a banquet permit to serve and consume alcoholic beverages at university facilities must be obtained from the vice-president for student affairs prior to applying for the permit from the Washington state liquor control board. Authorization should be requested through the University of Washington, office of the vice-president for student affairs, sufficiently in advance of the program to allow timely consideration. Written authorization to apply for such permit shall accompany the permit application filed with the Washington state liquor control board.

(h) Consumption, possession, dispensation, or sale of alcohol is prohibited except for persons of legal age.

AMENDATORY SECTION (Amending WSR 97-24-047, filed 11/26/97, effective 12/27/97)

WAC 478-136-060 Safety and liability. (1) It is the responsibility of any person or organization requesting the use of university facilities to comply with all applicable university policies, procedures, rules and regulations, and applicable local, state and federal laws, including but not limited to fire, health and safety regulations.

(2) Permission to a nonuniversity organization or to a registered (~~or official~~) student organization for the use of university facilities is granted with the express understanding and condition that such organization assumes full responsibility for any loss, damage or claims arising out of such use.

When the event involves physical activity, the sale of alcohol, or otherwise will increase the risk of bodily injury above the level inherent in the facilities to be used, proof of appropriate liability insurance coverage with limits of at least \$1,000,000 per occurrence must be provided to the university's office of risk management before approval for the requested use will be granted.

WSR 03-24-046

PERMANENT RULES

UNIVERSITY OF WASHINGTON

[Filed November 26, 2003, 8:50 a.m.]

Date of Adoption: November 21, 2003.

Purpose: To amend the rules in chapter 478-04 WAC, Organization, concerning meetings of the University of Washington's board of regents to be consistent with current practice and the board's by-laws, and to make corrections in organizational information.

Citation of Existing Rules Affected by this Order: Amending WAC 478-04-020 and 478-04-030.

Statutory Authority for Adoption: RCW 28B.20.130.

Other Authority: RCW 34.05.220 for WAC 478-04-020; and RCW 34.05.330 and chapter 42.30 RCW for WAC 478-04-030.

Adopted under notice filed as WSR 03-19-101 on September 16, 2003.

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 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, 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.

November 24, 2003

Rebecca Goodwin Deardorff, Director
Administrative Procedures Office

AMENDATORY SECTION (Amending WSR 97-14-004, filed 6/19/97, effective 7/20/97)

WAC 478-04-020 Organization—Operation—Information. (1) Organization. The University of Washington is established in Title 28B RCW as a public institution of higher education. The institution is governed by a (~~nine~~) ten-member board of regents, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administrative office of the University of Washington is at the following address:

University of Washington
Office of the President
301 Gerberding Hall
Box 351230
Seattle, WA 98195-1230

(3) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

University of Washington
Office of the Registrar
209 Schmitz Hall
Box 355850
Seattle, WA 98195-5850

AMENDATORY SECTION (Amending WSR 92-02-038, filed 12/24/91, effective 1/24/92)

WAC 478-04-030 (~~Schedule of~~) Meetings of the board of regents. (1) Regular meetings. Regular meetings of the board (~~of regents~~) shall be held (~~each month~~) pursuant to a schedule established yearly by resolution of the board. Meetings of the board will be held in (~~Room 301 of the Administration Building~~) the Walker-Ames Room of Kane Hall on the campus in Seattle, Washington, or at such other place as the board may direct from time to time. The president of the board, with the concurrence of a majority of the members of the board, may cancel any regular meeting. All such regular meetings (~~and notices of cancellation of meetings~~) will be conducted in conformance with the laws of the state of Washington governing such meetings.

The board shall give no less than twenty-four hours notice of cancellation of a regular meeting.

(2) Special meeting. The president of the university, the president of the board, or any (~~five~~) six members of the board may call a special meeting at any time. Not less than twenty-four hours before any special meeting, the secretary shall have notified each member of the board by written notice of the time, place, and the business to be transacted at the meeting. Such notice shall be distributed and posted in accordance with the laws of the state governing such meet-

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ings. The presence of a regent at the meeting or the regent's written waiver of notice filed with the secretary shall constitute a waiver of receiving written notice of the meeting. When the meeting is called to deal with an emergency involving injury or damage, or the likelihood of injury or damage, to persons or property, and the time requirements for notice provided for above would be impractical and increase the likelihood of such injury or damage, such required notice may be dispensed with and the secretary shall notify each member of the board by the best means possible under the circumstances.

(3) Notice of agenda for regular meeting. Not less than four days before any regular meeting, the secretary shall mail to each member of the board a reminder of the regular meeting and a preliminary agenda setting forth the matters which are to be considered at the meeting.

(4) Addenda to the agenda at regular or special meetings. Addenda to the agenda of either a regular or a special meeting may be permitted at the commencement of or during such meeting, except that final disposition shall not be taken on addenda to the agenda of a special meeting unless notice as required by applicable law has been given.

(5) Quorum. A majority of the entire board shall be necessary to constitute a quorum at all regular meetings and special meetings.

(6) Order of business. The following shall be the order of business at each regular meeting of the board:

Report of the president of the board;
Report of the president of the university;
Consent agenda (including approval of minutes);
Reports of standing committees of the board;
Reports of special committees of the board; and
Any other business that may properly come before the board.

The following shall be the order of business at each special meeting of the board:

Reading of notice of meeting;
The special business for which the meeting was called;
 and
Any other business that may properly come before the board.

The order of business of the board may be changed or suspended at any meeting by a majority of the regents present. An item shall be removed from the consent agenda by request of any regent.

(7) Minutes. The minutes of all regular and special meetings of the board shall be kept by the secretary. Such minutes, following approval, shall be open to public inspection in the office of the secretary of the board of regents during regular university business hours.

(8) Public meetings. Regular and special meetings of the board of regents and committees thereof as required by applicable law shall be open to the public, except for executive sessions which may be held as permitted by applicable law. Board members may appear at any meeting through a telephone or video-conferencing device that permits communications with all other persons at the meeting. Persons wishing to appear before the board to make a presentation shall comply with the procedures as specified in subsection (11) of this section.

(9) Committee of the whole meetings. Meetings of the board as a committee of the whole may be held before regular or special meetings of the board or at such time and such place as the president of the board may direct from time to time.

(10) Executive sessions. During any regular or special meeting of the board, the board may hold an executive session to discuss matters as permitted in applicable laws of the state of Washington.

(11) Communications to and appearance before the board. Any persons who wish to communicate to the board or appear before the board shall do so as follows:

(a) Communications to the board. Any person who wishes to bring a matter to the attention of the board may do so by submitting such communication in writing to the secretary of the board of regents. The secretary shall bring such written communications to the attention of the president of the board and the president of the university for direction as to response and/or transmittal to the board.

(b) Appearance before the board. The meetings of the board of regents are intended for presentation of agenda items by the chairs of the respective standing committees and by the president of the university for discussion and action by the members of the board. Public testimony on agenda items, or on other relevant items which any person may wish to call to the attention of the board, may be taken by the appropriate standing committee or by the committee of the whole. The chair of each committee shall have the discretion to limit the time and order of appearances as deemed desirable for a fair presentation of views consistent with the other business before the committee. In an unusual case, this subsection may be waived by the president of the board or by any other six members of the board.

(c) Petition to board for promulgation, amendment, or repeal of rule. Persons having an interest in the promulgation, amendment, or repeal of a "rule" as defined in RCW 34.05.010 may submit a written petition to the administrative procedures office, rules coordinator for the University of Washington. Any petition so submitted shall contain the name and address of the petitioner or petitioners, a description of the persons on whose behalf the petition is presented if it is presented in a representative capacity, a statement of the interest of the petitioner and/or the persons on whose behalf it is presented, and a statement of the reasons supporting the petition. If the petition is for the promulgation of a rule, it shall contain the proposed rule. If the petition is for an amendment of an existing rule, it shall contain the rule with the proposed deletions lined out and proposed additions underlined or italicized. If the petition is for the repeal of a rule, it shall contain a copy of the rule proposed to be repealed. The petition shall be considered by the board at the first regular meeting held not less than thirty days after the date the petition was submitted to the administrative procedures office, provided that the board may consider the petition at any earlier regular or special meeting of the board.

Within sixty days after submission of a petition to the administrative procedures office that is for the promulgation, amendment, or repeal of a "rule," as defined in RCW 34.05.010, the board shall either deny the petition in writing

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or initiate rule-making procedures in accordance with RCW 34.05.330.

(12) Rules of procedure. Robert's Rules of Order, latest revised edition, shall govern all meetings of the board and its committees except where such rules of order are superseded by the bylaws of the board of regents or standing orders of the board. Any member of the board may make a motion which need not be seconded in order to bring the subject of the motion before the board for action.

NEW SECTION

WAC 478-04-040 Board of regents exercise of powers. The board and its committees shall act only at meetings called as provided by applicable law and the bylaws of the board of regents, and all matters coming before the board or its committees for action shall be determined by the majority vote of its members present, the members present being not less than a quorum, except as otherwise specified in Article III of the bylaws of the board of regents. The member of the board who is presiding at a meeting shall be entitled to make motions, second motions, vote, and otherwise participate in the meeting to the same extent as the other members of the board. The student regent shall excuse himself or herself from participation or voting on matters relating to the hiring, discipline, or tenure of faculty members and personnel.

**WSR 03-24-049
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed November 26, 2003, 4:25 p.m., effective January 1, 2004]

Date of Adoption: November 26, 2003.

Purpose: The Department of Retirement Systems is amending its new dissolution rules to add an omitted paragraph, fix a minor error, and provide some clarification about the age at which an ex-spouse can receive retirement benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 415-02-520 and 415-02-540.

Statutory Authority for Adoption: RCW 41.50.050(5).

Other Authority: RCW 41.50.500, [41.50.]670 et seq., [41.50.]790.

Adopted under notice filed as WSR 03-21-097 on October 17, 2003.

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 2, 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: January 1, 2004.

November 26, 2003

John Charles

Director

AMENDATORY SECTION (Amending WSR 03-12-014, filed 5/27/03, effective 7/1/03)

WAC 415-02-520 How can my Plan 1 or Plan 2 retirement account be split by a property division dissolution order? (1) Who may use this section? Vested members of LEOFF Plan 2, PERS Plans 1 or 2, TRS Plans 1 or 2, SERS Plan 2, or WSPRS Plan 2 who have or will have a property division dissolution order or amendment dated on or after July 1, 2003². If your ex-spouse will be receiving an interest in your account, use WAC 415-02-510.

(2) What are the rules for splitting my account? If you and your ex-spouse are eligible, the department will split *your* retirement account into two separate accounts—one for you, and one for your ex-spouse. The rules for splitting your account are different depending on whether your dissolution order or most recent amendment is dated *BEFORE* or *AFTER* retirement.

(3) How will my account be affected if the department accepts the property division dissolution order BEFORE my retirement?

(a) The department will split your retirement account into two completely separate accounts and create an account for your ex-spouse under his or her Social Security number for the amount awarded in the dissolution order.

(b) The department will pay each of you out of your separate accounts either a monthly retirement benefit payment or a withdrawal of contributions.

(c) If you retire and receive a monthly retirement benefit payment, your monthly payment will have a permanent reduction to account for the amount awarded as a monthly payment to your ex-spouse.

(d) Your monthly benefit payment will be payable over your lifetime, and your ex-spouse's monthly payment will be payable over his or her lifetime.

(e) You will have the right to pick a survivor option for your monthly benefit payment.

(f) Your ex-spouse will not have the right to pick a survivor option for his or her monthly payment but may name a beneficiary to receive any final death payment that may be due.

(g) If you terminate employment, whatever decision you make about your accumulated contributions will have no effect upon your ex-spouse's separate account.

(h) When you or your ex-spouse dies, there will be no impact to the other person's retirement account because the accounts are independent from one another.

(i) Your ex-spouse may begin receiving monthly payments when he or she reaches retirement age for your retirement plan, or the first day of the month following the department's acceptance of the order, whichever is later. The retirement age for an ex-spouse receiving a benefit from TRS Plan 1 and PERS Plan 1 is age sixty; from PERS Plan 2, SERS

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Plan 2, and TRS Plan 2 it is age sixty-five; from LEOFF Plan 2 it is age fifty-three; and from WSPRS Plan 2 it is age fifty-five. Your age or retirement eligibility has no effect on when your ex-spouse is eligible to begin receiving his or her monthly benefit. Your ex-spouse must apply for his or her monthly payment according to the rules for your system and plan.

(j) Your ex-spouse may withdraw his or her share of the accumulated contributions at any time before receiving a monthly retirement benefit. Regardless of whether your ex-spouse withdraws or receives a monthly payment, your monthly benefit payment will be permanently reduced to account for your ex-spouse's share of your retirement account.

(4) Is there a limit to the amount of contributions I can award to my ex-spouse? Yes. The amount of contributions awarded to an ex-spouse, cannot be greater than the percentage of the member's monthly benefit used to determine the amount of the monthly benefit awarded to the ex-spouse.

Example:

<u>Accumulated contributions earned during the marriage period:</u>	<u>\$50,000</u>
<u>Member's monthly benefit:</u>	<u>\$1,000</u>
<u>Percentage of member's monthly benefit awarded to ex-spouse:</u>	<u>50%</u>
<u>Monthly benefit awarded to ex-spouse:</u>	<u>\$500 (50% of \$1,000)</u>
<u>Contributions awarded to ex-spouse:</u>	<u>\$25,000 (50% of 50,000)</u>

(5) What happens if my retirement account was split and then I retire early?

(a) If you are eligible and decide to retire early, or must retire early because of a disability, your monthly retirement benefit payment will be reduced by an early retirement factor (ERF). See WAC 415-02-320.

(b) To determine the reduction to your benefit because of your preretirement split (see subsection (3)(c) of this section), the adjustment to the amount awarded to your ex-spouse in the dissolution order will be reduced by the ERF used to reduce your benefit.

Example: You are a member of PERS Plan 2 and retire for disability two years before you are eligible for a service retirement. The dissolution order awarded your ex-spouse a monthly benefit of five hundred dollars.

Your defined benefit before ERF is applied:	\$2,500	
ERF (factor for retiring two years early)	0.82	
Your base benefit:	\$2,050	(\$2500 x 0.82 ERF)
Adjustment for divorce split:	-\$410	(ex-spouse's \$500 x 0.82 (ERF))
The defined benefit you will receive:	\$1640	(\$2050 - \$410)

Your ex-spouse will receive the full monthly amount (\$500) that was awarded to him or her in the dissolution order, regardless of your benefit amount.

((5)) (6) What language must be used for a property division dissolution order or amendment that is accepted by the department BEFORE my retirement?

(a) The order must include the language provided below. Do *not* use the language in RCW 41.50.670(2). The exact dollar amount of your ex-spouse's monthly benefit must be specified. Do not use formulas or percentages.

The Department of Retirement Systems (department) shall create an account for ___ (ex-spouse) in the ___ (name of retirement system and plan) and transfer \$ ___ from ___'s (member's) accumulated contributions account into ___'s (ex-spouse's) account. If ___ (ex-spouse) does not withdraw the contributions and becomes eligible, the department will pay him or her \$ ___ (amount) as a monthly payment for his or her life. If (member) retires and receives a monthly retirement benefit payment, the payment will be permanently reduced to account for ___'s (ex-spouse's) monthly payment. This provision shall become effective no more than 30 days after the department's acceptance of the order.

(b) If you are a member of PERS Plan 1 or TRS Plan 1, the amount of service credit awarded to your ex-spouse must be specified in the order if he or she is awarded a portion of gainsharing payments and cost-of-living adjustments. Because gainsharing payments and cost-of-living adjustments are based on service credit, the following paragraph must be included:

If ___ (ex-spouse) receives a monthly retirement payment, the department shall use ___ (number) months of service credit to calculate future gainsharing payments, if any, and cost-of-living adjustments when he or she becomes eligible.

((6)) (7) How will my account be affected if the department accepts the property division dissolution order AFTER my retirement?

(a) The department will split your retirement account *only if* you selected your ex-spouse to receive survivor benefits at the time you retired. If you did not select your ex-spouse to receive survivor benefits at the time you retired, you cannot use this section. You *must* use WAC 415-02-510.

(b) If you selected your ex-spouse to receive survivor benefits at the time you retired, the rules in subsection (3)(a) through (f) of this section will apply.

(c) At the time the department splits your account, your ex-spouse will be removed as the survivor beneficiary on your account.

(d) Regardless of his or her age, your ex-spouse will begin receiving a monthly benefit the first month after the department has accepted the dissolution order.

((7)) (8) If the property division dissolution order is dated AFTER my retirement, how will my monthly retirement benefit payment be calculated after the split?

(a) The dissolution order must state the exact dollar amount your ex-spouse is to receive as his or her separate monthly benefit. The following describes how the new amount of your benefit will be calculated, assuming your ex-spouse was awarded a monthly benefit of one thousand dollars in the dissolution order.

Step 1 The department will determine the single life benefit of your current monthly benefit payment by dividing your current monthly benefit payment by the survivor option factor (see WAC 415-02-380) in effect at the time of the split.

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Example:

Current monthly benefit = \$1679.38
 Option factor = 0.9400000
 Single life benefit amount = $\$1679.38/0.9400000$
 = \$1786.57

Step 2 The single life benefit (\$1786.57) is divided by your annuity factor (see WAC 415-02-360) to determine the current present value of the single life benefit amount. The annuity factor the department uses is the factor for your age as of the date of the split.

Example:

Your age at time of the split = 61 years old
 Annuity factor for age 61 = 0.0084149
 Present value of single life benefit = $\$1786.57/0.0084149$ = \$212,310.31

Step 3 The department then determines the present value of your ex-spouse's share by dividing your ex-spouse's monthly benefit amount (as awarded in the dissolution order) by your ex-spouse's annuity factor. The annuity factor is the factor for your ex-spouse's age as of date of the split.

Example:

Ex-spouse's monthly benefit amount = \$1000
 Ex-spouse's age at time of the split = 67
 Annuity factor for age 67 = 0.0095028
 Present value of your ex-spouse's monthly benefit = $\$1000/0.0095028$ = \$105,232.14

Step 4 Next, the department subtracts your ex-spouse's present value from the single life benefit present value. The result is the present value of the benefit you will receive.

Example:

Present value of single life benefit = \$212,310.31
 Less present value of ex-spouse's benefit = -105,232.14
 Your present value = \$107,078.17

Step 5 The department determines your new monthly benefit amount by multiplying your present value by your annuity factor.

Example:

Your present value = \$107,078.17
 Annuity factor = 0.0084149
 Your new monthly benefit amount = $\$107,078.17 \times 0.0084149$ = \$901.05

(b) The department determines the percentage of the total present value each of you will receive by dividing each of your present value amounts by the single life benefit present value amount.

Example:

Your percentage of the single life benefit present value: $\$107,078.17/\$212,310.31$ = .5043
 Your ex-spouse's percentage of the single life benefit present value: $\$105,232.14/\$212,310.31$ = .4957

~~((8))~~ (9) What language must be used in a property division dissolution order or amendment that is accepted by the department AFTER my retirement?

(a) The order must include the language provided below. Do *not* use the language in RCW 41.50.670(2). The exact dollar amount of your ex-spouse's monthly benefit must be specified. Do not use formulas or percentages.

The Department of Retirement Systems (department) shall create an account for ___(ex-spouse) in the ___(name of retirement system and plan) and pay him or her \$ ___(amount) as a monthly benefit payment for his or her life. To pay for this benefit, ___'s (retiree's) monthly retirement benefit payment will be reduced for his or her life. If (retiree) has any unused contributions remaining in his or her account, \$ ___(amount) shall be transferred to ___'s (ex-spouse's) account. This provision shall become effective no more than 30 days after the department's acceptance of the order.

(b) If the member is in PERS Plan 1 or TRS Plan 1, the amount of service credit awarded to the ex-spouse must be specified in the order if he or she is entitled to a portion of gainsharing payments and cost-of-living adjustments. Because gainsharing payments and cost-of-living adjustments are based on service credit, the following paragraph must be included:

If ___(ex-spouse) receives a monthly retirement payment, the department shall use ___(number) months of service credit to calculate future gainsharing payments, if any, and cost-of-living adjustments when he or she becomes eligible.

~~((9))~~ (10) Is there a maximum payment amount that the department will pay to my ex-spouse? Yes. See RCW 41.50.670(4) or WAC 415-02-500(10) for information.

~~((10))~~ (11) Can I amend an existing order that has awarded an interest in my account to my ex-spouse under WAC 415-02-520 and remove my ex-spouse as my survivor beneficiary? Yes. To remove your ex-spouse as your survivor beneficiary, you must submit a "conformed copy" of the court order splitting your account. A conformed copy is a copy of the order that has been signed by the judge or commissioner on or after July 1, 2003, and filed with the court. Removing your ex-spouse as survivor beneficiary will change your retirement benefit. See WAC 415-02-520(8) for the language that must be used.

Example:

Julio and May were married when Julio retired. Julio chose survivor Option 2 (joint and one hundred percent survivorship) when he retired. This meant that if Julio died, May would receive monthly survivor benefits. Two years after Julio's retirement, the couple divorced. The court awarded "one hundred percent of retirement benefits" to Julio. Julio later learned that this award did not change the survivor option. Julio can return to court and obtain an order stating that May is to receive "\$0" as the dollar amount for her separate monthly benefit. The order must use the language in WAC 415-02-520(8) and be signed by the court no sooner than July 1, 2003.

~~((11))~~ (12) How much is the fee the department charges for making payments directly to my ex-spouse? See RCW 41.50.680 and WAC 415-02-500(11) for information.

~~((12))~~ (13) **What happens if I transfer to Plan 3 after the property division dissolution order has been filed with the department?** See WAC 415-02-550 for information.

~~((13))~~ (14) **Terms used:**

(a) Department's acceptance - Order that fully complies with the department of retirement systems requirements and RCW 41.50.500.

(b) Dissolution order - RCW 41.50.500.

(c) Ex-spouse - WAC 415-02-030.

(d) LEOFF - Law enforcement officers' and fire fighters' system.

(e) PERS - Public employees' retirement system.

(f) Plan 3 retirement systems - WAC 415-111-100.

~~((g))~~ ~~(Present value -~~

~~(h))~~ SERS - School employees' retirement system.

~~((i))~~ (h) Split account - WAC 415-02-030.

~~((j))~~ (i) Survivor benefits - WAC 415-02-030.

~~((k))~~ (j) TRS - Teachers' retirement system.

~~((l))~~ (k) Vested - The length of service, by system and plan, required to receive a service retirement when age requirements are met.

~~((m))~~ (l) WSPRS - Washington state patrol retirement system.

Footnotes to section:

¹ When a court splits your retirement account, the department will establish a separate account for your ex-spouse. Once the account is established, your account and your ex-spouse's account are not tied in any way.

² If an ex-spouse was not listed as the member's survivor beneficiary at retirement, then no postretirement property division dissolution order (or postretirement amendment) may split the member's retirement account using WAC 415-02-520.

AMENDATORY SECTION (Amending WSR 03-12-014, filed 5/27/03, effective 7/1/03)

WAC 415-02-540 How can my Plan 3 retirement account be split¹ by a property division dissolution order?
(1) Who may use this section? You may use this section if:

(a) You are a member of TRS Plan 3, SERS Plan 3 or PERS Plan 3;

(b) You have enough service credit to receive a defined benefit payment when you meet the age requirement for your system; and

(c) You have or will have a property division dissolution order or amendment dated on or after July 1, 2003². If your ex-spouse will be receiving an interest in your account, use WAC 415-02-530.

(2) What are the rules for splitting my account? If you and your ex-spouse are eligible, the department will split both portions of *your* retirement account (defined benefit and defined contributions) into two separate accounts - one for you, and one for your ex-spouse. The rules for splitting your account are different depending on whether your dissolution order or most recent amendment is dated *before* or *after* retirement.

(3) How will the defined benefit portion of my retirement account be affected if the department accepts the property division dissolution order BEFORE I retire?

(a) The department will split *your* defined benefit account into two completely separate accounts and create an account for your ex-spouse for the amount awarded in the defined benefit portion of the dissolution order under your ex-spouse's Social Security number.

(b) The department will pay each of you a defined benefit, when eligible, out of your separate accounts.

(c) The amount awarded to your ex-spouse as his or her defined benefit payment will be a permanent reduction to your defined benefit payment amount.

(d) Your defined benefit payment will be payable over your lifetime, and your ex-spouse's defined benefit payment will be payable over his or her lifetime.

(e) You will have the right to pick a survivor option for your defined benefit payment for your own account.

(f) Your ex-spouse will not have the right to pick a survivor option for his or her defined benefit payment but may name a beneficiary to receive any final death payment that may be due.

(g) You may begin receiving your defined benefit payment when eligible according to the rules for your system.

(h) Your ex-spouse may begin receiving ~~((benefits the first day of the month following the month in which he or she reaches retirement age for your retirement system, or the first day of the month following the dissolution date))~~ monthly payments when he or she reaches age sixty-five, or the first day of the month following the department's acceptance of the order, whichever is later. Your ex-spouse must apply for retirement according to the rules for your system and plan. Your age or retirement eligibility has no effect on when your ex-spouse is eligible to begin receiving his or her monthly benefit.

(i) When you or your ex-spouse dies, there will be no impact to the other person's retirement account, because the accounts are independent from one another.

(4) What happens to my defined benefit if my account was split and then I retire early?

(a) If you are eligible and decide to retire early, or must retire early because of a disability, your monthly retirement benefit payment will be reduced by an early retirement factor (ERF). See WAC 415-02-320.

(b) To determine the reduction to your benefit because of your preretirement split (see subsection (3)(c) of this section), the adjustment to the amount awarded to your ex-spouse in the dissolution order will be reduced by the ERF used to reduce your benefit.

Example: You are a member of TRS Plan 3 and retire for disability five years before you are eligible for a service retirement. The dissolution order awarded your ex-spouse a monthly benefit of two hundred fifty dollars.

Your defined benefit before ERF is applied:	\$1,000	
ERF (factor for retiring two years early)	0.61	
Your base benefit:	\$610	(\$1,000 x 0.61 ERF)
Adjustment for divorce split:	-\$152.50	(ex-spouse's \$250 x 0.61 (ERF))

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The defined benefit you will receive: \$457.50 (\$610 - \$152.50)

Your ex-spouse will receive the full monthly amount (\$250) that was awarded to him or her in the dissolution order, regardless of your benefit amount.

(5) What language must be used in a property division dissolution order that the department accepts BEFORE I retire to pay a portion of my monthly defined benefit payment to my ex-spouse? The order must use the language provided below. Do not use the language in RCW 41.50.670(2). The exact dollar amount of your ex-spouse's defined monthly benefit payment must be specified. Do not use formulas or percentages.

The Department of Retirement Systems (department) shall create a **defined benefit monthly account** for _____ (ex-spouse) in the _____ (name of retirement system and plan). When _____ (ex-spouse) becomes eligible for monthly payments, [s]he (upon application) will begin to receive \$_____ per month for the remainder of his/her lifetime. When _____ (member) becomes eligible for monthly payments, [s]he (upon application) will begin to receive the calculated monthly benefit less the amount herein specified for _____ (ex-spouse). This provision shall become effective no more than 30 days after the department's acceptance of the order.

(6) If ordered in the dissolution order, how will the department split my preretirement defined contribution account?

(a) The amount the dissolution order awards to your ex-spouse will be deducted from your defined contribution account and set up in a separate account for your ex-spouse under his or her Social Security number.

(b) You and your ex-spouse will manage your separate accounts independently from one another.

(c) You must continue to contribute to your account during your employment.

(d) Your ex-spouse may not contribute to his or her account.

(7) What options does my ex-spouse have in managing his or her separate defined contribution account? Your ex-spouse may:

(a) Transfer money between investment programs (state-managed (WSIB) or self-directed (SELF)); and

(b) Transfer money among the investment options in the SELF-directed program.

(8) How will the department make distributions to my ex-spouse and me out of our defined contribution accounts?

(a) *You* must be separated from employment before funds in your account can be distributed according to your distribution choice.

(b) *Your ex-spouse* may begin receiving distribution of the funds in his or her account at any time according to his or her distribution choice.

(c) Both you and your ex-spouse will have the same distribution options as outlined in WAC 415-111-310.

(d) If *you* die before a distribution has been made from your defined contribution account, your beneficiary(ies) must apply for a lump sum death benefit from your account.

(e) If *your ex-spouse* dies before a distribution has been made from his or her account, your ex-spouse's beneficiary(ies) must apply for a lump sum death payment from his or her account.

(f) If *you* die after you begin receiving funds but before the funds in your account have been exhausted, the balance will be paid to your designated beneficiary(ies).

(g) If *your ex-spouse* dies after receiving funds but before the funds in his or her account have been exhausted, the balance will be paid to your ex-spouse's designated beneficiary(ies).

(9) What language must be used in a property division dissolution order to award a portion of my defined contribution account to my ex-spouse? The order must include the language provided in the following paragraph. The exact dollar amount to transfer to your ex-spouse's defined contribution account must be specified. Do not use formulas or percentages. (See example in WAC 415-02-500 (15)(b)).

The Department of Retirement Systems (department) shall split _____ (member's) **defined contribution account** in the _____ (name of retirement system and plan) and create a separate account for _____ (ex-spouse). The amount of \$ _____ (amount) shall be transferred from _____'s (member's) **defined contribution account** to _____'s (ex-spouse's) new account. This provision shall become effective no more than 30 days after the department's acceptance of the order.

(10) Can I amend an existing order that has awarded an interest in my account to my ex-spouse under WAC 415-02-530 and remove my ex-spouse as my survivor beneficiary? Yes. To remove your ex-spouse as your survivor beneficiary, you must submit a "conformed copy" of the court order splitting your account. A conformed copy is a copy of the order that has been signed by the judge or commissioner on or after July 1, 2003, and filed with the court. Removing your ex-spouse as survivor beneficiary will change your retirement benefit. See WAC 415-02-540 (9) and (13) for the language that must be used.

Example:

Julio and May were married when Julio retired. Julio chose survivor Option 2 (joint and one hundred percent survivorship) when he retired. This meant that if Julio died, May would receive monthly survivor benefits. Two years after Julio's retirement, the couple divorced. The court awarded "one hundred percent of retirement benefits" to Julio. Julio later learned that this award did not change the survivor option. Julio can return to court and obtain an order stating that May is to receive "\$0" as the dollar amount for her separate monthly benefit. The order must use the language in WAC 415-02-540 and be signed by the court no sooner than July 1, 2003.

(11) If the dissolution order or amendment is dated AFTER my retirement, how will my defined monthly retirement benefit payment be split?

(a) The department will split your defined monthly retirement benefit payment *only if* you selected your ex-spouse to receive a survivor benefit at the time you retired. If you did not select your ex-spouse to receive a survivor bene-

fit at the time you retired, you cannot use this section. You *must* use WAC 415-02-530.

(b) If you selected your ex-spouse to receive survivor benefits at the time you retired, the rules in subsection (3)(a) through (f) of this section will apply.

(c) At the time the department splits your account, your ex-spouse will be removed as the survivor beneficiary on your account.

(d) Regardless of his or her age, your ex-spouse will begin receiving a monthly benefit payment the first month after the department accepts the property division dissolution order.

(12) If the dissolution order or amendment is dated AFTER my retirement, how will my monthly retirement benefit be calculated after the split?

(a) The dissolution order must state the exact dollar amount your ex-spouse is to receive as his or her separate monthly benefit. The following describes how the new amount of your benefit will be calculated assuming your ex-spouse was awarded a monthly benefit of six hundred dollars in the dissolution order.

Step 1 The department will determine the single life benefit of your current monthly benefit payment by dividing your currently monthly benefit payment by the survivor option factor (see WAC 415-02-380) in effect at the time of the split.

Example:

Currently monthly benefit = \$1200

Option factor = 0.865

Single life benefit amount = $\$1200 / 0.865 = \1387.28

Step 2 The single life benefit (\$1387.28) is divided by your annuity factor (see WAC 415-02-340) to determine the current present value of the single life benefit amount. The annuity factor the department uses is the factor for your age as of the date of the split.

Example:

Your age at time of the split = 61 years old

Annuity factor for age 61 = 0.0065448

Present value of single life benefit = $\$1387.28 / 0.0065448 = \$211,966.75$

Step 3 The department then determines the present value of your ex-spouse's share by dividing your ex-spouse's monthly benefit amount (as awarded in the dissolution order) by your ex-spouse's annuity factor. The annuity factor is the factor for your ex-spouse's age as of date of the split.

Example:

Ex-spouse's monthly benefit amount = \$600

Ex-spouse's age at time of the split = 67

Annuity factor for age 67 = 0.0076715

Present value of your ex-spouse's monthly benefit = $\$600 / 0.0076715 = \$78,211.56$

Step 4 Next, the department subtracts your ex-spouse's present value from the single life benefit

present value. The result is the present value of the benefit you will receive.

Example:

Present value of single life benefit = \$211,966.75

Less present value of ex-spouse's benefit = -78,211.56

Your present value = \$133,755.19

Step 5 The department determines your new monthly benefit amount by multiplying your present value by your annuity factor.

Example:

Your present value = \$133,755.19

Annuity factor = 0.0065448

Your new monthly benefit amount = $\$133,755.19 \times 0.0065448 = \875.40

(b) The department determines the percentage of the total present value each of you will receive by dividing each of your present value amounts by the single life benefit present value amount.

Example:

Your percentage of the single life benefit present value:

$\$133,755.19 / \$211,966.75 = .6310$

Your ex-spouse's percentage of the single life benefit present value:

$\$78,211.56 / \$211,966.75 = .3690$

(13) What language must the postretirement property division dissolution order or most recent amendment include to split my monthly defined benefit payment with my ex-spouse? Do not use the language in RCW 41.50-.670(2). The order must include the language provided in the following paragraph. The exact dollar amount of your ex-spouse's monthly benefit payment must be specified. Do not use formulas or percentages. (See example in WAC 415-02-500 (15)(b).)

The Department of Retirement Systems (department) shall create a **defined benefit account** for _____ (ex-spouse) in the _____ (name of retirement system and plan) and pay him or her \$_____ (amount) for his or her life. To pay for this benefit, _____ (member's) **monthly defined benefit** payment will be reduced for life. This provision shall become effective no more than 30 days after the department's acceptance of the order.

(14) How will the department split my postretirement defined contribution account? If your defined contribution account has not been fully disbursed at the time of the dissolution order, the department will split the remaining portion of your defined contribution according to the provisions of subsections (6) through (9) of this section.

(15) Is there a maximum payment that a property division dissolution order can award to my ex-spouse? Yes. See RCW 41.50.670(4) and WAC 415-02-500(10) for information.

(16) How much is the fee the department charges for making payments directly to my ex-spouse? See RCW 41.50.680 and WAC 415-02-500(11) for information.

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(17) Terms used:

- (a) Department's acceptance - A dissolution order that fully complies with the department of retirement systems' requirements and chapter 41.50 RCW.
- (b) Dissolution order - RCW 41.50.500.
- (c) Ex-spouse - WAC 415-02-030.
- (d) Split accounts - WAC 415-02-030.
- (e) Survivor benefits - WAC 415-02-030.
- (f) Plan 3 retirement systems - WAC 415-111-100.
- (g) TRS - Teachers' retirement system.

Footnotes to section:

- ¹ When a court splits your retirement account, the department will establish a separate account for your ex-spouse. Once the account is established, your account and your ex-spouse's account are not tied in any way.
- ² If an ex-spouse was not listed as the member's survivor beneficiary at retirement, then no postretirement property division order (or postretirement amendment) may split the member's retirement account using WAC 415-02-540.

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 03-24-050
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed November 26, 2003, 4:28 p.m., effective January 1, 2004]

Date of Adoption: November 26, 2003.

Purpose: New WAC 415-02-710 What is the \$150,000 death benefit?, this is a benefit consistent with workers' compensation law, Title 51 RCW, for LEOFF, PERS, SERS, TRS, and WSPRS members who die as a result of injuries sustained in the course of employment. The benefit may be nontaxable under applicable federal law. The 2003 legislature implemented the benefit for members of PERS, SERS, and TRS. Members of LEOFF and WSPRS were already covered, but the Department of Retirement Systems had not yet explained the benefits and process in WAC.

Statutory Authority for Adoption: RCW 41.50.050(5).

Other Authority: RCW 41.04.017, 41.26.048, 41.32.053, 41.35.115, 41.40.0932, 43.43.285.

Adopted under notice filed as WSR 03-21-096 on October 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: January 1, 2004.

November 26, 2003

John Charles

Director

NEW SECTION

WAC 415-02-710 What is the \$150,000 death benefit? (1) What is the \$150,000 death benefit? This is a benefit consistent with workers' compensation law, Title 51 RCW, for LEOFF, PERS, SERS, TRS, and WSPRS members who die as a result of injuries sustained in the course of employment. The benefit may be nontaxable under applicable federal law.

(2) **Who is covered?** Deceased members of LEOFF, PERS, SERS, TRS, and WSPRS. If the deceased was a member of another plan, please contact the department.

(3) **Who will determine eligibility for the benefit?** The Washington state department of labor and industries (L&I) will determine eligibility consistent with Title 51 RCW and applicable retirement statutes in chapter 41.26 RCW (LEOFF), chapter 41.40 RCW (PERS), chapter 41.35 RCW (SERS), chapter 41.32 RCW (TRS), or chapter 43.43 RCW (WSPRS).

(4) **Who will receive the \$150,000 death benefit?**

(a) **LEOFF Plan 2, PERS, SERS, TRS, and WSPRS Plan 2:** The person(s) the member designated as his or her beneficiary(ies) for his or her retirement plan will receive the benefit *unless* the member designated a *different* beneficiary(ies) for the \$150,000 death benefit. If the member did not designate a beneficiary for either the plan or death benefit, then the member's death benefit shall be paid to the member's surviving spouse as if in fact the spouse had been nominated by written designation, or if there is no surviving spouse, then to the member's estate.

(b) **LEOFF Plan 1 and WSPRS Plan 1:** In these plans, the member's surviving spouse is automatically the beneficiary for the member's retirement plan. The member may designate a different person(s) for the \$150,000 death benefit. If the member did not designate a beneficiary for either the plan or death benefit, then the member's death benefit shall be paid to the member's surviving spouse as if in fact the spouse had been nominated by written designation, or if there is no surviving spouse, then to the member's estate.

(5) **How do I apply for the benefit?** To apply:

(a) Obtain an application from the department of retirement systems (DRS).

(b) Submit a correctly completed application to DRS. DRS will submit the application to L&I.

(6) **How will I receive the benefit?** L&I will notify you and DRS of approval or disapproval of eligibility. DRS will either send you the lump sum payment or send it directly to your bank, depending on your preference.

(7) **How will DRS treat the \$150,000 payment for tax purposes?**

(a) DRS will treat the payment as nontaxable.

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(b) DRS does not guarantee that payments should or should not be designated as exempt from federal income tax.

(c) DRS does not guarantee that it was correct in withholding or not withholding taxes from the death benefit payment.

(d) DRS does not:

(i) Represent or guarantee that any particular federal or state income, payroll, personal property or other tax consequence will occur because of its nontaxable determination; or

(ii) Assume any liability for your compliance with the Internal Revenue Code.

(e) You should consult with your own tax advisor regarding all questions of federal or state income, payroll, personal property or other tax consequences regarding any payments you receive from the department.

(8) Terms used:

(a) LEOFF - Law enforcement officers' and fire fighters' retirement system.

(b) PERS - Public employees' retirement system.

(c) SERS - School employees' retirement system.

(d) TRS - Teachers' retirement system.

(e) WSPRS - Washington state patrol retirement system.

tion of the monthly benefit. The factor that is used is determined by the age of the member at the time of retirement.

Statutory Authority for Adoption: RCW 41.50.050(5).

Adopted under notice filed as WSR 03-21-098 on October 17, 2003.

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 1, 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, 2004.

November 26, 2003

John Charles

Director

WSR 03-24-051
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed November 26, 2003, 4:32 p.m., effective January 1, 2004]

Date of Adoption: November 26, 2003.

Purpose: New WAC 415-02-345 TRS 1 Option 1 benefit factors (new), at the time of retirement, a TRS Plan 1 member may choose to receive an Option 1, standard allowance, which is a slightly reduced lifetime monthly benefit. This option allows the final unpaid monthly benefit and any remaining balance of contributions to be paid in a lump sum to the retiree's estate or named beneficiary at the time of the retiree's death. The reduction to the monthly benefit is based on an Option 1 factor and is applied against the annuity por-

(2) Option 1 benefit factor table.

Age	Factor	Reduction	Age	Factor	Reduction
20	99.8876%	0.1%	50	99.1060%	0.9%
21	99.8851%	0.1%	51	99.0237%	1.0%
22	99.8825%	0.1%	52	98.9288%	1.1%
23	99.8794%	0.1%	53	98.8184%	1.2%
24	99.8757%	0.1%	54	98.6970%	1.3%
25	99.8710%	0.1%	55	98.5566%	1.4%
26	99.8650%	0.1%	56	98.3876%	1.6%
27	99.8575%	0.1%	57	98.1977%	1.8%
28	99.8480%	0.2%	58	97.9853%	2.0%
29	99.8362%	0.2%	59	97.7388%	2.3%
30	99.8220%	0.2%	60	97.4759%	2.5%
31	99.8053%	0.2%	61	97.1849%	2.8%

NEW SECTION

WAC 415-02-345 TRS Plan 1 Option 1 benefit factors. (1) What is a TRS Plan 1 Option 1 benefit factor? At the time of retirement, a TRS Plan 1 member may choose to receive an Option 1, standard allowance, which is a slightly reduced lifetime monthly benefit. This option allows the final unpaid monthly benefit and any remaining balance of contributions to be paid in a lump sum to the retiree's estate or named beneficiary at the time of the retiree's death. The reduction to the monthly benefit is based on an Option 1 factor and is applied against the annuity portion of the monthly benefit. The factor that is used is determined by the age of the member at the time of retirement. For more information about the Option 1, standard allowance, see RCW 41.32.530 (1)(a).

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Age	Factor	Reduction		Age	Factor	Reduction
32	99.7858%	0.2%		62	96.8657%	3.1%
33	99.7638%	0.2%		63	96.5199%	3.5%
34	99.7413%	0.3%		64	96.1340%	3.9%
35	99.7184%	0.3%		65	95.7405%	4.3%
36	99.6951%	0.3%		66	95.3342%	4.7%
37	99.6712%	0.3%		67	94.8664%	5.1%
38	99.6461%	0.4%		68	94.4041%	5.6%
39	99.6195%	0.4%		69	93.9285%	6.1%
40	99.5908%	0.4%		70	93.3893%	6.6%
41	99.5597%	0.4%		71	92.8393%	7.2%
42	99.5255%	0.5%		72	92.2534%	7.7%
43	99.4881%	0.5%		73	91.5922%	8.4%
44	99.4474%	0.6%		74	90.9422%	9.1%
45	99.4018%	0.6%		75	90.2102%	9.8%
46	99.3542%	0.6%		76	89.4917%	10.5%
47	99.2994%	0.7%		77	88.7582%	11.2%
48	99.2421%	0.8%		78	85.9377%	14.1%
49	99.1781%	0.8%		79	85.8097%	14.2%
				80	86.1255%	13.9%

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WSR 03-24-052
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed November 26, 2003, 4:35 p.m.]

Effective Date of Rule: Thirty-one days after filing.
 November 26, 2003
 John Charles
 Director

Date of Adoption: November 26, 2003.
 Purpose: WAC 415-06-100 How do I contact the department?, amendment updates website address.

Citation of Existing Rules Affected by this Order: Amending WAC 415-06-100.

Statutory Authority for Adoption: RCW 41.50.050(5).
 Other Authority: RCW 42.17.250.

Adopted under notice filed as WSR 03-21-099 on October 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 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.

AMENDATORY SECTION (Amending WSR 01-18-017, filed 8/24/01, effective 9/24/01)

WAC 415-06-100 How do I contact the department?

(1) Mailing address: Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380.

(2) Street address: 6835 Capitol Blvd., Tumwater, WA 98501.

(3) Phone numbers: (360) 664-7000 or toll-free (outside Olympia area) 1 (800) 547-6657, or TDD (for the hearing impaired) (360) 586-5450.

(4) E-mail address: recep@drs.wa.gov.

(5) Website: ((<http://www.wa.gov/drs>)) <http://www.drs.wa.gov>.

WSR 03-24-053
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Filed December 1, 2003, 8:35 a.m.]

Date of Adoption: December 1, 2003.

Purpose: To require a label statement referring people to the department's uniform resource location (URL or web address) where data regarding the metals content of the product is located.

Citation of Existing Rules Affected by this Order: Amending WAC 16-200-715.

Statutory Authority for Adoption: Chapters 15.54 and 34.05 RCW.

Adopted under notice filed as WSR 03-19-125 on September 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 1, 2003

William E. Brookreson
for Valoria Loveland
Director

AMENDATORY SECTION (Amending Order 1952, filed 9/17/87)

WAC 16-200-715 Fertilizer labels. The following information, in the format presented, is the minimum information required for all fertilizer labels. For packaged products, this information shall either appear on the front or back of the package; or occupy at least the upper-third side of the package; or be printed on a tag and attached to the package. This information shall be in a readable and conspicuous form. For bulk products, this same information in written or printed form shall accompany delivery and be supplied to the purchaser at time of delivery.

- (1) Net weight.
- (2) Brand.
- (3) Grade (provided that the grade shall not be required when no primary nutrients are claimed.)
- (4) Guaranteed analysis*

Total Nitrogen (N)**	___%
___% ammoniacal nitrogen		
___% nitrate nitrogen		
___% water insoluble nitrogen		
___% urea nitrogen		
___% (other recognized and determined forms of N)		
Available Phosphoric Acid (P ₂ O ₅)	___%
Soluble Potash (K ₂ O)	___%
(Other nutrients, elemental basis)***	___%

(5) Sources of nutrients guaranteed on the label shall be listed below the completed guaranteed analysis statement.

(6) Name and address of registrant.

(7) At a minimum, one of the following label statements:

(a) "Information received by the Washington state department of agriculture regarding the components in this product is available on the Internet at <http://agr.wa.gov>."

Through June 30, 2006, you may use the following label statement: "Information received by the Washington state department of agriculture regarding the components in this product is available on the Internet at <http://www.wa.gov/agr/>."

(b) "Information regarding the contents and levels of metals in this product is available on the Internet at <http://agr.wa.gov>."

Through June 30, 2006, you may use the following label statement: "Information regarding the contents and levels of metals in this product is available on the Internet at <http://www.wa.gov/agr/>."

(c) "Information regarding the contents and levels of metals in this product is available on the Internet at <http://www.regulatory-info-xx.com>."

Each registrant must substitute a unique alphanumeric identifier for "xx." This statement may be used only if the registrant establishes and maintains the Internet site and the Internet site meets the following criteria:

(i) There is no advertising or company-specific information on the site; and

(ii) There is a clearly visible, direct hyperlink to the department's Internet site specified in (a) and (b) of this subsection.

(d) "Information regarding the contents and levels of metals in this product is available on the Internet at: "<http://www.aapfco.org/metals.htm>."

Note: The department's Uniform Resource Locator (URL) changed in 2003, thus requiring a revision to the labeling statements required in subsection (7)(a) and (b) of this section. (The new URL is "<http://agr.wa.gov>." The old URL was "<http://www.wa.gov/agr/>." In order for companies to deplete existing stocks and revise labels, the department will allow either URL to be referenced on labels distributed through June 30, 2006. During this "phase-in" period, the department will maintain a redirect link to ensure that people are directed to the appropriate website when they enter the old URL. Beginning July 1, 2006, all labels distributed in Washington using the statement in subsection (7)(a) or (b) of this section must include the new URL.

* Zero guarantees shall not be made and shall not appear in the statement.

** If chemical forms of nitrogen are claimed or required, the form shall be shown and the percentages of the individual forms shall add up to the total nitrogen percentage.

*** As prescribed by WAC 16-200-711.

PERMANENT

WSR 03-24-057
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed December 1, 2003, 10:45 a.m.]

Date of Adoption: November 26, 2003.

Purpose: Amending WAC 388-484-0006 TANF/SFA time limit extensions and 388-310-0350 WorkFirst—Other exemptions from mandatory participation. The amendments will clarify under what conditions a client may receive an extension past the sixty-month limit and cross-references the TANF/SFA time limit extensions WAC 388-484-0006 in the WorkFirst—Other exemptions from mandatory participation WAC 388-310-0350.

Citation of Existing Rules Affected by this Order: Amending WAC 388-484-0006 and 388-310-0350.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, and 74.08A.340.

Adopted under notice filed as WSR 03-21-153 on October 22, 2003.

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 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 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 26, 2003

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-12-068, filed 5/31/02, effective 6/1/02)

WAC 388-310-0350 WorkFirst—Other exemptions from mandatory participation. (1) When am I exempt from mandatory participation?

You are exempt from mandatory participation if you are:

(a) An older needy caretaker relative:

(i) You are fifty-five years of age or older and caring for a child and you are not the child's parent; and

(ii) Your age is verified by any reliable documentation (such as a birth certificate or a driver's license).

(b) An adult with a severe and chronic disability:

(i) The disability must be a severe and chronic mental, physical, emotional, or cognitive impairment that prevents you from participating in work activities and is expected to last at least twelve months; or

(ii) You have been assessed by a DSHS SSI facilitator as likely to be approved for SSI or other benefits and are applying for SSI or another type of federal disability benefit (such as Railroad Retirement or Social Security Disability); and

(iii) Your disability is verified by documentation from the division of developmental disabilities (DDD), division of vocational rehabilitation (DVR), home and community services division (HCS), division of mental health (MHD), and/or regional support network (RSN), or evidence from another medical or mental health professional; and

(iv) Your SSI application status may be verified through the SSI facilitator and/or state data exchange.

(c) Required in the home to care for a child with special needs when:

(i) The child has a special medical, developmental, mental, or behavioral condition; and

(ii) The child is determined by a public health nurse, physician, mental health provider, school professional, other medical professional, HCS, MHD, and/or a RSN to require specialized care or treatment that significantly interferes with your ability to look for work or work.

(d) Required to be in the home to care for another adult with disabilities when:

(i) The adult with disabilities cannot be left alone for significant periods of time; and

(ii) No adult other than yourself is available and able to provide the care; and

(iii) The adult with the disability is related to you; and

(iv) The disability is verified by documentation from DDD, DVR, HCS, MHD, and/or a RSN, or evidence from another medical or mental health professional.

(2) Who reviews and approves an exemption?

(a) If it appears that you may qualify for an exemption or you ask for an exemption, your case manager or social worker will review the information and we will use the case staffing process to determine whether the exemption will be approved. Case staffing is a process to bring together a team of multidisciplinary experts including relevant professionals and the client to identify participant issues, review case history and information, and recommend solutions.

(b) If additional medical or other documentation is needed to determine if you are exempt, your IRP will allow between thirty days and up to ninety if approved to gather the necessary documentation.

(c) Information needed to verify your exemption should meet the standards for verification described in WAC 388-490-0005. If you need help gathering information to verify your exemption, you can ask us for help. If you have been identified as needing NSA services, under chapter 388-472 WAC, your accommodation plan should include information on how we will assist you with getting the verification needed.

(d) After the case staffing, we will send you a notice that tells you whether your exemption was approved, how to request a fair hearing if you disagree with the decision, and any changes to your IRP that were made as a result of the case staffing.

(3) Can I participate in WorkFirst while I am exempt?

(a) You may choose to participate in WorkFirst while you are exempt.

(b) Your WorkFirst case manager may refer you to other service providers who may help you improve your skills and move into employment.

(c) If you decide later to stop participating, and you still qualify for an exemption, you will be put back into exempt status with no financial penalty.

(4) Does an exemption from participation affect my sixty-month time limit for receiving TANF/SFA benefits?

An exemption from participation does not affect your sixty-month time limit (described in WAC 388-484-0005) for receiving TANF/SFA benefits. Even if exempt from participation, each month you receive a TANF/SFA grant counts toward your sixty-month limit.

(5) How long will my exemption last?

Unless you are an older caretaker relative, your exemption will be reviewed at least every twelve months to make sure that you still meet the criteria for an exemption. Your exemption will continue as long as you continue to meet the criteria for an exemption.

(6) What happens when I am no longer exempt?

If you are no longer exempt, then:

(a) You will become a mandatory participant under WAC 388-310-0400; and

(b) If you have received sixty or more months of TANF/SFA, your case will be reviewed for an extension. (See WAC 388-484-0006 for a description of TANF/SFA time limit extensions.)

(7) For time-limited extensions, see WAC 388-484-0006.

AMENDATORY SECTION (Amending WSR 02-12-068, filed 5/31/02, effective 6/1/02)**WAC 388-484-0006 TANF/SFA time limit extensions. (1) What happens after I receive sixty or more months of TANF/SFA cash assistance?**

After you receive sixty or more months of TANF/SFA cash assistance, you may qualify for additional months of cash assistance. We call these additional months of TANF/SFA cash assistance a TANF/SFA time limit extension.

(2) Who is eligible for a TANF/SFA time limit extension?

You are eligible for a TANF/SFA time limit extension if you are on TANF or otherwise eligible for TANF and:

(a) You qualify for one of the exemptions listed in WAC 388-310-0350; or

(b) You:

(i) Are participating satisfactorily in the WorkFirst program (see chapter 388-310 WAC for a description of WorkFirst participation requirements); or

(ii) Meet the family violence option criteria in WAC 388-61-001 and are participating satisfactorily in specialized activities listed in your individual responsibility plan.

(c) You have a temporary situation that prevents you from working or looking for a job. (For example, you may be unable to look for a job while you have health problems or if

you are dealing with family violence.) You will receive a time-limited extension if:

(i) You have verification provided by an approved professional as determined by the department that your situation will last for at least six months; or

(ii) You have verification provided by an approved professional as determined by the department that your situation will last for less than six months and you have been approved by the department for an extension;

(iii) Your WorkFirst case manager conducts a hardship extension review to document your situation; and

(iv) You are participating in activities included in your individual responsibility plan to help your situation.

(d) If you are refusing to participate as required and you do not have a good reason under WAC 388-310-1600(4), you do not qualify for a regular TANF/SFA time limit extension but your family may qualify for a Child SafetyNet Payment extension, described in WAC 388-310-1650.

(3) Who reviews and approves an extension?

(a) Your case manager or social worker will review your case and we will use the case staffing process to determine which extension type will be approved. Case staffing is a process to bring together a team of multidisciplinary experts including relevant professionals and you to identify issues, review case history and information, and recommend solutions.

(b) This review will not happen until after you have received at least fifty-two months of assistance but before you reach your time limit.

(c) During the case staffing, we will tell you about the different extensions. If you are in sanction (see WAC 388-310-1600), we will explain the consequences of continued nonparticipation and tell you the steps you must take to end the sanction. We will explain that continued failure to participate will result in your getting a Child SafetyNet Payment with additional restrictions after the sixtieth month.

(d) After the case staffing and before you reach your time limit, the department will send you a notice that tells you whether your extension was approved, how to request a fair hearing if you disagree with the decision, and any changes to your IRP that were made as a result of the case staffing.

(4) Do my WorkFirst participation requirements change if I receive a TANF/SFA time limit extension?

Your participation requirements do not change. You must still meet all of the WorkFirst participation requirements listed in chapter 388-310 WAC while you receive a TANF/SFA time limit extension.

(5) Do my benefits change if I receive a TANF/SFA time limit extension?

(a) You are still a TANF/SFA recipient. If you are:

(i) Receiving a regular TANF/SFA time limit extension, your cash assistance, services, or supports will not change as long as you continue to meet all other TANF/SFA eligibility requirements.

(ii) Receiving a Child SafetyNet Payment, your benefits will be different and are described in WAC 388-310-1650.

(b) During the TANF/SFA time limit extension, you must continue to meet all other TANF/SFA eligibility requirements. If you no longer meet TANF/SFA eligibility criteria during your extension, your benefits will end.

(6) What happens if I stop participating in WorkFirst activities as required during a TANF/SFA time limit extension?

If you do not participate in the WorkFirst activities required in your individual responsibility plan, and you do not have a good reason under WAC 388-310-1600(4), the department will follow the sanction rules in WAC 388-310-1600, and will move you into Child SafetyNet Payment which will reduce your benefits (see WAC 388-310-1650).

(7) How long will a TANF/SFA time limit extension last?

(a) We will review your TANF/SFA time limit extension and your case periodically for changes in family circumstances:

(i) If you are extended under WAC 388-484-0006 (2)(a) then we will review your extension at least every twelve months;

(ii) If you are extended under WAC 388-484-0006 (2)(b) then we will review your extension at least every six months;

(iii) If you are extended under WAC 388-484-0006 (2)(c) then we will review your extension at least every twelve months.

(b) Your TANF/SFA time limit extension may be renewed for as long as you continue to meet the criteria to qualify.

(c) If during the extension period we get proof that your circumstances have changed, we may review your case and change the type of TANF/SFA time limit extension.

The subsection has been changed to read: "(8) When a person's income exceeds the CN income standard as described in subsection (3) of this section, the person has spend down liability and MN scope of care. MN scope of care is described in WAC 388-529-0100. The medical service limitations and exclusions described in subsection (7) are also excluded under the MN program."

The changes were made because the additional language better meets the department's intent in describing MN emergency services for alien residents.

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 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

PERMANENT

WSR 03-24-058

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed December 1, 2003, 10:47 a.m.]

Date of Adoption: November 25, 2003.

Purpose: This rule revision is necessary to ensure the state's compliance with federal Medicaid limitations on categorically needy (CN) and medically needy (MN) medical services covered under emergency services for alien residents. It also provides for three-month certification periods and imposes limitations on persons entering the state solely to receive medical care.

Citation of Existing Rules Affected by this Order: Amending WAC 388-438-0110.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.057, and 74.09.530.

Other Authority: Section 1903 (v)(2)(c) of the Social Security Act.

Adopted under notice filed as WSR 03-20-074 on September 29, 2003.

Changes Other than Editing from Proposed to Adopted Version: Subsection (8) has been changed. The proposed rule text read: "(8) A person whose income exceeds the CN income standard has spend down liability and MN scope of care."

AMENDATORY SECTION (Amending WSR 02-17-030, filed 8/12/02, effective 9/12/02)

WAC 388-438-0110 The alien emergency medical (AEM) program. (1) The alien emergency medical (AEM) program is a required 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, 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~~) that 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 meet one of the criteria described in subsection (2) of this section and have:

(a) ~~((A))~~ A qualifying emergency medical condition as described in WAC 388-500-0005; or

(b) Been approved by the department ~~((as requiring))~~ for, and receiving, 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.

(6) The department does not deem a sponsor's income and resources as available to the client when determining eligibility for the AEM program. The department counts only the income and resources a sponsor makes available to the client.

(7) Under the AEM program, a person receives CN scope of care, as described in WAC 388-529-0100. Covered services are limited to those medical services necessary for treatment of the person's emergency medical condition. The following services are not covered:

- (a) Organ transplants and related services;
- (b) Prenatal care, except labor and delivery; and
- (c) School-based services.

(8) When a person's income exceeds the CN income standard as described in subsection (3) of this section, the person has spend down liability and MN scope of care. MN scope of care is described in WAC 388-529-0100. The medical service limitations and exclusions described in subsection (7) are also excluded under the MN program.

(9) A person determined eligible for the AEM program is certified for three months. The number of three-month certification periods is not limited, but, the person must continue to meet eligibility criteria in subsection (2) and (4) of this section.

(10) A person is not eligible for the AEM program if they entered the state specifically to obtain medical care.

WSR 03-24-059

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed December 1, 2003, 10:48 a.m., effective January 1, 2004]

Date of Adoption: November 25, 2003.

Purpose: To delay the effective date of the permanent rule, WAC 388-478-0015, filed as WSR 03-23-116 on November 18, 2003. The standards in the rule must take effect on January 1, 2004.

The amended rule is an annual change in need standard actual living costs. This process is required by state law (RCW 74.04.770) to establish, on an annual basis, standards of need for cash assistance programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0015.

Statutory Authority for Adoption: RCW 74.04.770, 74.04.050, 74.04.055, 74.04.057.

Adopted under notice filed as WSR 03-19-070 on September 12, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 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: January 1, 2004.

November 25, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-24-066

PERMANENT RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed December 1, 2003, 3:22 p.m.]

Date of Adoption: December 1, 2003.

Title of Rule: Chapter 296-17-WAC, General reporting rules, classifications, audit and recordkeeping, rates and rating system for workers' compensation insurance.

Purpose: This rule will amend risk classification premium base rates, experience rating plan and retrospective rating tables to reflect updated loss experience, and provide a 9.8% general rate increase effective January 1, 2004. This will also amend the rule governing the evaluation of losses to conform to the provisions of the Terrorism Risk Insurance Act of 2002.

Citation of Existing Rules Affected by this Order: Amending WAC 296-17-855, 296-17-870, 296-17-875, 296-17-880, 296-17-885, 296-17-890, 296-17-895, 296-17-89502, 296-17-90492, 296-17-90493, 296-17-90494, 296-17-90495, 296-17-90496, 296-17-90497, and 296-17-920.

Statutory Authority for Adoption: RCW 51.04.020, 51.16.035, 51.32.073, and 51.18.010.

Adopted under notice filed as WSR 03-19-107 on September 16, 2003.

Changes Other than Editing from Proposed to Adopted Version: Labor and industries has reduced the average rate increase of 19.4% initially proposed to an average rate increase of 9.8%. The change was to address concerns raised during the public comment period about the size of the increase, while still maintaining actuarial solvency of the accident and medical aid funds as required by RCW 51.16-035.

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 15, 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 1, 2003

Paul Trause

Director

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-870 Evaluation of actual losses. Except as provided in the following subsections of this paragraph, actual losses shall include all payments as of the "valuation date" for each claim arising from an accident occurring during the experience period. Losses for claims open as of the valuation date may also include a reserve for future payments. Actual losses on claims for accidents occurring outside of the experience period shall not be included.

(1) **Valuation date.** The valuation date shall be on and include December 31, one year and one day immediately preceding the effective date of premium rates as set forth in WAC 296-17-895. For experience modifications effective January 1, 1990, and thereafter, the valuation date shall be June 1, seven months immediately preceding the effective date of premium rates.

(2) **Retroactive adjustments - revision of losses between valuation dates.** No claim value shall be revised between valuation dates and no retroactive adjustment of an experience modification shall be made because of disputation concerning the judgment of the claims examiner or because of subsequent developments except as specifically provided in the following cases:

(a) In cases where loss values are included or excluded through mistake other than error of judgment.

(b) In cases where a third party recovery is made, subject to subsection (4)(a) of this section.

(c) In cases where the claim qualifies as a second injury claim under the provisions of RCW 51.16.120.

(d) In cases where a claim, which was previously evaluated as a compensable claim, is closed and is determined to be noncompensable (ineligible for benefits other than medical treatment).

(e) In cases where a claim is closed and is determined to be ineligible for any benefits.

In the above specified cases retroactive adjustment of the experience modification shall be made for each rating in which the claim was included. Retroactive adjustments will not be made for rating periods more than ten years prior to the date on which the claim status was changed.

(3) **Average death value.** Each fatality occurring to a worker included within the mandatory or elective coverage of Title 51 RCW shall be assigned the "average death value(;;)." ((said)) The "average death value" ((to)) shall be the average incurred cost for all such fatalities occurring dur-

ing the experience period. The average death value is set forth in WAC 296-17-880 (Table II).

(4) **Third-party recovery - effect on experience modification.**

(a) For claims with injury dates prior to July 1, 1994, a potential claim cost recovery from action against a third party, either by the injured worker or by the department, shall not be considered in the evaluation of actual losses until such time as the third-party action has been completed. If a third-party recovery is made after a claim had previously been used in an experience modification calculation, the experience modification shall be retroactively adjusted. The department shall compute a percentage recovery by dividing the current valuation of the claim into the amount recovered or recoverable as of the recovery date, and shall reduce both primary and excess losses previously used in the experience modification calculation by that percentage.

(b) For claims with injury dates on or after July 1, 1994, if the department determines that there is a reasonable potential of recovery from an action against a third party, both primary and excess values of the claim shall be reduced by fifty percent for purposes of experience modification calculation, until such time as the third-party action has been completed. This calculation shall not be retroactively adjusted, regardless of the final outcome of the third-party action. After a third-party recovery is made, the actual percentage recovery shall be applied to future experience modification calculations.

(c) For third-party actions completed before July 1, 1996, the claim shall be credited with the department's net share of the recovery, after deducting attorney fees and costs. For third-party actions completed on or after July 1, 1996, the claim shall be credited with the department's gross share of the recovery, before deducting attorney fees and costs.

(d) **Definitions:**

(i) As used in this section, "recovery date" means the date the money is received at the department or the date the order confirming the distribution of the recovery becomes final, whichever comes first.

(ii) As used in this section, "recoverable" means any amount due as of the recovery date and/or any amount available to offset case reserved future benefits.

(5) **Second injury claims.** The primary and excess values of any claim which becomes eligible for second injury relief under the provisions of RCW 51.16.120, as now or hereafter amended, shall be reduced by the percentage of relief granted.

(6) **Occupational disease claims.** When a claim results from an employee's exposure to an occupational disease hazard, the "date of injury," for the purpose((s)) of experience rating, ((shall)) will be the date ((on which)) the disability was diagnosed((, giving)) and that gave rise to the filing of a claim for benefits. The cost of ((any occupational disease claim, paid from the accident fund and medical aid fund and arising from exposure to the disease hazard under two or more employers, shall be prorated to each period of employment involving exposure to the hazard. Each insured employer who had employed the claimant during the experience period, and for at least ten percent of the claimant's exposure to the hazard, shall be charged for his share of the

claim based upon the prorated costs)) a claim for occupational disease will be prorated among the state fund employers who contributed to the condition. All exposure associated with nonstate fund employers will be excluded from the pro rata calculation. To determine the percentage of liability that an employer is responsible for, the department will divide the amount of time the employee worked for the employer that exposed the employee to the hazard by the total length of state fund employment attributable to the occupational disease hazard.

State fund employers will be charged their pro rata share of an occupational disease claim when:

- They exposed the worker to the hazard that gave rise to the occupational disease;
- Responsible for at least ten percent of the state fund injurious exposure; and
- The injurious exposure falls within the experience rating period.

(7) Maximum claim value. No claim shall enter an employer's experience record at a value greater than the "maximum claim value." The maximum claim value is set forth in WAC 296-17-880 (Table II).

(8) Catastrophic losses. Whenever a single accident results in the deaths or total permanent disability of three or more workers employed by the same employer, costs charged to the employer's experience shall be limited as required by RCW 51.16.130.

(9) Acts of terrorism. Whenever any worker insured with the state fund sustains an injury or occupational disease as a result of an incident certified to be an act of terrorism under the U.S. Terrorism Risk Insurance Act of 2002, the costs of the resulting claim shall be excluded from the experience rating computation of the worker's employer.

(10) Claims filed by preferred workers. The costs of subsequent claims filed by certified preferred workers will not be included in experience calculations, as provided in WAC 296-16-010.

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{A_p + W A_e + (1-W) E_e + B}{E + B}$$

The components A_p , $W A_e$, and $(1-W) E_e$ are values which shall be charged against an employer's experience record. The component, E , shall be the expected value of

these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

" A_p " signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ~~(\$12,968)~~ \$15,092 the primary actual loss shall be determined from the formula:

$$\text{PRIMARY LOSS} = \frac{((32,420)) 37.730}{\text{Total loss} + ((19,452)) 22.638} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ~~(\$12,968)~~ \$15,092 the full value of the claim shall be considered a primary loss.

" A_e " signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

" W " signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol " $W A_e$ " in the experience modification formula. W values are set forth in Table II.

" E " signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

" E_e " signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by " $(1-W) E_e$ " in the experience modification formula. D-Ratios are set forth in Table III.

" B " signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

PERMANENT

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-875 Table I.

WAC 296-17-880 Table II.

((Primary Losses for Selected Claim Values

((“B” and “W” Values

Maximum Claim Value = \$324,200

Average Death Value = \$198,252

claim value	primary loss	Expected Losses	B	W
12,968	12,968	7,024 & Under	61,170	0.00
13,021	13,000			
16,750	15,000	7,025 -	60,558	0.01
21,445	17,000	14,154 -	59,947	0.02
27,540	19,000	21,389 -	59,335	0.03
35,770	21,000	28,735 -	58,723	0.04
47,494	23,000	36,192 -	58,112	0.05
65,539	25,000	43,765 -	57,500	0.06
96,901	27,000	51,455 -	56,888	0.07
164,944	29,000	59,267 -	56,276	0.08
198,252*	29,523	67,202 -	55,665	0.09
241,140	30,000	75,265 -	55,053	0.10
324,200**	30,585	83,459 -	54,441	0.11
		91,787 -	53,830	0.12
		100,253 -	53,218	0.13
		108,860 -	52,606	0.14
		117,613 -	51,995	0.15
		126,515 -	51,383	0.16
		135,570 -	50,771	0.17
		144,784 -	50,159	0.18
		154,159 -	49,548	0.19
		163,702 -	48,936	0.20
		173,416 -	48,324	0.21
		183,308 -	47,713	0.22
		193,381 -	47,101	0.23
		203,641 -	46,489	0.24
		214,094 -	45,878	0.25
		224,747 -	45,266	0.26
		235,604 -	44,654	0.27
		246,672 -	44,042	0.28
		257,958 -	43,431	0.29
		269,469 -	42,819	0.30
		281,212 -	42,207	0.31
		293,194 -	41,596	0.32
		305,424 -	40,984	0.33
		317,908 -	40,372	0.34
		330,657 -	39,761	0.35
		343,678 -	39,149	0.36
		356,982 -	38,537	0.37
		370,577 -	37,925	0.38
		384,474 -	37,314	0.39
		398,683 -	36,702	0.40

* Average death value
 ** Maximum claim value))

Primary Losses for Selected Claim Values

<u>CLAIM VALUE</u>	<u>PRIMARY LOSS</u>
<u>15,092</u>	<u>15,092</u>
<u>16,669</u>	<u>16,000</u>
<u>20,653</u>	<u>18,000</u>
<u>25,536</u>	<u>20,000</u>
<u>31,662</u>	<u>22,000</u>
<u>39,571</u>	<u>24,000</u>
<u>50,178</u>	<u>26,000</u>
<u>65,145</u>	<u>28,000</u>
<u>87,858</u>	<u>30,000</u>
<u>100,000</u>	<u>30,765</u>
<u>150,000</u>	<u>32,782</u>
<u>211,599*</u>	<u>34,084</u>
<u>300,000</u>	<u>35,083</u>
<u>377,300**</u>	<u>35,594</u>

* Average death value
 ** Maximum claim value

PERMANENT

PERMANENT

Expected Losses		B	W	Expected Losses		B	W		
413,217	-	428,085	36,090	0.41	1,945,134	-	2,020,370	7,340	0.88
428,086	-	443,301	35,479	0.42	2,020,371	-	2,099,871	6,729	0.89
443,302	-	458,878	34,867	0.43	2,099,872	-	2,184,013	6,117	0.90
458,879	-	474,830	34,255	0.44	2,184,014	-	2,273,218	5,505	0.91
474,831	-	491,169	33,644	0.45	2,273,219	-	2,367,959	4,894	0.92
491,170	-	507,912	33,032	0.46	2,367,960	-	2,468,773	4,282	0.93
507,913	-	525,074	32,420	0.47	2,468,774	-	2,576,268	3,670	0.94
525,075	-	542,672	31,808	0.48	2,576,269	-	2,691,133	3,058	0.95
542,673	-	560,722	31,197	0.49	2,691,134	-	2,814,160	2,447	0.96
560,723	-	579,244	30,585	0.50	2,814,161	-	2,946,254	1,835	0.97
579,245	-	598,257	29,973	0.51	2,946,255	-	3,088,463	1,223	0.98
598,258	-	617,780	29,362	0.52	3,088,464	-	3,241,999	612	0.99
617,781	-	637,837	28,750	0.53	3,242,000 & Over		0	0	1.00))
637,838	-	658,448	28,138	0.54					
658,449	-	679,640	27,527	0.55					
679,641	-	701,437	26,915	0.56					
701,438	-	723,866	26,303	0.57					
723,867	-	746,957	25,691	0.58					
746,958	-	770,739	25,080	0.59					
770,740	-	795,245	24,468	0.60					
795,246	-	820,510	23,856	0.61					
820,511	-	846,570	23,245	0.62					
846,571	-	873,464	22,633	0.63					
873,465	-	901,234	22,021	0.64					
901,235	-	929,925	21,410	0.65					
929,926	-	959,585	20,798	0.66					
959,586	-	990,263	20,186	0.67					
990,264	-	1,022,016	19,574	0.68					
1,022,017	-	1,054,900	18,963	0.69					
1,054,901	-	1,088,980	18,351	0.70					
1,088,981	-	1,124,323	17,739	0.71					
1,124,324	-	1,161,002	17,128	0.72					
1,161,003	-	1,199,095	16,516	0.73					
1,199,096	-	1,238,688	15,904	0.74					
1,238,689	-	1,279,871	15,293	0.75					
1,279,872	-	1,322,745	14,681	0.76					
1,322,746	-	1,367,418	14,069	0.77					
1,367,419	-	1,414,006	13,457	0.78					
1,414,007	-	1,462,637	12,846	0.79					
1,462,638	-	1,513,451	12,234	0.80					
1,513,452	-	1,566,601	11,622	0.81					
1,566,602	-	1,622,252	11,011	0.82					
1,622,253	-	1,680,587	10,399	0.83					
1,680,588	-	1,741,809	9,787	0.84					
1,741,810	-	1,806,140	9,175	0.85					
1,806,141	-	1,873,824	8,564	0.86					
1,873,825	-	1,945,133	7,952	0.87					

"B" and "W" Values

Maximum Claim Value = \$377,300

Average Death Value = \$211,599

Expected Losses		B	W
<u>8,174 & Under</u>		<u>71,188</u>	<u>0.00</u>
<u>8,175</u>	=	<u>16,471</u>	<u>0.01</u>
<u>16,472</u>	=	<u>24,892</u>	<u>0.02</u>
<u>24,893</u>	=	<u>33,440</u>	<u>0.03</u>
<u>33,441</u>	=	<u>42,119</u>	<u>0.04</u>
<u>42,120</u>	=	<u>50,932</u>	<u>0.05</u>
<u>50,933</u>	=	<u>59,882</u>	<u>0.06</u>
<u>59,883</u>	=	<u>68,973</u>	<u>0.07</u>
<u>68,974</u>	=	<u>78,208</u>	<u>0.08</u>
<u>78,209</u>	=	<u>87,592</u>	<u>0.09</u>
<u>87,593</u>	=	<u>97,128</u>	<u>0.10</u>
<u>97,129</u>	=	<u>106,820</u>	<u>0.11</u>
<u>106,821</u>	=	<u>116,672</u>	<u>0.12</u>
<u>116,673</u>	=	<u>126,689</u>	<u>0.13</u>
<u>126,690</u>	=	<u>136,875</u>	<u>0.14</u>
<u>136,876</u>	=	<u>147,235</u>	<u>0.15</u>
<u>147,236</u>	=	<u>157,774</u>	<u>0.16</u>
<u>157,775</u>	=	<u>168,497</u>	<u>0.17</u>
<u>168,498</u>	=	<u>179,408</u>	<u>0.18</u>
<u>179,409</u>	=	<u>190,513</u>	<u>0.19</u>
<u>190,514</u>	=	<u>201,819</u>	<u>0.20</u>
<u>201,820</u>	=	<u>213,330</u>	<u>0.21</u>
<u>213,331</u>	=	<u>225,053</u>	<u>0.22</u>
<u>225,054</u>	=	<u>236,994</u>	<u>0.23</u>
<u>236,995</u>	=	<u>249,159</u>	<u>0.24</u>
<u>249,160</u>	=	<u>261,556</u>	<u>0.25</u>
<u>261,557</u>	=	<u>274,192</u>	<u>0.26</u>

<u>Expected Losses</u>		<u>B</u>	<u>W</u>	<u>Expected Losses</u>		<u>B</u>	<u>W</u>		
<u>274,193</u>	=	<u>287,073</u>	<u>51,967</u>	<u>0.27</u>	<u>1,395,493</u>	=	<u>1,441,570</u>	<u>18,509</u>	<u>0.74</u>
<u>287,074</u>	=	<u>300,207</u>	<u>51,255</u>	<u>0.28</u>	<u>1,441,571</u>	=	<u>1,489,498</u>	<u>17,797</u>	<u>0.75</u>
<u>300,208</u>	=	<u>313,604</u>	<u>50,543</u>	<u>0.29</u>	<u>1,489,499</u>	=	<u>1,539,395</u>	<u>17,085</u>	<u>0.76</u>
<u>313,605</u>	=	<u>327,270</u>	<u>49,832</u>	<u>0.30</u>	<u>1,539,396</u>	=	<u>1,591,384</u>	<u>16,373</u>	<u>0.77</u>
<u>327,271</u>	=	<u>341,215</u>	<u>49,120</u>	<u>0.31</u>	<u>1,591,385</u>	=	<u>1,645,602</u>	<u>15,661</u>	<u>0.78</u>
<u>341,216</u>	=	<u>355,447</u>	<u>48,408</u>	<u>0.32</u>	<u>1,645,603</u>	=	<u>1,702,199</u>	<u>14,949</u>	<u>0.79</u>
<u>355,448</u>	=	<u>369,977</u>	<u>47,696</u>	<u>0.33</u>	<u>1,702,200</u>	=	<u>1,761,336</u>	<u>14,238</u>	<u>0.80</u>
<u>369,978</u>	=	<u>384,813</u>	<u>46,984</u>	<u>0.34</u>	<u>1,761,337</u>	=	<u>1,823,191</u>	<u>13,526</u>	<u>0.81</u>
<u>384,814</u>	=	<u>399,967</u>	<u>46,272</u>	<u>0.35</u>	<u>1,823,192</u>	=	<u>1,887,956</u>	<u>12,814</u>	<u>0.82</u>
<u>399,968</u>	=	<u>415,449</u>	<u>45,560</u>	<u>0.36</u>	<u>1,887,957</u>	=	<u>1,955,847</u>	<u>12,102</u>	<u>0.83</u>
<u>415,450</u>	=	<u>431,271</u>	<u>44,848</u>	<u>0.37</u>	<u>1,955,848</u>	=	<u>2,027,096</u>	<u>11,390</u>	<u>0.84</u>
<u>431,272</u>	=	<u>447,444</u>	<u>44,137</u>	<u>0.38</u>	<u>2,027,097</u>	=	<u>2,101,963</u>	<u>10,678</u>	<u>0.85</u>
<u>447,445</u>	=	<u>463,981</u>	<u>43,425</u>	<u>0.39</u>	<u>2,101,964</u>	=	<u>2,180,733</u>	<u>9,966</u>	<u>0.86</u>
<u>463,982</u>	=	<u>480,895</u>	<u>42,713</u>	<u>0.40</u>	<u>2,180,734</u>	=	<u>2,263,722</u>	<u>9,254</u>	<u>0.87</u>
<u>480,896</u>	=	<u>498,199</u>	<u>42,001</u>	<u>0.41</u>	<u>2,263,723</u>	=	<u>2,351,282</u>	<u>8,543</u>	<u>0.88</u>
<u>498,200</u>	=	<u>515,908</u>	<u>41,289</u>	<u>0.42</u>	<u>2,351,283</u>	=	<u>2,443,804</u>	<u>7,831</u>	<u>0.89</u>
<u>515,909</u>	=	<u>534,037</u>	<u>40,577</u>	<u>0.43</u>	<u>2,443,805</u>	=	<u>2,541,728</u>	<u>7,119</u>	<u>0.90</u>
<u>534,038</u>	=	<u>552,601</u>	<u>39,865</u>	<u>0.44</u>	<u>2,541,729</u>	=	<u>2,645,543</u>	<u>6,407</u>	<u>0.91</u>
<u>552,602</u>	=	<u>571,617</u>	<u>39,153</u>	<u>0.45</u>	<u>2,645,544</u>	=	<u>2,755,802</u>	<u>5,695</u>	<u>0.92</u>
<u>571,618</u>	=	<u>591,102</u>	<u>38,442</u>	<u>0.46</u>	<u>2,755,803</u>	=	<u>2,873,128</u>	<u>4,983</u>	<u>0.93</u>
<u>591,103</u>	=	<u>611,075</u>	<u>37,730</u>	<u>0.47</u>	<u>2,873,129</u>	=	<u>2,998,229</u>	<u>4,271</u>	<u>0.94</u>
<u>611,076</u>	=	<u>631,555</u>	<u>37,018</u>	<u>0.48</u>	<u>2,998,230</u>	=	<u>3,131,908</u>	<u>3,559</u>	<u>0.95</u>
<u>631,556</u>	=	<u>652,562</u>	<u>36,306</u>	<u>0.49</u>	<u>3,131,909</u>	=	<u>3,275,085</u>	<u>2,848</u>	<u>0.96</u>
<u>652,563</u>	=	<u>674,117</u>	<u>35,594</u>	<u>0.50</u>	<u>3,275,086</u>	=	<u>3,428,815</u>	<u>2,136</u>	<u>0.97</u>
<u>674,118</u>	=	<u>696,244</u>	<u>34,882</u>	<u>0.51</u>	<u>3,428,816</u>	=	<u>3,594,315</u>	<u>1,424</u>	<u>0.98</u>
<u>696,245</u>	=	<u>718,965</u>	<u>34,170</u>	<u>0.52</u>	<u>3,594,316</u>	=	<u>3,772,999</u>	<u>712</u>	<u>0.99</u>
<u>718,966</u>	=	<u>742,306</u>	<u>33,458</u>	<u>0.53</u>	<u>3,773,000 & Over</u>		<u>0</u>	<u>1.00</u>	
<u>742,307</u>	=	<u>766,294</u>	<u>32,746</u>	<u>0.54</u>					
<u>766,295</u>	=	<u>790,957</u>	<u>32,035</u>	<u>0.55</u>					
<u>790,958</u>	=	<u>816,324</u>	<u>31,323</u>	<u>0.56</u>					
<u>816,325</u>	=	<u>842,426</u>	<u>30,611</u>	<u>0.57</u>					
<u>842,427</u>	=	<u>869,299</u>	<u>29,899</u>	<u>0.58</u>					
<u>869,300</u>	=	<u>896,976</u>	<u>29,187</u>	<u>0.59</u>					
<u>896,977</u>	=	<u>925,496</u>	<u>28,475</u>	<u>0.60</u>					
<u>925,497</u>	=	<u>954,899</u>	<u>27,763</u>	<u>0.61</u>					
<u>954,900</u>	=	<u>985,227</u>	<u>27,051</u>	<u>0.62</u>					
<u>985,228</u>	=	<u>1,016,526</u>	<u>26,340</u>	<u>0.63</u>					
<u>1,016,527</u>	=	<u>1,048,845</u>	<u>25,628</u>	<u>0.64</u>					
<u>1,048,846</u>	=	<u>1,082,236</u>	<u>24,916</u>	<u>0.65</u>					
<u>1,082,237</u>	=	<u>1,116,753</u>	<u>24,204</u>	<u>0.66</u>					
<u>1,116,754</u>	=	<u>1,152,456</u>	<u>23,492</u>	<u>0.67</u>					
<u>1,152,457</u>	=	<u>1,189,409</u>	<u>22,780</u>	<u>0.68</u>					
<u>1,189,410</u>	=	<u>1,227,680</u>	<u>22,068</u>	<u>0.69</u>					
<u>1,227,681</u>	=	<u>1,267,342</u>	<u>21,356</u>	<u>0.70</u>					
<u>1,267,343</u>	=	<u>1,308,474</u>	<u>20,645</u>	<u>0.71</u>					
<u>1,308,475</u>	=	<u>1,351,160</u>	<u>19,933</u>	<u>0.72</u>					
<u>1,351,161</u>	=	<u>1,395,492</u>	<u>19,221</u>	<u>0.73</u>					

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-885 Table III.

((Expected Loss Rates and D-Ratios for Indicated Fiscal Year

Expected Loss Rates in Dollars Per Worker Hour

Class	1999	2000	2001	D-Ratio
0101	1.2043	1.1335	1.0372	0.430
0103	1.3577	1.2831	1.1796	0.484
0104	0.8414	0.7931	0.7268	0.433
0105	1.0967	1.0393	0.9586	0.524
0107	0.9787	0.9234	0.8473	0.453
0108	0.8414	0.7931	0.7268	0.433
0112	0.5672	0.5360	0.4929	0.481
0201	1.9994	1.8831	1.7238	0.429
0202	2.8356	2.6694	2.4421	0.380
0210	1.0310	0.9695	0.8860	0.411
0212	0.8667	0.8168	0.7486	0.436

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0214	1.0460	0.9859	0.9033	0.448	1109	0.9840	0.9344	0.8637	0.494
0217	0.9357	0.8826	0.8097	0.473	1301	0.4882	0.4620	0.4258	0.610
0219	0.9501	0.8989	0.8275	0.467	1303	0.1780	0.1694	0.1569	0.620
0301	0.4594	0.4367	0.4042	0.549	1304	0.0202	0.0193	0.0179	0.553
0302	1.6456	1.5428	1.4047	0.401	1305	0.2864	0.2725	0.2524	0.547
0303	1.5606	1.4678	1.3417	0.421	1401	0.4715	0.4482	0.4149	0.500
0306	0.8484	0.7992	0.7317	0.462	1404	0.5078	0.4830	0.4473	0.533
0307	0.7136	0.6749	0.6208	0.497	1405	0.3352	0.3191	0.2959	0.560
0308	0.4331	0.4125	0.3825	0.568	1407	0.5078	0.4830	0.4473	0.533
0403	1.3530	1.2862	1.1901	0.555	1501	0.4451	0.4218	0.3891	0.564
0502	1.2515	1.1778	1.0774	0.447	1507	0.4371	0.4146	0.3826	0.531
0504	1.0794	1.0191	0.9359	0.448	1701	0.7583	0.7165	0.6585	0.498
0506	3.8499	3.6329	3.3335	0.433	1702	1.5627	1.4696	1.3429	0.401
0507	2.6022	2.4568	2.2561	0.448	1703	0.6093	0.5708	0.5191	0.346
0508	1.7184	1.6130	1.4704	0.377	1704	0.7583	0.7165	0.6585	0.498
0509	1.4491	1.3598	1.2391	0.415	1801	0.5174	0.4900	0.4512	0.455
0510	1.3137	1.2406	1.1396	0.460	1802	0.5122	0.4858	0.4485	0.541
0511	1.3563	1.2793	1.1733	0.479	2002	0.5949	0.5669	0.5258	0.570
0512	1.0073	0.9518	0.8747	0.498	2004	0.6357	0.6054	0.5613	0.587
0513	0.6073	0.6582	0.6042	0.485	2007	0.3751	0.3563	0.3294	0.527
0514	1.2675	1.2006	1.1067	0.536	2008	0.2644	0.2512	0.2221	0.509
0516	1.3137	1.2406	1.1396	0.460	2009	0.2894	0.2774	0.2588	0.617
0517	1.3533	1.2802	1.1785	0.471	2101	0.5986	0.5684	0.5253	0.489
0518	1.3662	1.2871	1.1784	0.490	2102	0.4283	0.4084	0.3791	0.570
0519	1.3877	1.3114	1.2053	0.457	2104	0.2551	0.2441	0.2276	0.613
0521	0.6288	0.5939	0.5455	0.416	2105	0.5354	0.5094	0.4718	0.588
0601	0.4788	0.4532	0.4174	0.520	2106	0.3397	0.3231	0.2992	0.528
0602	0.4978	0.4714	0.4345	0.589	2201	0.2161	0.2055	0.1903	0.530
0603	0.8830	0.8305	0.7589	0.417	2202	0.5555	0.5274	0.4872	0.551
0604	0.7732	0.7349	0.6799	0.509	2203	0.3871	0.3700	0.3444	0.604
0606	0.3565	0.3397	0.3152	0.590	2204	0.2161	0.2055	0.1903	0.530
0607	0.3381	0.3215	0.2976	0.563	2401	0.3731	0.3550	0.3288	0.583
0608	0.2644	0.2512	0.2221	0.538	2903	0.5572	0.5317	0.4940	0.588
0701	1.6469	1.5401	1.3973	0.363	2904	0.5801	0.5520	0.5112	0.525
0803	0.3897	0.3704	0.3427	0.581	2905	0.4662	0.4454	0.4145	0.613
0901	1.3662	1.2871	1.1784	0.430	2906	0.2935	0.2792	0.2585	0.567
1002	0.8504	0.8060	0.7425	0.507	2907	0.4216	0.4113	0.3818	0.572
1003	0.7240	0.6869	0.6343	0.493	2908	0.8323	0.7896	0.7291	0.524
1004	0.4228	0.4002	0.3686	0.535	2909	0.3366	0.3207	0.2974	0.566
1005	5.6104	5.2839	4.8398	0.428	3101	0.7712	0.7282	0.6688	0.438
1007	0.2744	0.2598	0.2294	0.514	3102	0.2288	0.2178	0.2019	0.575
1101	0.5127	0.4873	0.4508	0.555	3103	0.4629	0.4391	0.4054	0.477
1102	1.0469	0.9885	0.9079	0.487	3104	0.4928	0.4664	0.4293	0.482
1103	0.8964	0.8490	0.7823	0.436	3105	0.6394	0.6096	0.5659	0.599
1104	0.4166	0.3977	0.3697	0.569	3303	0.3341	0.3184	0.2952	0.590
1105	0.8482	0.8036	0.7409	0.463	3304	0.4482	0.4277	0.3975	0.579
1106	0.3024	0.2887	0.2684	0.533	3309	0.3378	0.3218	0.2987	0.570
1108	0.4713	0.4485	0.4154	0.565	3402	0.4059	0.3859	0.3570	0.551

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3403	0.1656	0.1572	0.1452	0.517	4402	0.5928	0.5646	0.5232	0.568
3404	0.4243	0.4042	0.3750	0.574	4404	0.3635	0.3468	0.3223	0.568
3405	0.2343	0.2229	0.2065	0.573	4501	0.1575	0.1502	0.1396	0.630
3406	0.1783	0.1702	0.1581	0.581	4502	0.0371	0.0355	0.0330	0.555
3407	0.4973	0.4708	0.4336	0.501	4504	0.0865	0.0829	0.0774	0.641
3408	0.1351	0.1285	0.1190	0.630	4601	0.5706	0.5428	0.5027	0.523
3409	0.1113	0.1064	0.0990	0.644	4802	0.1916	0.1826	0.1694	0.556
3410	0.2902	0.1916	0.1785	0.615	4803	0.1986	0.1898	0.1765	0.568
3411	0.3701	0.3513	0.3243	0.536	4804	0.4754	0.4530	0.4202	0.577
3412	0.4299	0.4067	0.3743	0.485	4805	0.2307	0.2206	0.2054	0.591
3413	0.5709	0.5412	0.4992	0.523	4806	0.0442	0.0422	0.0392	0.539
3414	0.4291	0.4072	0.3761	0.541	4808	0.3765	0.3582	0.3318	0.540
3415	0.5926	0.5622	0.5190	0.487	4809	0.2780	0.2655	0.2466	0.573
3501	0.8053	0.7636	0.7048	0.502	4810	0.1209	0.1157	0.1079	0.613
3503	0.2585	0.2477	0.2212	0.600	4811	0.2001	0.1913	0.1780	0.594
3506	0.8596	0.8089	0.7796	0.451	4812	0.3039	0.2895	0.2685	0.593
3509	0.3442	0.3290	0.3063	0.640	4813	0.1423	0.1356	0.1258	0.546
3510	0.2128	0.2080	0.2765	0.580	4900	0.3119	0.2954	0.2722	0.482
3511	0.5663	0.5384	0.4981	0.531	4901	0.0613	0.0581	0.0537	0.493
3512	0.2952	0.2819	0.2620	0.599	4902	0.0786	0.0748	0.0692	0.603
3513	0.4113	0.3916	0.3630	0.471	4903	0.0764	0.0726	0.0671	0.587
3602	0.0982	0.0938	0.0873	0.630	4904	0.0249	0.0237	0.0221	0.604
3603	0.4154	0.3952	0.3661	0.545	4905	0.2783	0.2664	0.2485	0.611
3604	0.7867	0.7496	0.6951	0.528	4906	0.0782	0.0746	0.0692	0.602
3605	0.4161	0.3947	0.3644	0.552	4907	0.0431	0.0410	0.0381	0.546
3701	0.2288	0.2178	0.2019	0.575	4908	0.1155	0.1120	0.1058	0.671
3702	0.3509	0.3349	0.3115	0.628	4909	0.0504	0.0488	0.0460	0.626
3708	0.4829	0.4582	0.4233	0.536	4910	0.3395	0.3233	0.2997	0.549
3802	0.1457	0.1392	0.1294	0.624	5001	4.0575	3.8128	3.4822	0.409
3808	0.3790	0.3596	0.3321	0.508	5002	0.4801	0.4558	0.4214	0.581
3901	0.1308	0.1256	0.1174	0.652	5003	1.4007	1.3163	1.2022	0.416
3902	0.3562	0.3400	0.3160	0.591	5004	0.9415	0.8929	0.8240	0.484
3903	0.9816	0.9372	0.8713	0.553	5005	0.5953	0.5613	0.5148	0.461
3905	0.1308	0.1256	0.1174	0.652	5006	1.4460	1.3611	1.2453	0.388
3906	0.4251	0.4047	0.3752	0.549	5101	0.8043	0.7645	0.7073	0.595
3909	0.2030	0.1941	0.1808	0.647	5103	0.6521	0.6238	0.5810	0.615
4002	1.0006	0.9456	0.8697	0.535	5106	0.6521	0.6238	0.5810	0.615
4101	0.2364	0.2248	0.2080	0.559	5108	0.7495	0.7152	0.6644	0.626
4103	0.3528	0.3387	0.3168	0.682	5109	0.5585	0.5289	0.4872	0.510
4107	0.1189	0.1132	0.1048	0.553	5201	0.3375	0.3209	0.2968	0.577
4108	0.1302	0.1240	0.1149	0.554	5204	0.7859	0.7462	0.6894	0.499
4109	0.1947	0.1855	0.1720	0.554	5206	0.3119	0.2954	0.2722	0.482
4201	0.4866	0.4589	0.4209	0.525	5207	0.1457	0.1395	0.1302	0.651
4301	0.5914	0.5642	0.5239	0.572	5208	0.7303	0.6935	0.6409	0.513
4302	0.4730	0.4495	0.4160	0.544	5209	0.6621	0.6284	0.5883	0.534
4304	0.7150	0.6798	0.6292	0.537	5301	0.0267	0.0255	0.0238	0.606
4305	0.9084	0.8582	0.7888	0.539	5305	0.0473	0.0452	0.0422	0.665
4401	0.3353	0.3191	0.2957	0.486	5306	0.0473	0.0451	0.0420	0.633

6207	1.0544	1.0112	1.0112	0.9445	0.583	6902	0.7691	0.7231	0.6608	0.416	0.578
6208	0.1985	0.1906	0.1780	0.599	0.599	6903	6.5382	6.1427	5.6018	0.301	0.650
6209	0.22365	0.2264	0.2110	0.452	0.452	6904	0.2769	0.2622	0.2419	0.603	0.603
6301	0.1143	0.1080	0.1080	0.0991	0.546	6905	0.3215	0.3052	0.2818	0.603	0.603
6302	0.1431	0.1366	0.1366	0.1268	0.546	6905	0.3215	0.3052	0.2818	0.603	0.603
6303	0.0568	0.0541	0.0541	0.0502	0.558	6906	0.1237	0.1223	0.1175	0.715	0.715
6304	0.2509	0.2404	0.2404	0.2243	0.604	6907	0.9142	0.8692	0.8047	0.578	0.578
6305	0.0790	0.0758	0.0758	0.0708	0.618	6908	0.4419	0.4209	0.3904	0.612	0.612
6306	0.2316	0.2209	0.2209	0.2051	0.607	6909	0.0934	0.0891	0.0828	0.585	0.585
6308	0.0464	0.0444	0.0444	0.0412	0.604	7100	0.0265	0.0252	0.0234	0.495	0.495
6309	0.1432	0.1370	0.1370	0.1276	0.605	7101	0.0242	0.0231	0.0213	0.494	0.494
6402	0.2447	0.2338	0.2338	0.2174	0.633	7102	3.4634	3.3391	3.1359	0.598	0.598
6403	0.1306	0.1251	0.1251	0.1166	0.612	7103	0.3954	0.3743	0.3449	0.525	0.525
6404	0.1580	0.1513	0.1513	0.1411	0.614	7104	0.0241	0.0231	0.0214	0.623	0.623
6405	0.4805	0.4567	0.4225	0.4225	0.560	7105	0.0227	0.0218	0.0203	0.657	0.657
6406	0.0765	0.0733	0.0683	0.0683	0.624	7106	0.1453	0.1388	0.1291	0.617	0.617
6407	0.2157	0.2061	0.1917	0.1917	0.590	7107	0.2197	0.2103	0.1959	0.605	0.605
6408	0.3108	0.2963	0.2748	0.2748	0.613	7108	0.1885	0.1811	0.1693	0.617	0.617
6409	0.5709	0.5412	0.4992	0.4992	0.523	7109	0.1230	0.1177	0.1097	0.645	0.645
6410	0.2072	0.1973	0.1826	0.1826	0.512	7110	0.3457	0.3273	0.3014	0.497	0.497
6501	0.1274	0.1215	0.1130	0.1130	0.659	7111	0.3293	0.3128	0.2893	0.557	0.557
6502	0.0265	0.0254	0.0226	0.0226	0.618	7112	0.5109	0.4869	0.4515	0.566	0.566
6503	0.0607	0.0575	0.0529	0.0529	0.532	7113	0.3621	0.3466	0.3229	0.603	0.603
6504	0.2927	0.2810	0.2628	0.2628	0.631	7114	0.5414	0.5200	0.4866	0.685	0.685
6505	0.0891	0.0855	0.0799	0.0799	0.597	7115	0.4692	0.4484	0.4171	0.619	0.619
6506	0.0781	0.0748	0.0698	0.0698	0.624	7116	0.4774	0.4552	0.4227	0.575	0.575
6509	0.2931	0.2803	0.2610	0.2610	0.589	7117	0.9597	0.9148	0.8489	0.596	0.596
6510	0.3694	0.3491	0.3211	0.3211	0.431	7118	0.8345	0.7966	0.7403	0.612	0.612
6601	0.1538	0.1469	0.1366	0.1366	0.602	7120	4.9075	4.6682	4.3217	0.531	0.531
6602	0.3545	0.3379	0.3134	0.3134	0.563	7121	4.6407	4.4120	4.0826	0.534	0.534
6603	0.3026	0.2878	0.2665	0.2665	0.578	7201	1.0396	0.9832	0.9050	0.520	0.520
6604	0.0559	0.0535	0.0498	0.0498	0.570	7202	0.0317	0.0301	0.0277	0.530	0.530
6605	0.2484	0.2393	0.2246	0.2246	0.655	7203	0.1071	0.1029	0.0962	0.591	0.591

PERMANENT

Permanent

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7204	0.0000	0.0000	0.0000	1.000	0521	0.5834	0.5734	0.5235	0.439
7301	0.4226	0.4018	0.3721	0.507	0540	0.0193	0.0189	0.0172	0.457
7302	0.6730	0.6399	0.5922	0.524	0541	0.0104	0.0101	0.0093	0.441
7307	0.4577	0.4363	0.4052	0.567	0550	0.0268	0.0261	0.0235	0.369
7308	0.2211	0.2129	0.1996	0.627	0551	0.0142	0.0139	0.0125	0.398
7309	0.2319	0.2222	0.2074	0.622))	0601	0.5223	0.5138	0.4691	0.511

**Expected Loss Rates and D-Ratios
for Indicated Fiscal Year**

**Expected Loss Rates in Dollars Per Worker Hour
Effective January 1, 2004**

Class	2000	2001	2002	D-Ratio	0602	0603	0604	0606	0607	0608	0701	0803	0901	1002	1003	1004	1005	1007	1101	1102	1103	1104	1105	1106	1108	1109	1301	1303	1304	1305	1401	1404	1405	1407	1501	1507	1701	1702	1703	1704	1801	1802	2002	2004	2007	2008
0101	1.2052	1.1820	1.0720	0.444	0602	0.5704	0.5616	0.5135	0.576																																					
0103	1.4096	1.3857	1.2638	0.487	0603	0.8753	0.8578	0.7763	0.437																																					
0104	0.8539	0.8384	0.7629	0.448	0604	0.8246	0.8131	0.7486	0.508																																					
0105	1.2116	1.1933	1.0935	0.521	0606	0.3977	0.3929	0.3630	0.581																																					
0107	1.0144	0.9960	0.9067	0.444	0607	0.3697	0.3646	0.3355	0.551																																					
0108	0.8539	0.8384	0.7629	0.448	0608	0.3092	0.3046	0.2794	0.515																																					
0112	0.6281	0.6174	0.5633	0.478	0701	1.7557	1.7135	1.5343	0.362																																					
0201	2.1498	2.1073	1.9097	0.419	0803	0.4137	0.4082	0.3756	0.571																																					
0202	2.9972	2.9383	2.6660	0.390	0901	1.4195	1.3922	1.2631	0.436																																					
0210	1.0985	1.0759	0.9733	0.397	1002	0.9122	0.8984	0.8239	0.494																																					
0212	1.0054	0.9865	0.8961	0.440	1003	0.7453	0.7339	0.6731	0.497																																					
0214	1.1143	1.0925	0.9902	0.433	1004	0.4327	0.4259	0.3895	0.531																																					
0217	1.0190	1.0006	0.9100	0.467	1005	6.5172	6.3978	5.8169	0.450																																					
0219	0.9297	0.9151	0.8388	0.463	1007	0.3073	0.3023	0.2765	0.500																																					
0301	0.4954	0.4887	0.4498	0.543	1101	0.5726	0.5649	0.5198	0.552																																					
0302	1.6598	1.6247	1.4658	0.415	1102	1.1147	1.0953	0.9975	0.485																																					
0303	1.5942	1.5620	1.4128	0.431	1103	0.9738	0.9583	0.8783	0.441																																					
0306	0.8911	0.8742	0.7931	0.465	1104	0.4624	0.4570	0.4229	0.551																																					
0307	0.7988	0.7851	0.7158	0.491	1105	0.8783	0.8642	0.7914	0.460																																					
0308	0.4764	0.4703	0.4339	0.564	1106	0.3150	0.3114	0.2886	0.549																																					
0403	1.4527	1.4331	1.3188	0.561	1108	0.5324	0.5256	0.4843	0.576																																					
0502	1.3338	1.3069	1.1824	0.434	1109	1.0862	1.0708	0.9849	0.510																																					
0504	1.1259	1.1062	1.0086	0.447	1301	0.5573	0.5493	0.5027	0.628																																					
0506	1.4685	1.4426	1.3150	0.452	1303	0.2022	0.1997	0.1840	0.623																																					
0507	2.5823	2.5369	2.3128	0.453	1304	0.0218	0.0215	0.0197	0.565																																					
0508	1.8148	1.7754	1.6008	0.386	1305	0.3250	0.3207	0.2954	0.555																																					
0509	1.3736	1.3452	1.2150	0.435	1401	0.4534	0.4468	0.4111	0.461																																					
0510	1.3483	1.3250	1.2080	0.468	1404	0.5898	0.5820	0.5364	0.536																																					
0511	1.4655	1.4391	1.3086	0.481	1405	0.4100	0.4051	0.3737	0.599																																					
0512	1.1134	1.0942	0.9968	0.502	1407	0.5898	0.5820	0.5364	0.536																																					
0513	0.7759	0.7621	0.6936	0.472	1501	0.4884	0.4812	0.4411	0.554																																					
0514	1.4041	1.3807	1.2605	0.497	1507	0.4398	0.4334	0.3975	0.548																																					
0516	1.3483	1.3250	1.2080	0.468	1701	0.8107	0.7966	0.7261	0.474																																					
0517	1.4720	1.4479	1.3246	0.469	1702	1.7146	1.6789	1.5177	0.392																																					
0518	1.4650	1.4373	1.3054	0.436	1703	0.7377	0.7212	0.6487	0.391																																					
0519	1.5395	1.5119	1.3766	0.454	1704	0.8107	0.7966	0.7261	0.474																																					
					1801	0.5036	0.4950	0.4525	0.441																																					
					1802	0.5592	0.5507	0.5044	0.528																																					
					2002	0.6364	0.6284	0.5799	0.558																																					
					2004	0.7269	0.7178	0.6620	0.577																																					
					2007	0.3777	0.3725	0.3427	0.533																																					
					2008	0.2843	0.2800	0.2571	0.497																																					

PERMANENT

<u>2009</u>	<u>0.3138</u>	<u>0.3105</u>	<u>0.2884</u>	<u>0.599</u>	<u>3603</u>	<u>0.4136</u>	<u>0.4082</u>	<u>0.3760</u>	<u>0.545</u>
<u>2101</u>	<u>0.6327</u>	<u>0.6237</u>	<u>0.5732</u>	<u>0.502</u>	<u>3604</u>	<u>0.7571</u>	<u>0.7469</u>	<u>0.6885</u>	<u>0.501</u>
<u>2102</u>	<u>0.4684</u>	<u>0.4628</u>	<u>0.4277</u>	<u>0.577</u>	<u>3605</u>	<u>0.4475</u>	<u>0.4410</u>	<u>0.4047</u>	<u>0.552</u>
<u>2104</u>	<u>0.2800</u>	<u>0.2774</u>	<u>0.2581</u>	<u>0.616</u>	<u>3701</u>	<u>0.2528</u>	<u>0.2498</u>	<u>0.2306</u>	<u>0.587</u>
<u>2105</u>	<u>0.5410</u>	<u>0.5344</u>	<u>0.4932</u>	<u>0.601</u>	<u>3702</u>	<u>0.3797</u>	<u>0.3754</u>	<u>0.3472</u>	<u>0.619</u>
<u>2106</u>	<u>0.3854</u>	<u>0.3805</u>	<u>0.3509</u>	<u>0.556</u>	<u>3708</u>	<u>0.5385</u>	<u>0.5309</u>	<u>0.4874</u>	<u>0.553</u>
<u>2201</u>	<u>0.2255</u>	<u>0.2225</u>	<u>0.2050</u>	<u>0.543</u>	<u>3802</u>	<u>0.1490</u>	<u>0.1475</u>	<u>0.1367</u>	<u>0.625</u>
<u>2202</u>	<u>0.6250</u>	<u>0.6163</u>	<u>0.5666</u>	<u>0.563</u>	<u>3808</u>	<u>0.3860</u>	<u>0.3799</u>	<u>0.3480</u>	<u>0.496</u>
<u>2203</u>	<u>0.4219</u>	<u>0.4176</u>	<u>0.3875</u>	<u>0.598</u>	<u>3901</u>	<u>0.1409</u>	<u>0.1398</u>	<u>0.1305</u>	<u>0.649</u>
<u>2204</u>	<u>0.2255</u>	<u>0.2225</u>	<u>0.2050</u>	<u>0.543</u>	<u>3902</u>	<u>0.4044</u>	<u>0.3998</u>	<u>0.3700</u>	<u>0.577</u>
<u>2401</u>	<u>0.3947</u>	<u>0.3895</u>	<u>0.3588</u>	<u>0.561</u>	<u>3903</u>	<u>1.0119</u>	<u>1.0004</u>	<u>0.9270</u>	<u>0.555</u>
<u>2903</u>	<u>0.5816</u>	<u>0.5752</u>	<u>0.5325</u>	<u>0.592</u>	<u>3905</u>	<u>0.1409</u>	<u>0.1398</u>	<u>0.1305</u>	<u>0.649</u>
<u>2904</u>	<u>0.6242</u>	<u>0.6156</u>	<u>0.5666</u>	<u>0.511</u>	<u>3906</u>	<u>0.4439</u>	<u>0.4384</u>	<u>0.4046</u>	<u>0.551</u>
<u>2905</u>	<u>0.4872</u>	<u>0.4819</u>	<u>0.4466</u>	<u>0.581</u>	<u>3909</u>	<u>0.2382</u>	<u>0.2361</u>	<u>0.2194</u>	<u>0.662</u>
<u>2906</u>	<u>0.3055</u>	<u>0.3014</u>	<u>0.2775</u>	<u>0.569</u>	<u>4002</u>	<u>1.1077</u>	<u>1.0895</u>	<u>0.9935</u>	<u>0.539</u>
<u>2907</u>	<u>0.4510</u>	<u>0.4457</u>	<u>0.4121</u>	<u>0.575</u>	<u>4101</u>	<u>0.2450</u>	<u>0.2418</u>	<u>0.2226</u>	<u>0.556</u>
<u>2908</u>	<u>0.8905</u>	<u>0.8770</u>	<u>0.8041</u>	<u>0.507</u>	<u>4103</u>	<u>0.3814</u>	<u>0.3784</u>	<u>0.3533</u>	<u>0.666</u>
<u>2909</u>	<u>0.3609</u>	<u>0.3567</u>	<u>0.3297</u>	<u>0.578</u>	<u>4107</u>	<u>0.1385</u>	<u>0.1368</u>	<u>0.1260</u>	<u>0.555</u>
<u>3101</u>	<u>0.8702</u>	<u>0.8547</u>	<u>0.7784</u>	<u>0.443</u>	<u>4108</u>	<u>0.1284</u>	<u>0.1268</u>	<u>0.1171</u>	<u>0.548</u>
<u>3102</u>	<u>0.2528</u>	<u>0.2498</u>	<u>0.2306</u>	<u>0.587</u>	<u>4109</u>	<u>0.1930</u>	<u>0.1904</u>	<u>0.1756</u>	<u>0.537</u>
<u>3103</u>	<u>0.4960</u>	<u>0.4887</u>	<u>0.4490</u>	<u>0.494</u>	<u>4201</u>	<u>0.5494</u>	<u>0.5400</u>	<u>0.4914</u>	<u>0.539</u>
<u>3104</u>	<u>0.5383</u>	<u>0.5296</u>	<u>0.4840</u>	<u>0.486</u>	<u>4301</u>	<u>0.5949</u>	<u>0.5883</u>	<u>0.5448</u>	<u>0.596</u>
<u>3105</u>	<u>0.6680</u>	<u>0.6601</u>	<u>0.6102</u>	<u>0.590</u>	<u>4302</u>	<u>0.5237</u>	<u>0.5168</u>	<u>0.4761</u>	<u>0.559</u>
<u>3303</u>	<u>0.3685</u>	<u>0.3641</u>	<u>0.3360</u>	<u>0.587</u>	<u>4304</u>	<u>0.7981</u>	<u>0.7873</u>	<u>0.7252</u>	<u>0.524</u>
<u>3304</u>	<u>0.4646</u>	<u>0.4595</u>	<u>0.4257</u>	<u>0.587</u>	<u>4305</u>	<u>1.0228</u>	<u>1.0056</u>	<u>0.9166</u>	<u>0.530</u>
<u>3309</u>	<u>0.3725</u>	<u>0.3678</u>	<u>0.3395</u>	<u>0.570</u>	<u>4401</u>	<u>0.3529</u>	<u>0.3480</u>	<u>0.3206</u>	<u>0.487</u>
<u>3402</u>	<u>0.4488</u>	<u>0.4425</u>	<u>0.4068</u>	<u>0.542</u>	<u>4402</u>	<u>0.6879</u>	<u>0.6797</u>	<u>0.6280</u>	<u>0.589</u>
<u>3403</u>	<u>0.1786</u>	<u>0.1760</u>	<u>0.1617</u>	<u>0.521</u>	<u>4404</u>	<u>0.4465</u>	<u>0.4415</u>	<u>0.4089</u>	<u>0.595</u>
<u>3404</u>	<u>0.4559</u>	<u>0.4502</u>	<u>0.4154</u>	<u>0.568</u>	<u>4501</u>	<u>0.1666</u>	<u>0.1649</u>	<u>0.1528</u>	<u>0.635</u>
<u>3405</u>	<u>0.2668</u>	<u>0.2634</u>	<u>0.2425</u>	<u>0.566</u>	<u>4502</u>	<u>0.0385</u>	<u>0.0381</u>	<u>0.0353</u>	<u>0.575</u>
<u>3406</u>	<u>0.1894</u>	<u>0.1873</u>	<u>0.1736</u>	<u>0.590</u>	<u>4504</u>	<u>0.0971</u>	<u>0.0964</u>	<u>0.0899</u>	<u>0.659</u>
<u>3407</u>	<u>0.5683</u>	<u>0.5594</u>	<u>0.5121</u>	<u>0.502</u>	<u>4601</u>	<u>0.6250</u>	<u>0.6166</u>	<u>0.5680</u>	<u>0.532</u>
<u>3408</u>	<u>0.1408</u>	<u>0.1391</u>	<u>0.1282</u>	<u>0.622</u>	<u>4802</u>	<u>0.2180</u>	<u>0.2153</u>	<u>0.1989</u>	<u>0.563</u>
<u>3409</u>	<u>0.1351</u>	<u>0.1339</u>	<u>0.1244</u>	<u>0.670</u>	<u>4803</u>	<u>0.2196</u>	<u>0.2172</u>	<u>0.2018</u>	<u>0.569</u>
<u>3410</u>	<u>0.2251</u>	<u>0.2227</u>	<u>0.2066</u>	<u>0.594</u>	<u>4804</u>	<u>0.4918</u>	<u>0.4860</u>	<u>0.4488</u>	<u>0.591</u>
<u>3411</u>	<u>0.4087</u>	<u>0.4026</u>	<u>0.3690</u>	<u>0.527</u>	<u>4805</u>	<u>0.2414</u>	<u>0.2388</u>	<u>0.2217</u>	<u>0.584</u>
<u>3412</u>	<u>0.4716</u>	<u>0.4638</u>	<u>0.4235</u>	<u>0.485</u>	<u>4806</u>	<u>0.0477</u>	<u>0.0472</u>	<u>0.0436</u>	<u>0.543</u>
<u>3414</u>	<u>0.4728</u>	<u>0.4660</u>	<u>0.4278</u>	<u>0.542</u>	<u>4808</u>	<u>0.4175</u>	<u>0.4121</u>	<u>0.3800</u>	<u>0.545</u>
<u>3415</u>	<u>0.6474</u>	<u>0.6373</u>	<u>0.5841</u>	<u>0.476</u>	<u>4809</u>	<u>0.3293</u>	<u>0.3256</u>	<u>0.3014</u>	<u>0.582</u>
<u>3501</u>	<u>0.8714</u>	<u>0.8587</u>	<u>0.7884</u>	<u>0.509</u>	<u>4810</u>	<u>0.1280</u>	<u>0.1267</u>	<u>0.1179</u>	<u>0.609</u>
<u>3503</u>	<u>0.2801</u>	<u>0.2775</u>	<u>0.2584</u>	<u>0.596</u>	<u>4811</u>	<u>0.2227</u>	<u>0.2204</u>	<u>0.2047</u>	<u>0.592</u>
<u>3506</u>	<u>0.9627</u>	<u>0.9434</u>	<u>0.8533</u>	<u>0.451</u>	<u>4812</u>	<u>0.3212</u>	<u>0.3174</u>	<u>0.2935</u>	<u>0.591</u>
<u>3509</u>	<u>0.3555</u>	<u>0.3521</u>	<u>0.3269</u>	<u>0.638</u>	<u>4813</u>	<u>0.1450</u>	<u>0.1433</u>	<u>0.1324</u>	<u>0.536</u>
<u>3510</u>	<u>0.3261</u>	<u>0.3222</u>	<u>0.2976</u>	<u>0.586</u>	<u>4900</u>	<u>0.3182</u>	<u>0.3131</u>	<u>0.2866</u>	<u>0.482</u>
<u>3511</u>	<u>0.6113</u>	<u>0.6027</u>	<u>0.5546</u>	<u>0.527</u>	<u>4901</u>	<u>0.0652</u>	<u>0.0642</u>	<u>0.0589</u>	<u>0.496</u>
<u>3512</u>	<u>0.2955</u>	<u>0.2923</u>	<u>0.2706</u>	<u>0.599</u>	<u>4902</u>	<u>0.0848</u>	<u>0.0838</u>	<u>0.0773</u>	<u>0.602</u>
<u>3513</u>	<u>0.4397</u>	<u>0.4335</u>	<u>0.3998</u>	<u>0.445</u>	<u>4903</u>	<u>0.1003</u>	<u>0.0992</u>	<u>0.0913</u>	<u>0.628</u>
<u>3602</u>	<u>0.1054</u>	<u>0.1043</u>	<u>0.0968</u>	<u>0.634</u>	<u>4904</u>	<u>0.0264</u>	<u>0.0262</u>	<u>0.0243</u>	<u>0.604</u>

PERMANENT

<u>4905</u>	<u>0.2908</u>	<u>0.2880</u>	<u>0.2679</u>	<u>0.603</u>	<u>6306</u>	<u>0.2687</u>	<u>0.2655</u>	<u>0.2456</u>	<u>0.602</u>
<u>4906</u>	<u>0.0849</u>	<u>0.0838</u>	<u>0.0774</u>	<u>0.598</u>	<u>6308</u>	<u>0.0515</u>	<u>0.0508</u>	<u>0.0470</u>	<u>0.591</u>
<u>4907</u>	<u>0.0424</u>	<u>0.0419</u>	<u>0.0387</u>	<u>0.535</u>	<u>6309</u>	<u>0.1561</u>	<u>0.1545</u>	<u>0.1435</u>	<u>0.604</u>
<u>4908</u>	<u>0.1185</u>	<u>0.1180</u>	<u>0.1116</u>	<u>0.667</u>	<u>6402</u>	<u>0.2675</u>	<u>0.2649</u>	<u>0.2459</u>	<u>0.642</u>
<u>4909</u>	<u>0.0525</u>	<u>0.0523</u>	<u>0.0494</u>	<u>0.623</u>	<u>6403</u>	<u>0.1356</u>	<u>0.1343</u>	<u>0.1248</u>	<u>0.612</u>
<u>4910</u>	<u>0.3706</u>	<u>0.3658</u>	<u>0.3373</u>	<u>0.543</u>	<u>6404</u>	<u>0.1726</u>	<u>0.1710</u>	<u>0.1589</u>	<u>0.619</u>
<u>5001</u>	<u>4.2001</u>	<u>4.1142</u>	<u>3.7196</u>	<u>0.419</u>	<u>6405</u>	<u>0.5022</u>	<u>0.4954</u>	<u>0.4558</u>	<u>0.556</u>
<u>5002</u>	<u>0.5127</u>	<u>0.5057</u>	<u>0.4648</u>	<u>0.580</u>	<u>6406</u>	<u>0.0890</u>	<u>0.0882</u>	<u>0.0821</u>	<u>0.624</u>
<u>5003</u>	<u>1.5608</u>	<u>1.5294</u>	<u>1.3841</u>	<u>0.422</u>	<u>6407</u>	<u>0.2379</u>	<u>0.2353</u>	<u>0.2181</u>	<u>0.588</u>
<u>5004</u>	<u>0.9201</u>	<u>0.9067</u>	<u>0.8331</u>	<u>0.501</u>	<u>6408</u>	<u>0.3369</u>	<u>0.3329</u>	<u>0.3073</u>	<u>0.610</u>
<u>5005</u>	<u>0.5723</u>	<u>0.5623</u>	<u>0.5121</u>	<u>0.478</u>	<u>6409</u>	<u>0.7103</u>	<u>0.6987</u>	<u>0.6383</u>	<u>0.498</u>
<u>5006</u>	<u>1.5103</u>	<u>1.4800</u>	<u>1.3412</u>	<u>0.385</u>	<u>6410</u>	<u>0.2316</u>	<u>0.2284</u>	<u>0.2104</u>	<u>0.522</u>
<u>5101</u>	<u>0.8145</u>	<u>0.8040</u>	<u>0.7400</u>	<u>0.589</u>	<u>6501</u>	<u>0.1428</u>	<u>0.1412</u>	<u>0.1307</u>	<u>0.642</u>
<u>5103</u>	<u>0.6737</u>	<u>0.6667</u>	<u>0.6184</u>	<u>0.604</u>	<u>6502</u>	<u>0.0318</u>	<u>0.0315</u>	<u>0.0292</u>	<u>0.601</u>
<u>5106</u>	<u>0.6737</u>	<u>0.6667</u>	<u>0.6184</u>	<u>0.604</u>	<u>6503</u>	<u>0.0650</u>	<u>0.0639</u>	<u>0.0584</u>	<u>0.536</u>
<u>5108</u>	<u>0.8213</u>	<u>0.8123</u>	<u>0.7512</u>	<u>0.632</u>	<u>6504</u>	<u>0.3494</u>	<u>0.3464</u>	<u>0.3228</u>	<u>0.640</u>
<u>5109</u>	<u>0.5815</u>	<u>0.5724</u>	<u>0.5241</u>	<u>0.509</u>	<u>6505</u>	<u>0.0909</u>	<u>0.0901</u>	<u>0.0839</u>	<u>0.598</u>
<u>5201</u>	<u>0.3678</u>	<u>0.3630</u>	<u>0.3342</u>	<u>0.575</u>	<u>6506</u>	<u>0.0863</u>	<u>0.0856</u>	<u>0.0796</u>	<u>0.636</u>
<u>5204</u>	<u>0.8257</u>	<u>0.8131</u>	<u>0.7462</u>	<u>0.481</u>	<u>6509</u>	<u>0.3182</u>	<u>0.3150</u>	<u>0.2924</u>	<u>0.590</u>
<u>5206</u>	<u>0.3182</u>	<u>0.3131</u>	<u>0.2866</u>	<u>0.482</u>	<u>6510</u>	<u>0.4099</u>	<u>0.4028</u>	<u>0.3674</u>	<u>0.443</u>
<u>5207</u>	<u>0.1457</u>	<u>0.1444</u>	<u>0.1344</u>	<u>0.636</u>	<u>6511</u>	<u>0.2729</u>	<u>0.2703</u>	<u>0.2514</u>	<u>0.603</u>
<u>5208</u>	<u>0.7688</u>	<u>0.7578</u>	<u>0.6964</u>	<u>0.515</u>	<u>6601</u>	<u>0.1675</u>	<u>0.1656</u>	<u>0.1534</u>	<u>0.590</u>
<u>5209</u>	<u>0.7156</u>	<u>0.7050</u>	<u>0.6469</u>	<u>0.521</u>	<u>6602</u>	<u>0.3715</u>	<u>0.3671</u>	<u>0.3392</u>	<u>0.561</u>
<u>5301</u>	<u>0.0272</u>	<u>0.0269</u>	<u>0.0249</u>	<u>0.628</u>	<u>6603</u>	<u>0.2961</u>	<u>0.2921</u>	<u>0.2688</u>	<u>0.565</u>
<u>5305</u>	<u>0.0510</u>	<u>0.0506</u>	<u>0.0470</u>	<u>0.675</u>	<u>6604</u>	<u>0.0615</u>	<u>0.0609</u>	<u>0.0564</u>	<u>0.582</u>
<u>5306</u>	<u>0.0537</u>	<u>0.0532</u>	<u>0.0492</u>	<u>0.631</u>	<u>6605</u>	<u>0.2492</u>	<u>0.2475</u>	<u>0.2319</u>	<u>0.629</u>
<u>5307</u>	<u>0.4069</u>	<u>0.4012</u>	<u>0.3685</u>	<u>0.568</u>	<u>6607</u>	<u>0.1639</u>	<u>0.1619</u>	<u>0.1494</u>	<u>0.566</u>
<u>6103</u>	<u>0.0725</u>	<u>0.0720</u>	<u>0.0672</u>	<u>0.644</u>	<u>6608</u>	<u>0.5039</u>	<u>0.4940</u>	<u>0.4474</u>	<u>0.449</u>
<u>6104</u>	<u>0.3402</u>	<u>0.3362</u>	<u>0.3111</u>	<u>0.570</u>	<u>6620</u>	<u>3.9612</u>	<u>3.9202</u>	<u>3.6238</u>	<u>0.698</u>
<u>6105</u>	<u>0.2542</u>	<u>0.2503</u>	<u>0.2296</u>	<u>0.497</u>	<u>6704</u>	<u>0.1428</u>	<u>0.1412</u>	<u>0.1308</u>	<u>0.628</u>
<u>6107</u>	<u>0.1162</u>	<u>0.1152</u>	<u>0.1076</u>	<u>0.612</u>	<u>6705</u>	<u>0.7499</u>	<u>0.7441</u>	<u>0.6953</u>	<u>0.634</u>
<u>6108</u>	<u>0.3786</u>	<u>0.3748</u>	<u>0.3485</u>	<u>0.598</u>	<u>6706</u>	<u>0.3055</u>	<u>0.3022</u>	<u>0.2805</u>	<u>0.563</u>
<u>6109</u>	<u>0.0805</u>	<u>0.0795</u>	<u>0.0733</u>	<u>0.571</u>	<u>6707</u>	<u>2.4200</u>	<u>2.3987</u>	<u>2.2285</u>	<u>0.697</u>
<u>6110</u>	<u>0.4370</u>	<u>0.4316</u>	<u>0.3985</u>	<u>0.564</u>	<u>6708</u>	<u>7.4793</u>	<u>7.3963</u>	<u>6.8851</u>	<u>0.441</u>
<u>6201</u>	<u>0.3105</u>	<u>0.3055</u>	<u>0.2792</u>	<u>0.490</u>	<u>6709</u>	<u>0.2434</u>	<u>0.2414</u>	<u>0.2252</u>	<u>0.629</u>
<u>6202</u>	<u>0.5687</u>	<u>0.5615</u>	<u>0.5186</u>	<u>0.526</u>	<u>6801</u>	<u>0.4657</u>	<u>0.4597</u>	<u>0.4228</u>	<u>0.619</u>
<u>6203</u>	<u>0.0845</u>	<u>0.0841</u>	<u>0.0789</u>	<u>0.676</u>	<u>6802</u>	<u>0.3713</u>	<u>0.3677</u>	<u>0.3417</u>	<u>0.635</u>
<u>6204</u>	<u>0.1251</u>	<u>0.1237</u>	<u>0.1145</u>	<u>0.572</u>	<u>6803</u>	<u>0.7499</u>	<u>0.7350</u>	<u>0.6673</u>	<u>0.366</u>
<u>6205</u>	<u>0.2187</u>	<u>0.2161</u>	<u>0.1999</u>	<u>0.579</u>	<u>6804</u>	<u>0.2324</u>	<u>0.2294</u>	<u>0.2114</u>	<u>0.566</u>
<u>6206</u>	<u>0.1929</u>	<u>0.1907</u>	<u>0.1761</u>	<u>0.598</u>	<u>6809</u>	<u>4.5801</u>	<u>4.5282</u>	<u>4.1923</u>	<u>0.574</u>
<u>6207</u>	<u>1.0058</u>	<u>0.9956</u>	<u>0.9269</u>	<u>0.529</u>	<u>6901</u>	<u>0.0367</u>	<u>0.0369</u>	<u>0.0359</u>	<u>0.762</u>
<u>6208</u>	<u>0.2101</u>	<u>0.2082</u>	<u>0.1941</u>	<u>0.585</u>	<u>6902</u>	<u>0.8586</u>	<u>0.8404</u>	<u>0.7583</u>	<u>0.421</u>
<u>6209</u>	<u>0.2497</u>	<u>0.2471</u>	<u>0.2291</u>	<u>0.584</u>	<u>6903</u>	<u>7.0367</u>	<u>6.8845</u>	<u>6.2274</u>	<u>0.305</u>
<u>6301</u>	<u>0.1115</u>	<u>0.1095</u>	<u>0.0999</u>	<u>0.457</u>	<u>6904</u>	<u>0.3139</u>	<u>0.3097</u>	<u>0.2839</u>	<u>0.653</u>
<u>6302</u>	<u>0.1461</u>	<u>0.1444</u>	<u>0.1335</u>	<u>0.534</u>	<u>6905</u>	<u>0.3423</u>	<u>0.3378</u>	<u>0.3108</u>	<u>0.624</u>
<u>6303</u>	<u>0.0613</u>	<u>0.0605</u>	<u>0.0559</u>	<u>0.548</u>	<u>6906</u>	<u>0.1286</u>	<u>0.1295</u>	<u>0.1259</u>	<u>0.718</u>
<u>6304</u>	<u>0.2968</u>	<u>0.2940</u>	<u>0.2737</u>	<u>0.606</u>	<u>6907</u>	<u>1.0003</u>	<u>0.9875</u>	<u>0.9093</u>	<u>0.580</u>
<u>6305</u>	<u>0.0885</u>	<u>0.0877</u>	<u>0.0817</u>	<u>0.628</u>	<u>6908</u>	<u>0.4396</u>	<u>0.4344</u>	<u>0.4012</u>	<u>0.603</u>

PERMANENT

<u>6909</u>	<u>0.1012</u>	<u>0.1000</u>	<u>0.0927</u>	<u>0.596</u>
<u>7100</u>	<u>0.0285</u>	<u>0.0281</u>	<u>0.0259</u>	<u>0.493</u>
<u>7101</u>	<u>0.0229</u>	<u>0.0226</u>	<u>0.0207</u>	<u>0.466</u>
<u>7102</u>	<u>3.6989</u>	<u>3.6759</u>	<u>3.4556</u>	<u>0.599</u>
<u>7103</u>	<u>0.4619</u>	<u>0.4547</u>	<u>0.4158</u>	<u>0.521</u>
<u>7104</u>	<u>0.0251</u>	<u>0.0248</u>	<u>0.0230</u>	<u>0.626</u>
<u>7105</u>	<u>0.0256</u>	<u>0.0254</u>	<u>0.0235</u>	<u>0.655</u>
<u>7106</u>	<u>0.1670</u>	<u>0.1653</u>	<u>0.1532</u>	<u>0.630</u>
<u>7107</u>	<u>0.2143</u>	<u>0.2122</u>	<u>0.1975</u>	<u>0.586</u>
<u>7108</u>	<u>0.1800</u>	<u>0.1785</u>	<u>0.1668</u>	<u>0.594</u>
<u>7109</u>	<u>0.1257</u>	<u>0.1245</u>	<u>0.1157</u>	<u>0.639</u>
<u>7110</u>	<u>0.3446</u>	<u>0.3390</u>	<u>0.3099</u>	<u>0.491</u>
<u>7111</u>	<u>0.3477</u>	<u>0.3428</u>	<u>0.3150</u>	<u>0.555</u>
<u>7112</u>	<u>0.5364</u>	<u>0.5297</u>	<u>0.4889</u>	<u>0.563</u>
<u>7113</u>	<u>0.3518</u>	<u>0.3483</u>	<u>0.3238</u>	<u>0.596</u>
<u>7114</u>	<u>0.5500</u>	<u>0.5457</u>	<u>0.5093</u>	<u>0.667</u>
<u>7115</u>	<u>0.4961</u>	<u>0.4913</u>	<u>0.4561</u>	<u>0.619</u>
<u>7116</u>	<u>0.5440</u>	<u>0.5380</u>	<u>0.4981</u>	<u>0.583</u>
<u>7117</u>	<u>1.1569</u>	<u>1.1435</u>	<u>1.0570</u>	<u>0.600</u>
<u>7118</u>	<u>1.0029</u>	<u>0.9925</u>	<u>0.9201</u>	<u>0.612</u>
<u>7119</u>	<u>1.1231</u>	<u>1.1088</u>	<u>1.0219</u>	<u>0.568</u>
<u>7120</u>	<u>5.2244</u>	<u>5.1533</u>	<u>4.7450</u>	<u>0.529</u>
<u>7121</u>	<u>4.9659</u>	<u>4.8981</u>	<u>4.5086</u>	<u>0.533</u>
<u>7201</u>	<u>1.0899</u>	<u>1.0731</u>	<u>0.9815</u>	<u>0.541</u>
<u>7202</u>	<u>0.0342</u>	<u>0.0337</u>	<u>0.0308</u>	<u>0.532</u>
<u>7203</u>	<u>0.1126</u>	<u>0.1117</u>	<u>0.1044</u>	<u>0.596</u>
<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>	<u>1.000</u>
<u>7301</u>	<u>0.4249</u>	<u>0.4192</u>	<u>0.3864</u>	<u>0.512</u>
<u>7302</u>	<u>0.7810</u>	<u>0.7701</u>	<u>0.7089</u>	<u>0.502</u>
<u>7307</u>	<u>0.4762</u>	<u>0.4708</u>	<u>0.4359</u>	<u>0.565</u>
<u>7308</u>	<u>0.2467</u>	<u>0.2450</u>	<u>0.2297</u>	<u>0.642</u>
<u>7309</u>	<u>0.2434</u>	<u>0.2414</u>	<u>0.2252</u>	<u>0.629</u>

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed

<u>Class</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>D-Ratio</u>
<u>0524</u>	<u>0.0183</u>	<u>0.0179</u>	<u>0.0163</u>	<u>0.463</u>
<u>0526</u>	<u>0.0098</u>	<u>0.0096</u>	<u>0.0086</u>	<u>0.439</u>
<u>0527</u>	<u>0.0010</u>	<u>0.0009</u>	<u>0.0009</u>	<u>0.393</u>
<u>0528</u>	<u>0.0025</u>	<u>0.0024</u>	<u>0.0022</u>	<u>0.468</u>
<u>0529</u>	<u>0.0014</u>	<u>0.0013</u>	<u>0.0012</u>	<u>0.428</u>
<u>0530</u>	<u>0.0264</u>	<u>0.0258</u>	<u>0.0232</u>	<u>0.369</u>
<u>0531</u>	<u>0.0139</u>	<u>0.0136</u>	<u>0.0122</u>	<u>0.391</u>
<u>0532</u>	<u>0.0011</u>	<u>0.0011</u>	<u>0.0010</u>	<u>0.414</u>
<u>0533</u>	<u>0.0032</u>	<u>0.0031</u>	<u>0.0028</u>	<u>0.426</u>
<u>0534</u>	<u>0.0022</u>	<u>0.0022</u>	<u>0.0019</u>	<u>0.385</u>

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-890 Table IV.

~~((Maximum experience modifications for firms with no compensable accidents:~~

((Expected Loss Range	Maximum Experience Modification
3,069 & Lower	0.90
3,070 - 3,283	0.89
3,284 - 3,515	0.88
3,516 - 3,766	0.87
3,767 - 4,039	0.86
4,040 - 4,335	0.85
4,336 - 4,656	0.84
4,657 - 5,006	0.83
5,007 - 5,387	0.82
5,388 - 5,802	0.81
5,803 - 6,254	0.80
6,255 - 6,749	0.79
6,750 - 7,289	0.78
7,290 - 7,881	0.77
7,882 - 8,529	0.76
8,530 - 9,241	0.75
9,242 - 10,023	0.74
10,024 - 10,883	0.73
10,884 - 11,830	0.72
11,831 - 12,875	0.71
12,876 - 14,029	0.70
14,030 - 15,306	0.69
15,307 - 16,720	0.68
16,721 - 18,290	0.67
18,291 - 20,033	0.66

~~((Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed~~

<u>Class</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>D-Ratio</u>
<u>0524</u>	<u>0.0166</u>	<u>0.0156</u>	<u>0.0143</u>	<u>0.461</u>
<u>0526</u>	<u>0.0089</u>	<u>0.0083</u>	<u>0.0076</u>	<u>0.441</u>
<u>0527</u>	<u>0.0008</u>	<u>0.0006</u>	<u>0.0006</u>	<u>0.349</u>
<u>0528</u>	<u>0.0021</u>	<u>0.0019</u>	<u>0.0018</u>	<u>0.439</u>
<u>0529</u>	<u>0.0013</u>	<u>0.0012</u>	<u>0.0011</u>	<u>0.428</u>
<u>0530</u>	<u>0.0237</u>	<u>0.0222</u>	<u>0.0202</u>	<u>0.372</u>
<u>0531</u>	<u>0.0114</u>	<u>0.0107</u>	<u>0.0097</u>	<u>0.404</u>
<u>0532</u>	<u>0.0010</u>	<u>0.0010</u>	<u>0.0009</u>	<u>0.420</u>
<u>0533</u>	<u>0.0030</u>	<u>0.0028</u>	<u>0.0026</u>	<u>0.423</u>
<u>0534</u>	<u>0.0021</u>	<u>0.0019</u>	<u>0.0017</u>	<u>0.393))</u>

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AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

((Base Rates Effective January 1, 2003

Class	Accident Fund	Medical Aid Fund
0101	1.5346	0.7594
0103	1.6286	0.9776
0104	1.0438	0.5610
0105	1.2606	0.8568
0107	1.1985	0.6728
0108	1.0438	0.5610
0112	0.6763	0.4122
0201	2.5177	1.2901
0202	3.5294	1.8488
0210	1.3304	0.6285
0212	1.0782	0.5754
0214	1.3081	0.6882
0217	1.1608	0.6310
0219	1.1013	0.7229
0301	0.4971	0.3933
0302	2.2447	0.8703
0303	2.0126	0.9552
0306	1.0830	0.5372
0307	0.8505	0.5201
0308	0.4546	0.3870
0403	1.4736	1.1496
0502	1.6122	0.7750
0504	1.2976	0.7669
0506	4.6622	2.6890
0507	3.1312	1.8460
0508	2.2714	0.9773
0509	1.9576	0.7890
0510	1.5818	0.9333
0511	1.6918	0.9056
0512	1.2223	0.7125
0513	0.8589	0.4783
0514	1.4824	0.9652
0516	1.5818	0.9333
0517	1.5736	1.0244
0518	1.7144	0.8883
0519	1.6479	1.0089
0521	0.7397	0.4599
0601	0.5650	0.3573
0602	0.6015	0.3644

((Expected Loss Range	Maximum Experience Modification
20,034 - 21,974	0.65
21,975 - 24,137	0.64
24,138 - 26,553	0.63
26,554 - 29,256	0.62
29,257 - 32,285	0.61
32,286 & Higher	0.60))

Maximum experience modifications for firms with no compensable accidents: Effective 1/1/2004

Expected Loss Range	Maximum Experience Modification
3,571 & Lower	0.90
3,572 - 3,821	0.89
3,822 - 4,091	0.88
4,092 - 4,383	0.87
4,384 - 4,700	0.86
4,701 - 5,045	0.85
5,046 - 5,419	0.84
5,420 - 5,826	0.83
5,827 - 6,269	0.82
6,270 - 6,752	0.81
6,753 - 7,279	0.80
7,280 - 7,854	0.79
7,855 - 8,483	0.78
8,484 - 9,172	0.77
9,173 - 9,926	0.76
9,927 - 10,754	0.75
10,755 - 11,664	0.74
11,665 - 12,665	0.73
12,666 - 13,768	0.72
13,769 - 14,984	0.71
14,985 - 16,327	0.70
16,328 - 17,813	0.69
17,814 - 19,459	0.68
19,460 - 21,285	0.67
21,286 - 23,314	0.66
23,315 - 25,573	0.65
25,574 - 28,091	0.64
28,092 - 30,902	0.63
30,903 - 34,048	0.62
34,049 - 37,573	0.61
37,574 & Higher	0.60

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Class	((Base Rates Effective January 1, 2003		((Base Rates Effective January 1, 2003		
	Accident Fund	Medical Aid Fund	Accident Fund	Medical Aid Fund	
			Class		
0603	1.1393	0.5383	2104	0.2412	0.2581
0604	0.8245	0.6688	2105	0.5818	0.4599
0606	0.3717	0.3225	2106	0.3576	0.2998
0607	0.3671	0.2888	2201	0.2299	0.1886
0608	0.2921	0.2194	2202	0.6225	0.4530
0701	2.3302	0.7690	2203	0.3780	0.3781
0803	0.4316	0.3255	2204	0.2299	0.1886
0901	1.7144	0.8883	2401	0.4049	0.3209
1002	0.9665	0.6727	2903	0.5645	0.5217
1003	0.7986	0.5964	2904	0.6073	0.5149
1004	0.5027	0.3132	2905	0.4630	0.4487
1005	7.0307	3.6708	2906	0.3162	0.2533
1007	0.3200	0.2085	2907	0.4441	0.3955
1101	0.5602	0.4338	2908	0.9349	0.6729
1102	1.2825	0.7272	2909	0.3498	0.3044
1103	1.0003	0.7171	3101	0.9206	0.5529
1104	0.4116	0.3995	3102	0.2422	0.2025
1105	0.9511	0.6777	3103	0.5071	0.3835
1106	0.2908	0.2962	3104	0.5735	0.3729
1108	0.5052	0.4095	3105	0.6645	0.5821
1109	1.0621	0.8354	3203	0.3516	0.2989
1301	0.6000	0.3498	3204	0.4485	0.4248
1303	0.1956	0.1516	3309	0.3492	0.3074
1304	0.3033	0.0182	3402	0.4424	0.3441
1401	0.4957	0.4146	3403	0.1823	0.1372
1404	0.5384	0.4450	3404	0.4419	0.3832
1405	0.3533	0.2978	3405	0.2512	0.2039
1407	0.5384	0.4450	3406	0.1788	0.1682
1501	0.5221	0.3400	3407	0.5790	0.3779
1507	0.4964	0.3480	3408	0.1499	0.1141
1701	0.9197	0.5375	3409	0.1117	0.1065
1702	2.0054	0.9609	3410	0.1922	0.1996
1703	0.8251	0.3228	3411	0.4154	0.3000
1704	0.9197	0.5375	3412	0.5042	0.3213
1801	0.5880	0.4033	3414	0.4834	0.3463
1802	0.5844	0.4066	3415	0.6523	0.4885
2002	0.6178	0.5385	3501	0.9024	0.6507
2004	0.6746	0.5623	3503	0.2366	0.2694
2007	0.4098	0.3155	3506	1.1159	0.5221
2008	0.2857	0.2243	3509	0.3445	0.3300
2009	0.2663	0.3004	3510	0.3257	0.2827
2101	0.6445	0.5091	3511	0.6088	0.4866
2102	0.4375	0.3955	3512	0.2964	0.2792
			3513	0.4110	0.3816

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((Base Rates Effective
January 1, 2003

((Base Rates Effective
January 1, 2003

Class	((Base Rates Effective January 1, 2003		Class	((Base Rates Effective January 1, 2003	
	Accident Fund	Medical Aid Fund		Accident Fund	Medical Aid Fund
3602	0.0979	0.0942	4900	0.3565	0.2432
3603	0.4396	0.3656	4901	0.0677	0.0502
3604	0.7989	0.7238	4902	0.0866	0.0664
3605	0.4749	0.3306	4903	0.0857	0.0627
3701	0.2422	0.2025	4904	0.0249	0.0236
3702	0.3577	0.3283	4905	0.2616	0.2831
3708	0.5417	0.3921	4906	0.0841	0.0684
3802	0.1475	0.1375	4907	0.0442	0.0393
3808	0.4192	0.3115	4908	0.0739	0.1544
3901	0.1171	0.1401	4909	0.0340	0.0652
3902	0.3575	0.3372	4910	0.3541	0.3042
3903	0.9559	0.9521	5001	5.2945	2.4137
3905	0.1171	0.1401	5002	0.5430	0.3893
3906	0.4432	0.3818	5003	1.8313	0.8308
3909	0.2010	0.1973	5004	1.0442	0.7673
4002	1.2257	0.7042	5005	0.7395	0.3996
4101	0.2567	0.2016	5006	1.8088	0.9366
4103	0.3211	0.3744	5101	0.8981	0.6668
4107	0.1265	0.1040	5103	0.6292	0.6468
4108	0.1353	0.1171	5106	0.6292	0.6468
4109	0.2026	0.1751	5108	0.7782	0.6863
4201	0.6215	0.3149	5109	0.6515	0.4238
4301	0.5986	0.5522	5201	0.3730	0.2824
4302	0.5135	0.4026	5204	0.8561	0.6586
4304	0.7683	0.6163	5206	0.3565	0.2432
4305	1.1242	0.6271	5207	0.1377	0.1484
4401	0.3407	0.3057	5208	0.7983	0.6114
4402	0.6249	0.5263	5209	0.7419	0.5376
4404	0.3631	0.3440	5301	0.0269	0.0253
4501	0.1630	0.1451	5305	0.0468	0.0462
4502	0.0357	0.0365	5306	0.0479	0.0445
4504	0.0809	0.0886	5307	0.4129	0.2899
4601	0.6002	0.5040	6103	0.0626	0.0731
4802	0.1962	0.1758	6104	0.2930	0.2792
4803	0.1917	0.1951	6105	0.2569	0.1844
4804	0.4965	0.4283	6107	0.0920	0.1191
4805	0.2223	0.2280	6108	0.3323	0.3556
4806	0.0431	0.0426	6109	0.0759	0.0616
4808	0.3980	0.3315	6110	0.3919	0.3412
4809	0.2763	0.2648	6201	0.3297	0.2123
4810	0.1134	0.1231	6202	0.5294	0.4977
4811	0.1947	0.1956	6203	0.0616	0.0829
4812	0.3208	0.2709	6204	0.1263	0.1171
4813	0.1460	0.1302	6205	0.2114	0.1886

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Class	((Base Rates Effective January 1, 2003		Class	((Base Rates Effective January 1, 2003	
	Accident Fund	Medical Aid Fund		Accident Fund	Medical Aid Fund
6206	0.1984	0.1662	6705	0.6619	0.7736
6207	0.9105	1.1464	6706	0.2890	0.3200
6208	0.1711	0.2170	6707	1.8137	1.8020
6209	0.2207	0.2412	6708	5.7196	7.4476
6301	0.1364	0.0821	6709	0.2142	0.2404
6302	0.1407	0.1370	6801	0.4202	0.3017
6303	0.0575	0.0527	6802	0.3485	0.3633
6304	0.2285	0.2623	6803	0.7951	0.4900
6305	0.0709	0.0839	6804	0.2171	0.1894
6306	0.2401	0.2116	6809	4.4981	4.1717
6308	0.0469	0.0437	6901	0.0000	0.0727
6309	0.1382	0.1417	6902	0.9959	0.4667
6402	0.2467	0.2325	6903	8.2514	4.0294
6403	0.1242	0.1313	6904	0.4281	0.2672
6404	0.1488	0.1605	6905	0.3737	0.2514
6405	0.5264	0.4052	6906	0.0000	0.2248
6406	0.0722	0.0776	6907	1.0006	0.7764
6407	0.2129	0.2078	6908	0.4739	0.3882
6408	0.3299	0.2761	6909	0.0943	0.0875
6409	0.6510	0.4503	7100	0.0272	0.0240
6410	0.2158	0.1842	7101	0.0254	0.0214
6501	0.1339	0.1160	7102	2.5996	4.2000
6502	0.0260	0.0260	7103	0.4645	0.2983
6503	0.0724	0.0446	7104	0.0243	0.0228
6504	0.2577	0.3166	7105	0.0216	0.0230
6505	0.0783	0.0958	7106	0.1463	0.1377
6506	0.0738	0.0791	7107	0.2082	0.2213
6509	0.2806	0.2914	7108	0.1629	0.2068
6510	0.4286	0.2774	7109	0.1193	0.1221
6511	0.2408	0.2697	7110	0.4017	0.2635
6601	0.1529	0.1471	7111	0.3652	0.2733
6602	0.3664	0.3225	7112	0.5306	0.4619
6603	0.3281	0.2599	7113	0.3430	0.3642
6604	0.0535	0.0553	7114	0.4890	0.5792
6605	0.2005	0.2887	7115	0.4671	0.4502
6607	0.1660	0.1516	7116	0.4867	0.4430
6608	0.6226	0.3003	7117	1.0015	0.8682
6614	859.0000*	775.0000*	7118	0.8494	0.7796
6615	307.0000*	292.0000*	7119	1.3420	1.0431
6616	253.0000*	226.0000*	7120	5.2022	4.2929
6617	94.0000*	85.0000*	7121	4.9871	3.9934
6618	99.0000*	50.0000*	7201	1.2427	0.7609
6620	3.6273	2.8291	7202	0.0362	0.0250
6704	0.1164	0.1108	7203	0.0913	0.1183

((Base Rates Effective
January 1, 2003

Base Rates Effective
January 1, 2004

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
7204	0.0000	0.0000
7301	0.4443	0.3725
7302	0.7163	0.5853
7307	0.4661	0.4248
7308	0.1794	0.2553
7309	0.2142	0.2404

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
0516	1.6703	0.9807
0517	1.6780	1.0950
0518	1.8366	0.9328
0519	1.9295	1.0901
0521	0.6989	0.4450
0601	0.6461	0.3862

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.))

Base Rates Effective
January 1, 2004

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
0101	1.5814	0.7743
0103	1.7560	1.0231
0104	1.0798	0.5941
0105	1.4448	0.9613
0107	1.2655	0.7206
0108	1.0798	0.5941
0112	0.7788	0.4591
0201	2.7967	1.3868
0202	3.8070	2.0165
0210	1.4498	0.6811
0212	1.2948	0.6731
0214	1.4592	0.7138
0217	1.3036	0.6971
0219	1.0750	0.7601
0301	0.5567	0.4307
0302	2.2802	0.9416
0303	2.1458	0.9612
0306	1.1713	0.5736
0307	0.9965	0.5767
0308	0.5270	0.4263
0403	1.6656	1.2385
0502	1.7909	0.8089
0504	1.3821	0.8266
0506	5.5423	3.0267
0507	3.1811	1.8865
0508	2.4737	1.0339
0509	1.8702	0.8009
0510	1.6703	0.9807
0511	1.8921	0.9897
0512	1.4169	0.7795
0513	0.9884	0.5366
0514	1.7316	1.0394

0602	0.7255	0.4146
0603	1.1661	0.5393
0604	0.9048	0.7316
0606	0.4319	0.3655
0607	0.4193	0.3175
0608	0.3621	0.2512
0701	2.5501	0.8175
0803	0.4758	0.3517
0901	1.8366	0.9328
1002	1.0578	0.7479
1003	0.8656	0.6100
1004	0.5325	0.3268
1005	8.3826	4.4172
1007	0.3697	0.2374
1101	0.6527	0.4899
1102	1.4175	0.7790
1103	1.1092	0.8062
1104	0.4796	0.4454
1105	1.0193	0.7100
1106	0.3168	0.3134
1108	0.6003	0.4657
1109	1.2172	0.9398
1301	0.7260	0.3982
1303	0.2359	0.1719
1304	0.0242	0.0194
1305	0.3640	0.2850
1401	0.4888	0.4061
1404	0.6507	0.5258
1405	0.4630	0.3620
1407	0.6507	0.5258
1501	0.5898	0.3839
1507	0.5258	0.3512
1701	1.0139	0.5815
1702	2.2784	1.0454
1703	1.0410	0.3854
1704	1.0139	0.5815
1801	0.5893	0.3974
1802	0.6768	0.4355

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<u>Base Rates Effective</u> <u>January 1, 2004</u>			<u>Base Rates Effective</u> <u>January 1, 2004</u>		
<u>Class</u>	<u>Accident</u> <u>Fund</u>	<u>Medical Aid</u> <u>Fund</u>	<u>Class</u>	<u>Accident</u> <u>Fund</u>	<u>Medical Aid</u> <u>Fund</u>
<u>2002</u>	<u>0.6934</u>	<u>0.5787</u>	<u>3503</u>	<u>0.2692</u>	<u>0.2962</u>
<u>2004</u>	<u>0.8083</u>	<u>0.6479</u>	<u>3506</u>	<u>1.3008</u>	<u>0.5776</u>
<u>2007</u>	<u>0.4262</u>	<u>0.3258</u>	<u>3509</u>	<u>0.3666</u>	<u>0.3533</u>
<u>2008</u>	<u>0.3220</u>	<u>0.2403</u>	<u>3510</u>	<u>0.3547</u>	<u>0.2989</u>
<u>2009</u>	<u>0.3158</u>	<u>0.3162</u>	<u>3511</u>	<u>0.6851</u>	<u>0.5304</u>
<u>2101</u>	<u>0.7157</u>	<u>0.5397</u>	<u>3512</u>	<u>0.3102</u>	<u>0.2838</u>
<u>2102</u>	<u>0.5026</u>	<u>0.4361</u>	<u>3513</u>	<u>0.4529</u>	<u>0.4138</u>
<u>2104</u>	<u>0.2749</u>	<u>0.2907</u>	<u>3602</u>	<u>0.1106</u>	<u>0.1023</u>
<u>2105</u>	<u>0.6066</u>	<u>0.4813</u>	<u>3603</u>	<u>0.4591</u>	<u>0.3661</u>
<u>2106</u>	<u>0.4257</u>	<u>0.3452</u>	<u>3604</u>	<u>0.8039</u>	<u>0.6965</u>
<u>2201</u>	<u>0.2517</u>	<u>0.1986</u>	<u>3605</u>	<u>0.5317</u>	<u>0.3611</u>
<u>2202</u>	<u>0.7279</u>	<u>0.5211</u>	<u>3701</u>	<u>0.2780</u>	<u>0.2292</u>
<u>2203</u>	<u>0.4299</u>	<u>0.4196</u>	<u>3702</u>	<u>0.4132</u>	<u>0.3523</u>
<u>2204</u>	<u>0.2517</u>	<u>0.1986</u>	<u>3708</u>	<u>0.6358</u>	<u>0.4386</u>
<u>2401</u>	<u>0.4450</u>	<u>0.3439</u>	<u>3802</u>	<u>0.1591</u>	<u>0.1422</u>
<u>2903</u>	<u>0.6146</u>	<u>0.5552</u>	<u>3808</u>	<u>0.4550</u>	<u>0.3078</u>
<u>2904</u>	<u>0.6859</u>	<u>0.5526</u>	<u>3901</u>	<u>0.1328</u>	<u>0.1528</u>
<u>2905</u>	<u>0.5029</u>	<u>0.4761</u>	<u>3902</u>	<u>0.4252</u>	<u>0.3863</u>
<u>2906</u>	<u>0.3469</u>	<u>0.2639</u>	<u>3903</u>	<u>1.0296</u>	<u>0.9966</u>
<u>2907</u>	<u>0.4824</u>	<u>0.4221</u>	<u>3905</u>	<u>0.1328</u>	<u>0.1528</u>
<u>2908</u>	<u>1.0443</u>	<u>0.7208</u>	<u>3906</u>	<u>0.4828</u>	<u>0.4052</u>
<u>2909</u>	<u>0.3880</u>	<u>0.3364</u>	<u>3909</u>	<u>0.2477</u>	<u>0.2366</u>
<u>3101</u>	<u>1.0798</u>	<u>0.6249</u>	<u>4002</u>	<u>1.4293</u>	<u>0.7720</u>
<u>3102</u>	<u>0.2780</u>	<u>0.2292</u>	<u>4101</u>	<u>0.2771</u>	<u>0.2120</u>
<u>3103</u>	<u>0.5594</u>	<u>0.4228</u>	<u>4103</u>	<u>0.3652</u>	<u>0.4111</u>
<u>3104</u>	<u>0.6477</u>	<u>0.4140</u>	<u>4107</u>	<u>0.1533</u>	<u>0.1235</u>
<u>3105</u>	<u>0.7218</u>	<u>0.6194</u>	<u>4108</u>	<u>0.1366</u>	<u>0.1195</u>
<u>3303</u>	<u>0.4072</u>	<u>0.3326</u>	<u>4109</u>	<u>0.2105</u>	<u>0.1737</u>
<u>3304</u>	<u>0.4851</u>	<u>0.4488</u>	<u>4201</u>	<u>0.7318</u>	<u>0.3596</u>
<u>3309</u>	<u>0.4086</u>	<u>0.3370</u>	<u>4301</u>	<u>0.6271</u>	<u>0.5697</u>
<u>3402</u>	<u>0.5131</u>	<u>0.3800</u>	<u>4302</u>	<u>0.5894</u>	<u>0.4574</u>
<u>3403</u>	<u>0.2011</u>	<u>0.1529</u>	<u>4304</u>	<u>0.8819</u>	<u>0.7071</u>
<u>3404</u>	<u>0.5017</u>	<u>0.4108</u>	<u>4305</u>	<u>1.3133</u>	<u>0.7131</u>
<u>3405</u>	<u>0.3030</u>	<u>0.2306</u>	<u>4401</u>	<u>0.3790</u>	<u>0.3197</u>
<u>3406</u>	<u>0.1946</u>	<u>0.1855</u>	<u>4402</u>	<u>0.7470</u>	<u>0.6336</u>
<u>3407</u>	<u>0.6760</u>	<u>0.4481</u>	<u>4404</u>	<u>0.4702</u>	<u>0.4284</u>
<u>3408</u>	<u>0.1647</u>	<u>0.1198</u>	<u>4501</u>	<u>0.1791</u>	<u>0.1584</u>
<u>3409</u>	<u>0.1400</u>	<u>0.1350</u>	<u>4502</u>	<u>0.0387</u>	<u>0.0385</u>
<u>3410</u>	<u>0.2301</u>	<u>0.2230</u>	<u>4504</u>	<u>0.0931</u>	<u>0.1040</u>
<u>3411</u>	<u>0.4844</u>	<u>0.3267</u>	<u>4601</u>	<u>0.6942</u>	<u>0.5520</u>
<u>3412</u>	<u>0.5755</u>	<u>0.3539</u>	<u>4802</u>	<u>0.2337</u>	<u>0.2024</u>
<u>3414</u>	<u>0.5520</u>	<u>0.3888</u>	<u>4803</u>	<u>0.2168</u>	<u>0.2237</u>
<u>3415</u>	<u>0.7473</u>	<u>0.5298</u>	<u>4804</u>	<u>0.5433</u>	<u>0.4452</u>
<u>3501</u>	<u>1.0049</u>	<u>0.7260</u>	<u>4805</u>	<u>0.2414</u>	<u>0.2437</u>

Base Rates Effective
January 1, 2004

Base Rates Effective
January 1, 2004

<u>Class</u>	<u>Base Rates Effective</u> <u>January 1, 2004</u>		<u>Class</u>	<u>Base Rates Effective</u> <u>January 1, 2004</u>	
	<u>Accident</u> <u>Fund</u>	<u>Medical Aid</u> <u>Fund</u>		<u>Accident</u> <u>Fund</u>	<u>Medical Aid</u> <u>Fund</u>
<u>4806</u>	<u>0.0483</u>	<u>0.0468</u>	<u>6109</u>	<u>0.0898</u>	<u>0.0712</u>
<u>4808</u>	<u>0.4569</u>	<u>0.3766</u>	<u>6110</u>	<u>0.4754</u>	<u>0.3989</u>
<u>4809</u>	<u>0.3475</u>	<u>0.3139</u>	<u>6201</u>	<u>0.3725</u>	<u>0.2394</u>
<u>4810</u>	<u>0.1253</u>	<u>0.1330</u>	<u>6202</u>	<u>0.6046</u>	<u>0.5298</u>
<u>4811</u>	<u>0.2220</u>	<u>0.2256</u>	<u>6203</u>	<u>0.0708</u>	<u>0.1013</u>
<u>4812</u>	<u>0.3461</u>	<u>0.2991</u>	<u>6204</u>	<u>0.1278</u>	<u>0.1223</u>
<u>4813</u>	<u>0.1526</u>	<u>0.1368</u>	<u>6205</u>	<u>0.2342</u>	<u>0.2049</u>
<u>4900</u>	<u>0.3773</u>	<u>0.2508</u>	<u>6206</u>	<u>0.2116</u>	<u>0.1761</u>
<u>4901</u>	<u>0.0746</u>	<u>0.0543</u>	<u>6207</u>	<u>0.9203</u>	<u>1.0906</u>
<u>4902</u>	<u>0.0957</u>	<u>0.0748</u>	<u>6208</u>	<u>0.1942</u>	<u>0.2291</u>
<u>4903</u>	<u>0.1176</u>	<u>0.0846</u>	<u>6209</u>	<u>0.2548</u>	<u>0.2471</u>
<u>4904</u>	<u>0.0280</u>	<u>0.0252</u>	<u>6301</u>	<u>0.1353</u>	<u>0.0832</u>
<u>4905</u>	<u>0.2850</u>	<u>0.3019</u>	<u>6302</u>	<u>0.1506</u>	<u>0.1407</u>
<u>4906</u>	<u>0.0959</u>	<u>0.0747</u>	<u>6303</u>	<u>0.0651</u>	<u>0.0572</u>
<u>4907</u>	<u>0.0450</u>	<u>0.0396</u>	<u>6304</u>	<u>0.2883</u>	<u>0.3111</u>
<u>4908</u>	<u>0.0830</u>	<u>0.1583</u>	<u>6305</u>	<u>0.0848</u>	<u>0.0943</u>
<u>4909</u>	<u>0.0371</u>	<u>0.0696</u>	<u>6306</u>	<u>0.2906</u>	<u>0.2495</u>
<u>4910</u>	<u>0.4052</u>	<u>0.3337</u>	<u>6308</u>	<u>0.0547</u>	<u>0.0484</u>
<u>5001</u>	<u>5.6626</u>	<u>2.5112</u>	<u>6309</u>	<u>0.1578</u>	<u>0.1568</u>
<u>5002</u>	<u>0.6043</u>	<u>0.4230</u>	<u>6402</u>	<u>0.2798</u>	<u>0.2622</u>
<u>5003</u>	<u>2.0838</u>	<u>0.9576</u>	<u>6403</u>	<u>0.1352</u>	<u>0.1383</u>
<u>5004</u>	<u>1.0382</u>	<u>0.7851</u>	<u>6404</u>	<u>0.1730</u>	<u>0.1758</u>
<u>5005</u>	<u>0.7259</u>	<u>0.4013</u>	<u>6405</u>	<u>0.5698</u>	<u>0.4319</u>
<u>5006</u>	<u>1.9405</u>	<u>0.9896</u>	<u>6406</u>	<u>0.0873</u>	<u>0.0926</u>
<u>5101</u>	<u>0.9430</u>	<u>0.6911</u>	<u>6407</u>	<u>0.2469</u>	<u>0.2313</u>
<u>5103</u>	<u>0.6953</u>	<u>0.6625</u>	<u>6408</u>	<u>0.3740</u>	<u>0.3030</u>
<u>5106</u>	<u>0.6953</u>	<u>0.6625</u>	<u>6409</u>	<u>0.8659</u>	<u>0.5358</u>
<u>5108</u>	<u>0.9034</u>	<u>0.7555</u>	<u>6410</u>	<u>0.2515</u>	<u>0.2082</u>
<u>5109</u>	<u>0.6908</u>	<u>0.4594</u>	<u>6501</u>	<u>0.1576</u>	<u>0.1317</u>
<u>5201</u>	<u>0.4178</u>	<u>0.3177</u>	<u>6502</u>	<u>0.0324</u>	<u>0.0317</u>
<u>5204</u>	<u>0.9292</u>	<u>0.6996</u>	<u>6503</u>	<u>0.0819</u>	<u>0.0470</u>
<u>5206</u>	<u>0.3773</u>	<u>0.2508</u>	<u>6504</u>	<u>0.3363</u>	<u>0.3718</u>
<u>5207</u>	<u>0.1420</u>	<u>0.1531</u>	<u>6505</u>	<u>0.0845</u>	<u>0.0987</u>
<u>5208</u>	<u>0.8731</u>	<u>0.6533</u>	<u>6506</u>	<u>0.0847</u>	<u>0.0899</u>
<u>5209</u>	<u>0.8321</u>	<u>0.5874</u>	<u>6509</u>	<u>0.3189</u>	<u>0.3214</u>
<u>5301</u>	<u>0.0286</u>	<u>0.0263</u>	<u>6510</u>	<u>0.5002</u>	<u>0.3039</u>
<u>5305</u>	<u>0.0520</u>	<u>0.0520</u>	<u>6511</u>	<u>0.2683</u>	<u>0.2825</u>
<u>5306</u>	<u>0.0578</u>	<u>0.0507</u>	<u>6601</u>	<u>0.1744</u>	<u>0.1621</u>
<u>5307</u>	<u>0.4812</u>	<u>0.3319</u>	<u>6602</u>	<u>0.3962</u>	<u>0.3475</u>
<u>6103</u>	<u>0.0673</u>	<u>0.0798</u>	<u>6603</u>	<u>0.3395</u>	<u>0.2526</u>
<u>6104</u>	<u>0.3592</u>	<u>0.3227</u>	<u>6604</u>	<u>0.0628</u>	<u>0.0606</u>
<u>6105</u>	<u>0.2903</u>	<u>0.2119</u>	<u>6605</u>	<u>0.2132</u>	<u>0.2917</u>
<u>6107</u>	<u>0.1032</u>	<u>0.1306</u>	<u>6607</u>	<u>0.1770</u>	<u>0.1510</u>
<u>6108</u>	<u>0.3710</u>	<u>0.3912</u>	<u>6608</u>	<u>0.6719</u>	<u>0.3123</u>

PERMANENT

PERMANENT

Class	Base Rates Effective January 1, 2004	
	Accident Fund	Medical Aid Fund
6614	987*	927*
6615	358*	356*
6616	271*	238*
6617	102*	92*
6618	99*	50*
6620	4.5954	3.4827
6704	0.1531	0.1352
6705	0.6840	0.8359
6706	0.2997	0.3124
6707	2.6228	2.3616
6708	6.4860	8.3254
6709	0.2315	0.2619
6801	0.5513	0.3850
6802	0.3743	0.3762
6803	0.9264	0.5238
6804	0.2581	0.2058
6809	4.7942	4.4011
6901	0.0000	0.0691
6902	1.1874	0.4826
6903	8.8112	4.6583
6904	0.4889	0.2997
6905	0.4082	0.2813
6906	0.0000	0.2414
6907	1.1483	0.8577
6908	0.4866	0.3980
6909	0.1067	0.0968
7100	0.0303	0.0261
7101	0.0248	0.0203
7102	2.9027	4.5880
7103	0.5655	0.3505
7104	0.0272	0.0236
7105	0.0264	0.0254
7106	0.1772	0.1606
7107	0.2057	0.2255
7108	0.1596	0.2033
7109	0.1293	0.1253
7110	0.4185	0.2625
7111	0.4096	0.2851
7112	0.5838	0.4891
7113	0.3442	0.3640
7114	0.5276	0.5917
7115	0.5057	0.4960
7116	0.5758	0.5188
7117	1.2566	1.0693

Class	Base Rates Effective January 1, 2004	
	Accident Fund	Medical Aid Fund
7118	1.0394	0.9808
7119	1.2604	0.9886
7120	5.7871	4.6097
7121	5.5522	4.3375
7201	1.3512	0.8174
7202	0.0414	0.0264
7203	0.0997	0.1276
7204	0.0000	0.0000
7301	0.4601	0.3847
7302	0.8603	0.6898
7307	0.4975	0.4589
7308	0.2130	0.2885
7309	0.2315	0.2619

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications. The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Class	((Base Rates Effective January 1, 2003		
	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
0540	0.0223	0.0108	0.0006
0541	0.0120	0.0056	0.0006
0550	0.0336	0.0132	0.0006
0551	0.0160	0.0065	-0.0006))

Class	Base Rates Effective January 1, 2004		
	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
0540	0.0256	0.0122	0.0006
0541	0.0138	0.0065	0.0006
0550	0.0373	0.0143	0.0006
0551	0.0197	0.0079	0.0006

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-90492 Table I.

**((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, 2003**

Size Group Number	Standard Premium Range
((63	\$4,144 - \$5,006
62	5,007 - 6,012
61	6,013 - 7,153
60	7,154 - 8,464
59	8,465 - 9,962
58	9,963 - 11,649
57	11,650 - 13,569
56	13,570 - 15,599
55	15,600 - 17,749
54	17,750 - 20,019
53	20,020 - 22,409
52	22,410 - 24,919
51	24,920 - 27,539
50	27,540 - 30,309
49	30,310 - 33,189
48	33,190 - 36,119
47	36,120 - 39,059
46	39,060 - 42,279
45	42,280 - 45,869
44	45,870 - 49,869
43	49,870 - 54,289
42	54,290 - 59,239
41	59,240 - 64,799
40	64,800 - 70,989
39	70,990 - 77,979
38	77,980 - 85,909
37	85,910 - 94,819
36	94,820 - 104,299
35	104,300 - 114,699
34	114,700 - 126,199
33	126,200 - 138,799
32	138,800 - 152,699
31	152,700 - 167,199
30	167,200 - 183,199
29	183,200 - 201,399
28	201,400 - 221,999
27	222,000 - 245,799
26	245,800 - 273,199
25	273,200 - 304,699

Size Group Number	Standard Premium Range
24	304,700 - 341,599
23	341,600 - 385,099
22	385,100 - 435,899
21	435,900 - 496,699
20	496,700 - 570,099
19	570,100 - 657,999
18	658,000 - 766,399
17	766,400 - 901,599
16	901,600 - 1,095,999
15	1,096,000 - 1,364,999
14	1,365,000 - 1,743,999
13	1,744,000 - 2,227,999
12	2,228,000 - 2,845,999
11	2,846,000 - 3,772,999
10	3,773,000 - 5,226,999
9	5,227,000 - 7,533,999
8	7,534,000 - 10,909,999
7	10,910,000 - 16,069,999
6	16,070,000 - 24,989,999
5	24,990,000 - 39,449,999
4	39,450,000 & Over))

**RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, 2004**

Size Group Number	Standard Premium Range
<u>63</u>	<u>\$4,580 - \$5,533</u>
<u>62</u>	<u>5,534 - 6,645</u>
<u>61</u>	<u>6,646 - 7,906</u>
<u>60</u>	<u>7,907 - 9,355</u>
<u>59</u>	<u>9,356 - 11,011</u>
<u>58</u>	<u>11,012 - 12,879</u>
<u>57</u>	<u>12,880 - 14,999</u>
<u>56</u>	<u>15,000 - 17,239</u>
<u>55</u>	<u>17,240 - 19,619</u>
<u>54</u>	<u>19,620 - 22,129</u>
<u>53</u>	<u>22,130 - 24,769</u>
<u>52</u>	<u>24,770 - 27,539</u>
<u>51</u>	<u>27,540 - 30,439</u>
<u>50</u>	<u>30,440 - 33,499</u>
<u>49</u>	<u>33,500 - 36,679</u>
<u>48</u>	<u>36,680 - 39,919</u>
<u>47</u>	<u>39,920 - 43,169</u>
<u>46</u>	<u>43,170 - 46,729</u>

PERMANENT

Size Group Number	Standard Premium Range	Size Group Number	Standard Premium Range
45	46,730 - 50,699	25	302,000 - 336,799
44	50,700 - 55,119	24	336,800 - 377,599
43	55,120 - 60,009	23	377,600 - 425,599
42	60,010 - 65,479	22	425,600 - 481,799
41	65,480 - 71,619	21	481,800 - 548,999
40	71,620 - 78,459	20	549,000 - 630,099
39	78,460 - 86,189	19	630,100 - 727,299
38	86,190 - 94,949	18	727,300 - 847,099
37	94,950 - 104,799	17	847,100 - 996,499
36	104,800 - 115,299	16	996,500 - 1,210,999
35	115,300 - 126,799	15	1,211,000 - 1,508,999
34	126,800 - 139,499	14	1,509,000 - 1,927,999
33	139,500 - 153,399	13	1,928,000 - 2,462,999
32	153,400 - 168,799	12	2,463,000 - 3,145,999
31	168,800 - 184,799	11	3,146,000 - 4,169,999
30	184,800 - 202,499	10	4,170,000 - 5,776,999
29	202,500 - 222,599	9	5,777,000 - 8,326,999
28	222,600 - 245,399	8	8,327,000 - 12,059,999
27	245,400 - 271,699	7	12,060,000 - 17,759,999
26	271,700 - 301,999	6	17,760,000 - 27,619,999
		5	27,620,000 - 43,599,999
		4	43,600,000 & Over

PERMANENT

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-90493 Table II.

RETROSPECTIVE RATING PLAN A
 BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = .729
 Effective January 1, ((2003)) 2004

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
63	.907	.856	.820	.791	.766	.745	.725	.708	.692	.677	.649	.625	.602	.563
62	.902	.850	.813	.783	.757	.735	.715	.698	.681	.666	.638	.612	.590	.550
61	.897	.844	.805	.774	.748	.726	.705	.687	.670	.654	.625	.600	.577	.536
60	.892	.838	.798	.766	.739	.716	.695	.676	.658	.642	.613	.587	.563	.522
59	.888	.831	.790	.758	.730	.706	.684	.665	.647	.630	.600	.574	.550	.508
58	.883	.825	.783	.749	.720	.696	.674	.654	.635	.618	.588	.561	.537	.495
57	.878	.818	.775	.740	.711	.686	.663	.643	.624	.607	.576	.548	.524	.482
56	.872	.810	.766	.731	.701	.675	.652	.631	.612	.594	.563	.535	.511	.468
55	.865	.802	.757	.721	.690	.664	.640	.619	.599	.582	.550	.522	.497	.455
54	.858	.794	.747	.710	.679	.652	.628	.607	.587	.569	.537	.509	.484	.442
53	.851	.785	.738	.700	.668	.641	.616	.595	.575	.556	.524	.496	.471	.429
52	.843	.776	.728	.690	.657	.629	.605	.582	.562	.544	.511	.483	.458	.417
51	.836	.767	.718	.679	.646	.618	.592	.570	.550	.531	.498	.470	.446	.405
50	.828	.758	.708	.668	.634	.605	.580	.557	.537	.518	.485	.457	.432	.392
49	.821	.748	.697	.656	.622	.593	.567	.544	.524	.505	.472	.444	.419	.379

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
48	.813	.739	.686	.645	.610	.581	.555	.531	.511	.492	.459	.431	.406	.367
47	.804	.729	.675	.633	.598	.568	.542	.519	.498	.479	.446	.418	.394	.355
46	.796	.718	.663	.620	.584	.554	.528	.505	.484	.465	.433	.406	.382	.344
45	.787	.707	.650	.607	.571	.541	.514	.491	.471	.452	.420	.394	.371	.334
44	.778	.695	.638	.594	.557	.527	.501	.478	.458	.440	.408	.382	.360	.324
43	.768	.683	.625	.580	.544	.514	.488	.465	.445	.427	.396	.371	.349	.314
42	.758	.671	.612	.567	.530	.500	.474	.451	.431	.413	.383	.357	.336	.301
41	.748	.659	.599	.554	.517	.486	.460	.437	.417	.399	.368	.343	.322	.288
40	.737	.647	.586	.540	.503	.472	.446	.423	.403	.385	.355	.330	.309	.276
39	.726	.635	.573	.526	.489	.458	.432	.409	.389	.372	.342	.317	.296	.264
38	.714	.622	.560	.513	.476	.445	.418	.396	.376	.359	.329	.305	.284	.252
37	.702	.608	.546	.499	.462	.431	.405	.383	.363	.346	.317	.293	.273	.242
36	.688	.594	.532	.485	.448	.417	.392	.369	.350	.333	.304	.281	.262	.231
35	.673	.578	.516	.469	.433	.402	.377	.355	.336	.320	.292	.269	.250	.221
34	.657	.562	.500	.454	.418	.388	.363	.342	.323	.307	.280	.258	.240	.211
33	.640	.546	.484	.439	.403	.374	.349	.329	.310	.295	.268	.247	.229	.202
32	.623	.529	.468	.424	.389	.360	.336	.316	.298	.283	.257	.237	.220	.193
31	.607	.512	.452	.408	.373	.345	.322	.302	.285	.270	.246	.226	.210	.185
30	.589	.495	.435	.392	.358	.331	.308	.289	.273	.259	.235	.216	.201	.178
29	.571	.478	.419	.377	.344	.317	.295	.277	.261	.247	.225	.207	.193	.171
28	.553	.461	.403	.361	.329	.303	.282	.264	.248	.235	.213	.195	.181	.160
27	.537	.446	.388	.346	.314	.288	.267	.248	.233	.219	.197	.179	.165	.143
26	.521	.430	.373	.331	.299	.273	.252	.234	.218	.205	.183	.165	.151	.129
25	.504	.414	.358	.317	.285	.259	.238	.220	.205	.192	.170	.152	.138	.117
24	.482	.394	.339	.300	.269	.245	.225	.208	.194	.181	.161	.145	.132	.113
23	.460	.374	.321	.283	.254	.231	.213	.197	.184	.172	.153	.138	.127	.109
22	.437	.355	.304	.268	.241	.219	.201	.187	.174	.163	.146	.132	.121	.105
21	.414	.336	.288	.254	.228	.208	.191	.177	.166	.156	.139	.127	.117	.102
20	.394	.318	.272	.239	.214	.194	.179	.166	.155	.145	.130	.119	.110	.096
19	.377	.301	.254	.222	.198	.179	.164	.152	.142	.133	.120	.109	.101	.089
18	.358	.283	.238	.207	.184	.166	.152	.140	.131	.123	.110	.101	.094	.083
17	.339	.266	.222	.192	.171	.154	.140	.130	.121	.114	.103	.094	.088	.079
16	.320	.249	.208	.179	.159	.143	.131	.121	.113	.106	.096	.088	.083	.075
15	.303	.234	.194	.168	.148	.134	.122	.113	.106	.100	.091	.084	.079	.072
14	.293	.220	.180	.157	.141	.128	.117	.109	.103	.097	.089	.082	.078	.071
13	.281	.204	.167	.148	.133	.122	.112	.105	.099	.094	.086	.081	.076	.070
12	.269	.187	.156	.139	.126	.116	.108	.101	.096	.091	.084	.079	.075	.069
11	.254	.167	.145	.130	.119	.110	.103	.097	.092	.088	.082	.077	.073	.068
10	.238	.150	.135	.122	.113	.105	.098	.093	.089	.085	.079	.075	.072	.067
9	.219	.138	.125	.115	.106	.100	.094	.089	.085	.082	.077	.073	.071	.066
8	.197	.127	.116	.107	.100	.094	.090	.086	.082	.079	.075	.072	.069	.065
7	.170	.117	.108	.100	.094	.089	.085	.082	.079	.077	.073	.070	.068	.064
6	.137	.107	.100	.094	.089	.085	.081	.078	.076	.074	.071	.068	.066	.064
5	.105	.098	.092	.087	.083	.080	.077	.075	.073	.071	.068	.066	.065	.063
4	.096	.089	.084	.081	.078	.076	.074	.072	.070	.068	.066	.065	.064	.063

PERMANENT

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-90494 Table III.

RETROSPECTIVE RATING PLAN A1
 MINIMUM PREMIUM RATIOS
 BASIC PREMIUM RATIO = .058
 LOSS CONVERSION FACTOR = .729
 Effective January 1, (~~2003~~) 2004

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
63	.987	.975	.963	.951	.940	.928	.918	.907	.897	.887	.868	.850	.833	.801
62	.987	.974	.961	.949	.938	.926	.915	.904	.894	.884	.864	.845	.828	.795
61	.986	.973	.960	.948	.936	.924	.912	.901	.890	.880	.860	.841	.823	.789
60	.986	.972	.959	.946	.933	.921	.909	.898	.887	.876	.855	.836	.817	.783
59	.985	.971	.958	.944	.931	.919	.907	.895	.883	.872	.851	.831	.812	.777
58	.985	.970	.956	.943	.929	.917	.904	.892	.880	.869	.847	.826	.807	.771
57	.985	.970	.955	.941	.927	.914	.901	.889	.877	.865	.843	.822	.802	.765
56	.984	.969	.954	.939	.925	.912	.899	.886	.874	.862	.839	.818	.797	.760
55	.984	.968	.953	.938	.924	.910	.896	.884	.871	.859	.836	.814	.793	.756
54	.983	.967	.951	.936	.922	.908	.894	.881	.868	.856	.832	.810	.790	.752
53	.983	.966	.950	.935	.920	.906	.892	.878	.866	.853	.829	.807	.786	.748
52	.982	.965	.949	.933	.918	.904	.890	.876	.863	.850	.826	.804	.783	.744
51	.982	.965	.948	.932	.917	.902	.887	.874	.860	.847	.823	.800	.779	.740
50	.982	.964	.947	.930	.915	.899	.885	.871	.857	.844	.819	.796	.775	.735
49	.981	.963	.946	.929	.913	.897	.882	.868	.854	.841	.816	.792	.770	.731
48	.981	.962	.945	.927	.911	.895	.880	.866	.852	.838	.812	.789	.767	.727
47	.980	.962	.944	.926	.910	.894	.878	.864	.849	.836	.810	.786	.764	.723
46	.980	.961	.943	.925	.909	.893	.877	.863	.848	.835	.809	.785	.763	.723
45	.980	.961	.942	.925	.908	.892	.877	.862	.848	.834	.808	.784	.762	.722
44	.980	.960	.942	.924	.907	.891	.876	.861	.847	.833	.808	.784	.762	.722
43	.980	.960	.941	.924	.907	.891	.875	.861	.846	.833	.807	.784	.762	.722
42	.979	.959	.940	.922	.905	.888	.872	.857	.843	.829	.803	.779	.757	.717
41	.978	.958	.938	.920	.902	.885	.869	.853	.839	.825	.798	.774	.751	.710
40	.978	.957	.937	.918	.899	.882	.866	.850	.835	.820	.793	.768	.745	.704
39	.977	.956	.935	.916	.897	.879	.863	.846	.831	.816	.789	.764	.741	.699
38	.977	.955	.934	.914	.895	.877	.860	.843	.828	.813	.785	.760	.736	.694
37	.976	.954	.933	.912	.893	.875	.857	.841	.825	.810	.782	.756	.732	.690
36	.976	.953	.932	.911	.891	.873	.855	.838	.822	.807	.779	.753	.729	.686
35	.976	.953	.931	.910	.890	.871	.854	.837	.821	.805	.777	.751	.727	.684
34	.975	.952	.930	.909	.889	.870	.852	.835	.819	.804	.775	.749	.725	.683
33	.975	.951	.929	.908	.888	.869	.851	.834	.818	.802	.774	.748	.724	.682
32	.975	.951	.929	.907	.887	.868	.850	.833	.817	.802	.773	.747	.724	.682
31	.975	.951	.928	.907	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
30	.974	.950	.927	.906	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
29	.974	.950	.927	.906	.886	.867	.849	.832	.816	.801	.773	.747	.724	.682
28	.974	.949	.926	.904	.883	.864	.846	.828	.812	.797	.769	.744	.721	.682
27	.973	.947	.922	.899	.877	.857	.837	.819	.802	.785	.754	.727	.701	.657
26	.972	.945	.919	.895	.872	.851	.830	.811	.792	.775	.742	.712	.685	.636
25	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
24	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
23	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
22	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
21	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
20	.971	.943	.917	.892	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620
19	.970	.941	.915	.891	.868	.846	.824	.804	.785	.766	.732	.701	.672	.620

PERMANENT

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
18	.969	.940	.912	.887	.864	.843	.823	.804	.785	.766	.732	.701	.672	.620
17	.968	.938	.911	.885	.862	.840	.820	.801	.784	.766	.732	.701	.672	.620
16	.968	.937	.910	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
15	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
14	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
13	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
12	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
11	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
10	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
9	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
8	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
7	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
6	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
5	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620
4	.967	.937	.909	.884	.860	.838	.818	.800	.783	.766	.732	.701	.672	.620

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-90495 Table IV.

RETROSPECTIVE RATING PLAN A2
 MINIMUM PREMIUM RATIOS
 AND BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = .729
 Effective January 1, ((2003)) 2004

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
63 Basic Premium Ratio	.483	.457	.439	.425	.412	.402	.392	.383	.375	.368	.354	.342	.330	.311
63 Minimum Premium Ratio	.979	.960	.943	.927	.912	.898	.884	.871	.859	.846	.823	.802	.782	.745
62 Basic Premium Ratio	.480	.454	.436	.421	.408	.397	.387	.378	.370	.362	.348	.335	.324	.304
62 Minimum Premium Ratio	.978	.959	.941	.925	.909	.894	.880	.867	.854	.841	.818	.796	.775	.738
61 Basic Premium Ratio	.478	.451	.432	.416	.403	.392	.382	.373	.364	.356	.342	.329	.318	.297
61 Minimum Premium Ratio	.977	.957	.939	.922	.906	.891	.876	.862	.849	.836	.811	.789	.768	.730
60 Basic Premium Ratio	.475	.448	.428	.412	.399	.387	.377	.367	.358	.350	.336	.323	.311	.290
60 Minimum Premium Ratio	.976	.955	.936	.919	.902	.886	.871	.857	.843	.830	.805	.781	.760	.721
59 Basic Premium Ratio	.473	.445	.424	.408	.394	.382	.371	.362	.353	.344	.329	.316	.304	.283
59 Minimum Premium Ratio	.975	.954	.934	.916	.898	.882	.867	.852	.837	.824	.798	.774	.752	.713
58 Basic Premium Ratio	.471	.442	.421	.404	.389	.377	.366	.356	.347	.338	.323	.310	.298	.277
58 Minimum Premium Ratio	.974	.952	.931	.912	.895	.878	.862	.847	.832	.818	.792	.767	.745	.704
57 Basic Premium Ratio	.468	.438	.417	.399	.385	.372	.361	.351	.341	.333	.317	.303	.291	.270
57 Minimum Premium Ratio	.973	.950	.929	.909	.891	.874	.857	.842	.827	.813	.786	.761	.738	.697
56 Basic Premium Ratio	.465	.434	.412	.395	.380	.367	.355	.345	.335	.326	.311	.297	.285	.263
56 Minimum Premium Ratio	.972	.948	.926	.906	.887	.870	.853	.837	.822	.807	.780	.755	.731	.690
55 Basic Premium Ratio	.462	.430	.408	.390	.374	.361	.349	.339	.329	.320	.304	.290	.278	.257
55 Minimum Premium Ratio	.971	.946	.924	.903	.884	.866	.849	.832	.817	.802	.774	.749	.725	.683

PERMANENT

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
54 Basic Premium Ratio	.458	.426	.403	.384	.369	.355	.343	.333	.323	.314	.298	.284	.271	.250
54 Minimum Premium Ratio	.970	.945	.922	.900	.880	.862	.844	.827	.812	.797	.768	.743	.719	.677
53 Basic Premium Ratio	.455	.422	.398	.379	.363	.350	.337	.327	.317	.307	.291	.277	.265	.244
53 Minimum Premium Ratio	.969	.943	.919	.897	.877	.858	.840	.823	.807	.792	.763	.737	.713	.671
52 Basic Premium Ratio	.451	.417	.393	.374	.358	.344	.332	.320	.310	.301	.285	.271	.258	.238
52 Minimum Premium Ratio	.968	.941	.917	.895	.874	.854	.836	.819	.803	.787	.758	.732	.709	.666
51 Basic Premium Ratio	.447	.413	.388	.369	.352	.338	.325	.314	.304	.295	.278	.264	.252	.232
51 Minimum Premium Ratio	.967	.939	.914	.891	.870	.851	.832	.815	.798	.782	.753	.727	.703	.660
50 Basic Premium Ratio	.443	.408	.383	.363	.346	.332	.319	.308	.298	.288	.272	.258	.245	.225
50 Minimum Premium Ratio	.966	.937	.912	.888	.867	.846	.828	.810	.793	.777	.747	.721	.697	.654
49 Basic Premium Ratio	.440	.403	.378	.357	.340	.326	.313	.301	.291	.282	.265	.251	.239	.219
49 Minimum Premium Ratio	.965	.935	.909	.885	.863	.842	.823	.805	.788	.772	.742	.715	.690	.647
48 Basic Premium Ratio	.436	.399	.372	.352	.334	.320	.307	.295	.285	.275	.259	.245	.232	.213
48 Minimum Premium Ratio	.964	.933	.907	.882	.860	.839	.819	.801	.783	.767	.737	.710	.685	.641
47 Basic Premium Ratio	.431	.394	.367	.346	.328	.313	.300	.289	.278	.269	.252	.238	.226	.207
47 Minimum Premium Ratio	.962	.931	.904	.879	.856	.835	.816	.797	.780	.763	.733	.706	.681	.637
46 Basic Premium Ratio	.427	.388	.361	.339	.321	.306	.293	.282	.271	.262	.246	.232	.220	.201
46 Minimum Premium Ratio	.961	.929	.901	.876	.853	.832	.812	.793	.776	.760	.729	.702	.678	.635
45 Basic Premium Ratio	.423	.383	.354	.333	.315	.300	.286	.275	.265	.255	.239	.226	.215	.196
45 Minimum Premium Ratio	.960	.927	.899	.873	.850	.829	.809	.790	.773	.757	.727	.700	.675	.633
44 Basic Premium Ratio	.418	.377	.348	.326	.308	.293	.280	.268	.258	.249	.233	.220	.209	.191
44 Minimum Premium Ratio	.958	.925	.897	.871	.848	.826	.806	.788	.771	.754	.725	.698	.674	.631
43 Basic Premium Ratio	.413	.371	.342	.319	.301	.286	.273	.262	.252	.243	.227	.215	.204	.186
43 Minimum Premium Ratio	.957	.924	.895	.869	.846	.824	.804	.786	.768	.752	.723	.696	.672	.630
42 Basic Premium Ratio	.408	.365	.335	.313	.294	.279	.266	.255	.245	.236	.221	.208	.197	.180
42 Minimum Premium Ratio	.956	.921	.892	.865	.842	.820	.799	.781	.763	.747	.716	.690	.666	.623
41 Basic Premium Ratio	.403	.359	.329	.306	.288	.272	.259	.248	.238	.229	.213	.201	.190	.173
41 Minimum Premium Ratio	.954	.919	.889	.862	.837	.815	.794	.775	.757	.740	.710	.683	.659	.616
40 Basic Premium Ratio	.398	.353	.322	.299	.281	.265	.252	.241	.231	.222	.207	.194	.184	.167
40 Minimum Premium Ratio	.953	.917	.886	.858	.833	.810	.789	.770	.752	.735	.704	.677	.651	.609
39 Basic Premium Ratio	.392	.347	.316	.292	.274	.258	.245	.234	.224	.215	.200	.188	.177	.161
39 Minimum Premium Ratio	.951	.914	.883	.855	.829	.806	.785	.765	.747	.730	.699	.671	.646	.603
38 Basic Premium Ratio	.386	.340	.309	.286	.267	.252	.238	.227	.217	.209	.194	.182	.171	.155
38 Minimum Premium Ratio	.950	.913	.880	.852	.826	.802	.781	.761	.743	.725	.694	.666	.641	.598
37 Basic Premium Ratio	.380	.333	.302	.279	.260	.245	.232	.221	.211	.202	.188	.176	.166	.150
37 Minimum Premium Ratio	.949	.911	.878	.849	.823	.800	.778	.757	.739	.722	.690	.661	.636	.593
36 Basic Premium Ratio	.373	.326	.295	.272	.253	.238	.225	.214	.204	.196	.181	.170	.160	.145
36 Minimum Premium Ratio	.948	.909	.876	.847	.821	.797	.775	.755	.736	.718	.687	.658	.634	.590

PERMANENT

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
35	Basic Premium Ratio	.366	.318	.287	.264	.246	.230	.218	.207	.197	.189	.175	.164	.154	.140
	Minimum Premium Ratio	.947	.908	.874	.845	.818	.795	.773	.752	.734	.716	.685	.656	.632	.588
34	Basic Premium Ratio	.358	.310	.279	.256	.238	.223	.211	.200	.191	.183	.169	.158	.149	.135
	Minimum Premium Ratio	.946	.906	.873	.844	.817	.793	.771	.751	.732	.714	.683	.655	.630	.587
33	Basic Premium Ratio	.349	.302	.271	.249	.231	.216	.204	.194	.184	.177	.163	.153	.144	.130
	Minimum Premium Ratio	.945	.906	.872	.842	.816	.792	.770	.750	.732	.714	.683	.655	.630	.588
32	Basic Premium Ratio	.341	.294	.263	.241	.224	.209	.197	.187	.178	.171	.158	.148	.139	.126
	Minimum Premium Ratio	.945	.905	.872	.842	.816	.792	.770	.750	.732	.714	.683	.655	.631	.589
31	Basic Premium Ratio	.333	.285	.255	.233	.216	.202	.190	.180	.172	.164	.152	.142	.134	.122
	Minimum Premium Ratio	.944	.904	.870	.841	.814	.790	.769	.749	.730	.714	.683	.656	.633	.591
30	Basic Premium Ratio	.324	.277	.247	.225	.208	.195	.183	.174	.166	.159	.147	.137	.130	.118
	Minimum Premium Ratio	.943	.902	.869	.840	.814	.790	.769	.748	.730	.713	.683	.658	.634	.595
29	Basic Premium Ratio	.315	.268	.239	.218	.201	.188	.177	.168	.160	.153	.142	.133	.126	.115
	Minimum Premium Ratio	.942	.902	.868	.839	.813	.790	.769	.749	.731	.715	.685	.659	.637	.599
28	Basic Premium Ratio	.306	.260	.231	.210	.194	.181	.170	.161	.153	.147	.136	.127	.120	.109
	Minimum Premium Ratio	.942	.901	.867	.838	.811	.788	.766	.747	.729	.711	.681	.655	.632	.593
27	Basic Premium Ratio	.298	.252	.223	.202	.186	.173	.163	.153	.146	.139	.128	.119	.112	.101
	Minimum Premium Ratio	.940	.898	.864	.833	.806	.781	.758	.738	.718	.700	.668	.640	.614	.571
26	Basic Premium Ratio	.290	.244	.216	.195	.179	.166	.155	.146	.138	.132	.121	.112	.105	.094
	Minimum Premium Ratio	.939	.896	.860	.829	.801	.775	.752	.731	.711	.691	.657	.627	.599	.553
25	Basic Premium Ratio	.281	.236	.208	.188	.172	.159	.148	.139	.132	.125	.114	.105	.098	.088
	Minimum Premium Ratio	.938	.895	.858	.826	.797	.771	.747	.725	.704	.685	.650	.619	.592	.542
24	Basic Premium Ratio	.270	.226	.199	.179	.164	.152	.142	.133	.126	.120	.110	.102	.095	.086
	Minimum Premium Ratio	.938	.894	.858	.827	.798	.773	.749	.729	.708	.689	.655	.625	.600	.551
23	Basic Premium Ratio	.259	.216	.190	.171	.156	.145	.136	.128	.121	.115	.106	.098	.093	.084
	Minimum Premium Ratio	.938	.895	.860	.829	.802	.777	.753	.733	.714	.697	.663	.636	.608	.564
22	Basic Premium Ratio	.248	.207	.181	.163	.150	.139	.130	.123	.116	.111	.102	.095	.090	.082
	Minimum Premium Ratio	.938	.896	.862	.832	.805	.781	.760	.739	.722	.704	.674	.648	.622	.580
21	Basic Premium Ratio	.236	.197	.173	.156	.143	.133	.125	.118	.112	.107	.099	.093	.088	.080
	Minimum Premium Ratio	.940	.899	.865	.836	.811	.787	.766	.747	.730	.714	.685	.659	.636	.599
20	Basic Premium Ratio	.226	.188	.165	.149	.136	.126	.119	.112	.107	.102	.094	.089	.084	.077
	Minimum Premium Ratio	.939	.898	.865	.835	.810	.788	.766	.748	.730	.715	.689	.662	.642	.607
19	Basic Premium Ratio	.218	.180	.156	.140	.128	.119	.111	.105	.100	.096	.089	.084	.080	.074
	Minimum Premium Ratio	.937	.894	.860	.830	.804	.781	.761	.742	.724	.708	.680	.655	.633	.597
18	Basic Premium Ratio	.208	.171	.148	.133	.121	.112	.105	.099	.095	.091	.084	.080	.076	.071
	Minimum Premium Ratio	.935	.892	.857	.826	.800	.777	.756	.737	.718	.703	.677	.651	.631	.594
17	Basic Premium Ratio	.199	.162	.140	.125	.115	.106	.099	.094	.090	.086	.081	.076	.073	.069
	Minimum Premium Ratio	.934	.891	.856	.826	.798	.775	.755	.736	.717	.703	.673	.653	.631	.592

PERMANENT

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
PERMANENT															
Size Group															
16	Basic Premium Ratio	.189	.154	.133	.119	.109	.101	.095	.090	.086	.082	.077	.073	.071	.067
	Minimum Premium Ratio	.934	.890	.855	.825	.798	.775	.754	.736	.719	.706	.679	.658	.633	.598
15	Basic Premium Ratio	.181	.146	.126	.113	.103	.096	.090	.086	.082	.079	.075	.071	.069	.065
	Minimum Premium Ratio	.933	.889	.855	.826	.801	.778	.759	.739	.724	.710	.682	.663	.641	.613
14	Basic Premium Ratio	.176	.139	.119	.108	.100	.093	.088	.084	.081	.078	.074	.070	.068	.065
	Minimum Premium Ratio	.924	.878	.850	.821	.796	.775	.755	.737	.720	.706	.679	.663	.642	.608
13	Basic Premium Ratio	.170	.131	.113	.103	.096	.090	.085	.082	.079	.076	.072	.070	.067	.064
	Minimum Premium Ratio	.915	.868	.844	.818	.793	.772	.754	.735	.719	.706	.682	.656	.643	.612
12	Basic Premium Ratio	.164	.123	.107	.099	.092	.087	.083	.080	.077	.075	.071	.069	.067	.064
	Minimum Premium Ratio	.904	.860	.839	.812	.791	.770	.751	.732	.718	.702	.680	.655	.637	.606
11	Basic Premium Ratio	.156	.113	.102	.094	.089	.084	.081	.078	.075	.073	.070	.068	.066	.063
	Minimum Premium Ratio	.892	.859	.834	.811	.786	.768	.747	.730	.718	.704	.678	.655	.638	.612
10	Basic Premium Ratio	.148	.104	.097	.090	.086	.082	.078	.076	.074	.072	.069	.067	.065	.063
	Minimum Premium Ratio	.876	.858	.829	.807	.782	.762	.748	.728	.712	.699	.676	.654	.640	.605
9	Basic Premium Ratio	.139	.098	.092	.087	.082	.079	.076	.074	.072	.070	.068	.066	.065	.062
	Minimum Premium Ratio	.856	.853	.825	.800	.782	.761	.744	.727	.712	.702	.674	.654	.631	.612
8	Basic Premium Ratio	.106	.093	.087	.083	.079	.076	.074	.072	.070	.069	.067	.065	.064	.062
	Minimum Premium Ratio	.855	.846	.823	.798	.779	.761	.741	.725	.713	.697	.671	.654	.633	.604
7	Basic Premium Ratio	.097	.088	.083	.079	.076	.074	.072	.070	.069	.068	.066	.064	.063	.061
	Minimum Premium Ratio	.855	.840	.818	.797	.777	.756	.738	.725	.707	.691	.668	.655	.636	.613
6	Basic Premium Ratio	.089	.083	.079	.076	.074	.072	.070	.068	.067	.066	.065	.063	.062	.061
	Minimum Premium Ratio	.855	.836	.814	.792	.768	.749	.735	.725	.709	.696	.664	.656	.640	.602
5	Basic Premium Ratio	.082	.078	.075	.073	.071	.069	.068	.067	.066	.065	.063	.062	.062	.061
	Minimum Premium Ratio	.855	.833	.811	.787	.767	.752	.732	.714	.700	.689	.677	.658	.624	.586
4	Basic Premium Ratio	.077	.074	.071	.070	.068	.067	.066	.065	.064	.063	.062	.062	.061	.061
	Minimum Premium Ratio	.855	.830	.811	.782	.767	.752	.729	.714	.700	.689	.677	.658	.624	.586

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-90496 Table V.

RETROSPECTIVE RATING PLAN A3
 MINIMUM PREMIUM RATIOS
 AND BASIC PREMIUM RATIOS
 LOSS CONVERSION FACTOR = .729
 Effective January 1, ((2003)) 2004

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
63	Basic Premium Ratio	.818	.762	.722	.692	.666	.642	.622	.603	.586	.571	.543	.517	.495	.458
	Minimum Premium Ratio	.947	.916	.892	.871	.853	.837	.822	.808	.795	.782	.759	.738	.718	.682
62	Basic Premium Ratio	.814	.760	.719	.687	.659	.636	.616	.596	.578	.562	.534	.509	.486	.448
	Minimum Premium Ratio	.945	.912	.887	.866	.848	.831	.815	.801	.788	.775	.751	.729	.709	.673

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
<u>Size</u>															
<u>Group</u>															
61	Basic Premium Ratio	.813	.754	.713	.680	.652	.628	.606	.587	.570	.553	.524	.497	.475	.437
	Minimum Premium Ratio	.942	.909	.883	.861	.842	.825	.809	.794	.780	.767	.743	.721	.700	.663
60	Basic Premium Ratio	.811	.749	.705	.672	.644	.618	.597	.577	.558	.543	.513	.486	.464	.425
	Minimum Premium Ratio	.939	.905	.879	.856	.836	.819	.802	.787	.773	.759	.734	.712	.690	.653
59	Basic Premium Ratio	.805	.744	.699	.664	.634	.608	.586	.567	.549	.532	.501	.475	.452	.413
	Minimum Premium Ratio	.937	.901	.874	.851	.831	.813	.796	.780	.765	.751	.726	.703	.681	.643
58	Basic Premium Ratio	.802	.737	.691	.655	.626	.599	.577	.557	.538	.521	.490	.464	.441	.403
	Minimum Premium Ratio	.934	.898	.870	.846	.825	.807	.789	.773	.758	.744	.718	.694	.672	.633
57	Basic Premium Ratio	.796	.731	.685	.647	.618	.591	.568	.547	.528	.511	.480	.454	.431	.392
	Minimum Premium Ratio	.932	.894	.865	.841	.819	.800	.782	.766	.751	.736	.710	.685	.663	.624
56	Basic Premium Ratio	.794	.725	.678	.640	.609	.581	.558	.537	.518	.501	.470	.443	.421	.382
	Minimum Premium Ratio	.928	.890	.860	.835	.813	.794	.776	.759	.743	.728	.701	.677	.654	.614
55	Basic Premium Ratio	.790	.721	.671	.632	.601	.573	.550	.527	.509	.490	.460	.433	.411	.371
	Minimum Premium Ratio	.925	.885	.855	.830	.807	.787	.768	.752	.735	.721	.693	.668	.645	.606
54	Basic Premium Ratio	.787	.714	.666	.626	.592	.565	.541	.518	.499	.481	.450	.423	.400	.363
	Minimum Premium Ratio	.921	.881	.849	.823	.801	.780	.761	.744	.728	.713	.685	.660	.637	.597
53	Basic Premium Ratio	.784	.709	.659	.617	.585	.555	.532	.509	.489	.472	.440	.414	.391	.353
	Minimum Premium Ratio	.917	.876	.844	.818	.794	.774	.754	.737	.721	.705	.677	.652	.629	.589
52	Basic Premium Ratio	.780	.704	.651	.610	.577	.548	.522	.501	.481	.463	.431	.405	.382	.345
	Minimum Premium Ratio	.913	.871	.839	.812	.788	.767	.748	.729	.713	.697	.669	.644	.621	.581
51	Basic Premium Ratio	.775	.698	.644	.602	.567	.539	.514	.491	.471	.454	.422	.396	.372	.336
	Minimum Premium Ratio	.909	.866	.833	.806	.782	.760	.740	.722	.705	.689	.661	.635	.613	.573
50	Basic Premium Ratio	.769	.690	.634	.593	.557	.529	.502	.480	.460	.442	.411	.384	.362	.325
	Minimum Premium Ratio	.905	.861	.828	.799	.775	.752	.733	.714	.697	.681	.652	.627	.604	.564
49	Basic Premium Ratio	.763	.682	.626	.583	.548	.519	.493	.470	.450	.432	.400	.374	.352	.316
	Minimum Premium Ratio	.901	.856	.822	.793	.768	.745	.725	.706	.689	.673	.644	.618	.595	.555
48	Basic Premium Ratio	.756	.674	.617	.574	.538	.509	.482	.460	.439	.422	.390	.365	.342	.307
	Minimum Premium Ratio	.897	.851	.816	.786	.761	.738	.718	.699	.682	.665	.636	.610	.587	.547
47	Basic Premium Ratio	.750	.665	.607	.564	.528	.498	.472	.449	.429	.411	.381	.355	.333	.298
	Minimum Premium Ratio	.892	.846	.810	.780	.754	.731	.710	.692	.674	.658	.628	.602	.579	.539
46	Basic Premium Ratio	.741	.654	.596	.552	.516	.485	.460	.437	.418	.400	.370	.345	.323	.289
	Minimum Premium Ratio	.888	.840	.803	.773	.747	.724	.703	.684	.666	.650	.621	.596	.573	.534
45	Basic Premium Ratio	.731	.643	.585	.540	.503	.473	.448	.426	.406	.389	.360	.335	.315	.282
	Minimum Premium Ratio	.884	.834	.796	.766	.740	.717	.696	.677	.660	.643	.614	.589	.567	.528
44	Basic Premium Ratio	.722	.633	.573	.528	.493	.463	.437	.415	.396	.379	.350	.326	.306	.274
	Minimum Premium Ratio	.879	.828	.790	.759	.732	.709	.689	.670	.653	.637	.608	.583	.561	.523

PERMANENT

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
43	Basic Premium Ratio	.712	.622	.562	.517	.481	.451	.426	.405	.386	.370	.341	.318	.298	.267
	Minimum Premium Ratio	.874	.822	.783	.752	.726	.703	.682	.663	.646	.630	.602	.578	.556	.518
42	Basic Premium Ratio	.703	.612	.551	.506	.470	.440	.415	.394	.375	.358	.330	.307	.288	.257
	Minimum Premium Ratio	.869	.815	.776	.745	.718	.694	.673	.654	.637	.621	.593	.568	.547	.509
41	Basic Premium Ratio	.696	.602	.541	.495	.458	.429	.403	.382	.363	.347	.319	.296	.277	.247
	Minimum Premium Ratio	.863	.809	.769	.737	.710	.686	.665	.645	.628	.612	.583	.559	.537	.499
40	Basic Premium Ratio	.686	.592	.530	.484	.448	.418	.392	.371	.352	.336	.308	.286	.267	.237
	Minimum Premium Ratio	.858	.802	.762	.729	.701	.677	.656	.637	.619	.603	.574	.549	.527	.490
39	Basic Premium Ratio	.677	.581	.520	.473	.437	.407	.382	.360	.342	.325	.298	.275	.257	.228
	Minimum Premium Ratio	.852	.796	.754	.721	.693	.669	.648	.628	.610	.594	.566	.541	.519	.482
38	Basic Premium Ratio	.668	.571	.509	.463	.426	.396	.372	.350	.332	.315	.288	.266	.248	.220
	Minimum Premium Ratio	.846	.789	.747	.714	.686	.661	.639	.620	.602	.586	.557	.533	.510	.473
37	Basic Premium Ratio	.659	.562	.499	.453	.416	.387	.362	.340	.322	.306	.279	.257	.240	.212
	Minimum Premium Ratio	.839	.781	.740	.706	.678	.653	.631	.612	.594	.578	.550	.525	.503	.466
36	Basic Premium Ratio	.649	.551	.488	.442	.405	.376	.351	.330	.312	.297	.270	.249	.231	.204
	Minimum Premium Ratio	.832	.774	.732	.698	.670	.645	.624	.604	.586	.570	.542	.517	.496	.459
35	Basic Premium Ratio	.635	.538	.475	.429	.393	.365	.340	.320	.302	.286	.260	.240	.223	.196
	Minimum Premium Ratio	.825	.766	.724	.690	.662	.637	.616	.596	.579	.563	.535	.510	.489	.453
34	Basic Premium Ratio	.623	.525	.463	.418	.382	.354	.330	.309	.292	.277	.252	.231	.215	.189
	Minimum Premium Ratio	.816	.757	.715	.682	.654	.629	.608	.589	.571	.556	.528	.504	.483	.447
33	Basic Premium Ratio	.610	.513	.451	.406	.371	.343	.320	.300	.283	.268	.244	.224	.208	.183
	Minimum Premium Ratio	.808	.749	.707	.674	.646	.622	.600	.582	.564	.549	.521	.498	.477	.442
32	Basic Premium Ratio	.597	.501	.440	.395	.361	.334	.311	.291	.274	.260	.236	.217	.201	.177
	Minimum Premium Ratio	.799	.740	.699	.666	.638	.614	.593	.575	.558	.543	.515	.492	.472	.438
31	Basic Premium Ratio	.582	.486	.425	.382	.348	.321	.299	.280	.264	.250	.226	.208	.193	.171
	Minimum Premium Ratio	.791	.732	.690	.658	.630	.606	.586	.567	.551	.536	.510	.487	.467	.434
30	Basic Premium Ratio	.567	.471	.412	.369	.336	.309	.288	.269	.254	.240	.218	.201	.187	.165
	Minimum Premium Ratio	.782	.723	.681	.649	.622	.599	.579	.561	.545	.530	.504	.482	.463	.430
29	Basic Premium Ratio	.551	.457	.398	.356	.324	.299	.277	.260	.245	.232	.210	.194	.180	.160
	Minimum Premium Ratio	.773	.714	.673	.642	.615	.592	.572	.555	.539	.524	.499	.477	.459	.427
28	Basic Premium Ratio	.537	.444	.386	.344	.313	.287	.266	.249	.234	.221	.200	.184	.171	.151
	Minimum Premium Ratio	.764	.705	.665	.633	.606	.584	.564	.546	.530	.516	.491	.470	.451	.421
27	Basic Premium Ratio	.524	.431	.373	.332	.300	.275	.254	.236	.221	.208	.187	.170	.157	.136
	Minimum Premium Ratio	.755	.697	.655	.623	.596	.573	.552	.534	.518	.502	.476	.453	.433	.400
26	Basic Premium Ratio	.510	.418	.361	.320	.288	.263	.242	.224	.209	.196	.175	.158	.145	.124
	Minimum Premium Ratio	.747	.688	.646	.613	.586	.562	.541	.523	.505	.490	.463	.439	.418	.383

PERMANENT

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
25	Basic Premium Ratio	.497	.405	.348	.307	.276	.251	.230	.213	.198	.185	.164	.147	.134	.114
	Minimum Premium Ratio	.738	.679	.638	.605	.577	.553	.531	.512	.495	.479	.451	.427	.405	.369
24	Basic Premium Ratio	.476	.386	.331	.292	.262	.238	.218	.202	.188	.176	.157	.141	.129	.111
	Minimum Premium Ratio	.727	.669	.628	.596	.569	.546	.525	.506	.490	.474	.447	.423	.402	.367
23	Basic Premium Ratio	.454	.368	.315	.277	.249	.226	.208	.192	.179	.168	.150	.136	.124	.107
	Minimum Premium Ratio	.716	.659	.619	.588	.561	.539	.519	.501	.485	.469	.443	.420	.400	.365
22	Basic Premium Ratio	.434	.351	.300	.264	.237	.216	.198	.184	.172	.161	.144	.131	.120	.104
	Minimum Premium Ratio	.704	.649	.611	.580	.555	.533	.513	.496	.480	.465	.439	.417	.397	.363
21	Basic Premium Ratio	.414	.335	.286	.252	.226	.206	.190	.176	.165	.155	.139	.126	.117	.102
	Minimum Premium Ratio	.693	.640	.603	.573	.548	.527	.508	.491	.476	.461	.436	.414	.395	.361
20	Basic Premium Ratio	.394	.318	.271	.238	.214	.194	.178	.166	.155	.145	.130	.119	.110	.096
	Minimum Premium Ratio	.683	.631	.595	.566	.541	.520	.502	.485	.470	.456	.431	.410	.391	.358
19	Basic Premium Ratio	.377	.301	.254	.222	.198	.179	.164	.152	.142	.133	.120	.109	.101	.089
	Minimum Premium Ratio	.674	.621	.585	.557	.533	.513	.494	.478	.464	.450	.426	.405	.387	.355
18	Basic Premium Ratio	.358	.283	.238	.207	.184	.166	.152	.140	.131	.123	.110	.101	.094	.083
	Minimum Premium Ratio	.664	.612	.575	.547	.524	.505	.488	.472	.458	.445	.421	.401	.383	.352
17	Basic Premium Ratio	.339	.266	.222	.192	.171	.154	.140	.130	.121	.114	.103	.094	.088	.079
	Minimum Premium Ratio	.654	.602	.567	.539	.517	.497	.480	.466	.453	.440	.418	.398	.380	.350
16	Basic Premium Ratio	.320	.249	.208	.179	.159	.143	.131	.121	.113	.106	.096	.088	.083	.075
	Minimum Premium Ratio	.644	.593	.559	.532	.510	.491	.475	.461	.448	.436	.414	.395	.378	.348
15	Basic Premium Ratio	.303	.234	.194	.168	.148	.134	.122	.113	.106	.100	.091	.084	.079	.072
	Minimum Premium Ratio	.635	.586	.552	.526	.504	.486	.470	.457	.445	.433	.412	.393	.376	.346
14	Basic Premium Ratio	.293	.220	.180	.157	.141	.128	.117	.109	.103	.097	.089	.082	.078	.071
	Minimum Premium Ratio	.630	.579	.545	.521	.501	.483	.468	.455	.443	.432	.411	.392	.375	.346
13	Basic Premium Ratio	.281	.204	.167	.148	.133	.122	.112	.105	.099	.094	.086	.081	.076	.070
	Minimum Premium Ratio	.624	.571	.538	.516	.497	.480	.465	.453	.441	.430	.409	.391	.374	.345
12	Basic Premium Ratio	.269	.187	.156	.139	.126	.116	.108	.101	.096	.091	.084	.079	.075	.069
	Minimum Premium Ratio	.618	.562	.533	.512	.493	.477	.463	.451	.440	.429	.408	.390	.374	.345
11	Basic Premium Ratio	.254	.167	.145	.130	.119	.110	.103	.097	.092	.088	.082	.077	.073	.068
	Minimum Premium Ratio	.611	.552	.527	.507	.490	.474	.461	.449	.438	.427	.407	.389	.373	.344
10	Basic Premium Ratio	.238	.150	.135	.122	.113	.105	.098	.093	.089	.085	.079	.075	.072	.067
	Minimum Premium Ratio	.603	.544	.522	.503	.487	.472	.458	.447	.436	.426	.406	.388	.372	.344
9	Basic Premium Ratio	.219	.138	.125	.115	.106	.100	.094	.089	.085	.082	.077	.073	.071	.066
	Minimum Premium Ratio	.593	.538	.517	.500	.483	.469	.456	.445	.434	.424	.405	.387	.372	.343
8	Basic Premium Ratio	.197	.127	.116	.107	.100	.094	.090	.086	.082	.079	.075	.072	.069	.065
	Minimum Premium Ratio	.582	.532	.513	.496	.480	.466	.454	.443	.433	.423	.404	.387	.371	.343

PERMANENT

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
7	Basic Premium Ratio	.170	.117	.108	.100	.094	.089	.085	.082	.079	.077	.073	.070	.068	.064
	Minimum Premium Ratio	.569	.527	.509	.492	.477	.464	.452	.441	.431	.422	.403	.386	.370	.342
6	Basic Premium Ratio	.137	.107	.100	.094	.089	.085	.081	.078	.076	.074	.071	.068	.066	.064
	Minimum Premium Ratio	.552	.522	.505	.489	.475	.462	.450	.439	.430	.420	.402	.385	.369	.342
5	Basic Premium Ratio	.105	.098	.092	.087	.083	.080	.077	.075	.073	.071	.068	.066	.065	.063
	Minimum Premium Ratio	.536	.518	.501	.486	.472	.459	.448	.438	.428	.419	.400	.384	.369	.342
4	Basic Premium Ratio	.104	.089	.085	.081	.078	.075	.073	.072	.070	.068	.066	.065	.064	.062
	Minimum Premium Ratio	.532	.513	.497	.483	.469	.457	.446	.436	.427	.417	.399	.383	.368	.342

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-90497 Table VI.

RETROSPECTIVE RATING PLAN B
BASIC PREMIUM RATIOS
AND LOSS CONVERSION FACTORS
Effective January 1, ((2003)) 2004

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
63	Basic Premium Ratio	.993	.986	.979	.972	.965	.958	.951	.944	.938	.931	.917	.903	.889	.861
	Loss Conversion Factor	.007	.014	.021	.028	.035	.042	.049	.056	.062	.069	.083	.097	.111	.139
62	Basic Premium Ratio	.992	.985	.977	.970	.962	.954	.947	.939	.931	.924	.909	.893	.878	.848
	Loss Conversion Factor	.008	.015	.023	.030	.038	.046	.053	.061	.069	.076	.091	.107	.122	.152
61	Basic Premium Ratio	.992	.983	.975	.967	.959	.950	.942	.934	.926	.917	.901	.884	.868	.835
	Loss Conversion Factor	.008	.017	.025	.033	.041	.050	.058	.066	.074	.083	.099	.116	.132	.165
60	Basic Premium Ratio	.991	.982	.973	.964	.955	.946	.937	.928	.919	.910	.892	.874	.856	.819
	Loss Conversion Factor	.009	.018	.027	.036	.045	.054	.063	.072	.081	.090	.108	.126	.144	.181
59	Basic Premium Ratio	.990	.980	.971	.961	.951	.941	.931	.921	.912	.902	.882	.862	.843	.803
	Loss Conversion Factor	.010	.020	.029	.039	.049	.059	.069	.079	.088	.098	.118	.138	.157	.197
58	Basic Premium Ratio	.989	.979	.968	.957	.947	.936	.926	.915	.904	.894	.872	.851	.830	.787
	Loss Conversion Factor	.011	.021	.032	.043	.053	.064	.074	.085	.096	.106	.128	.149	.170	.213
57	Basic Premium Ratio	.989	.977	.966	.954	.943	.931	.920	.908	.897	.886	.863	.840	.817	.771
	Loss Conversion Factor	.011	.023	.034	.046	.057	.069	.080	.092	.103	.114	.137	.160	.183	.229
56	Basic Premium Ratio	.988	.976	.963	.951	.939	.927	.914	.902	.890	.878	.853	.829	.805	.756
	Loss Conversion Factor	.012	.024	.037	.049	.061	.073	.086	.098	.110	.122	.147	.171	.195	.244
55	Basic Premium Ratio	.987	.974	.961	.948	.935	.922	.909	.896	.883	.870	.844	.818	.792	.741
	Loss Conversion Factor	.013	.026	.039	.052	.065	.078	.091	.104	.117	.130	.156	.182	.208	.259
54	Basic Premium Ratio	.986	.972	.959	.945	.931	.917	.904	.890	.876	.862	.835	.807	.780	.724
	Loss Conversion Factor	.014	.028	.041	.055	.069	.083	.096	.110	.124	.138	.165	.193	.220	.276
53	Basic Premium Ratio	.985	.971	.956	.941	.927	.912	.898	.883	.868	.854	.824	.795	.766	.707
	Loss Conversion Factor	.015	.029	.044	.059	.073	.088	.102	.117	.132	.146	.176	.205	.234	.293

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size															
Group															
52	Basic Premium Ratio	.984	.969	.953	.938	.922	.907	.891	.876	.860	.845	.814	.783	.752	.690
	Loss Conversion Factor	.016	.031	.047	.062	.078	.093	.109	.124	.140	.155	.186	.217	.248	.310
51	Basic Premium Ratio	.983	.967	.950	.934	.917	.901	.884	.868	.851	.835	.802	.769	.735	.669
	Loss Conversion Factor	.017	.033	.050	.066	.083	.099	.116	.132	.149	.165	.198	.231	.265	.331
50	Basic Premium Ratio	.982	.965	.947	.929	.911	.894	.876	.858	.841	.823	.787	.752	.717	.646
	Loss Conversion Factor	.018	.035	.053	.071	.089	.106	.124	.142	.159	.177	.213	.248	.283	.354
49	Basic Premium Ratio	.981	.962	.943	.924	.905	.886	.867	.848	.829	.810	.772	.734	.696	.621
	Loss Conversion Factor	.019	.038	.057	.076	.095	.114	.133	.152	.171	.190	.228	.266	.304	.379
48	Basic Premium Ratio	.980	.959	.939	.919	.898	.878	.858	.837	.817	.797	.756	.716	.675	.594
	Loss Conversion Factor	.020	.041	.061	.081	.102	.122	.142	.163	.183	.203	.244	.284	.325	.406
47	Basic Premium Ratio	.978	.957	.935	.913	.891	.870	.848	.826	.805	.783	.740	.696	.653	.566
	Loss Conversion Factor	.022	.043	.065	.087	.109	.130	.152	.174	.195	.217	.260	.304	.347	.434
46	Basic Premium Ratio	.977	.954	.931	.908	.885	.862	.839	.816	.793	.770	.724	.677	.631	.539
	Loss Conversion Factor	.023	.046	.069	.092	.115	.138	.161	.184	.207	.230	.276	.323	.369	.461
45	Basic Premium Ratio	.976	.951	.927	.902	.878	.854	.829	.805	.780	.756	.707	.658	.609	.512
	Loss Conversion Factor	.024	.049	.073	.098	.122	.146	.171	.195	.220	.244	.293	.342	.391	.488
44	Basic Premium Ratio	.974	.948	.922	.897	.871	.845	.819	.793	.767	.742	.690	.638	.587	.483
	Loss Conversion Factor	.026	.052	.078	.103	.129	.155	.181	.207	.233	.258	.310	.362	.413	.517
43	Basic Premium Ratio	.973	.945	.918	.891	.863	.836	.809	.781	.754	.727	.672	.617	.562	.453
	Loss Conversion Factor	.027	.055	.082	.109	.137	.164	.191	.219	.246	.273	.328	.383	.438	.547
42	Basic Premium Ratio	.970	.941	.911	.881	.852	.822	.792	.763	.733	.703	.644	.585	.525	.406
	Loss Conversion Factor	.030	.059	.089	.119	.148	.178	.208	.237	.267	.297	.356	.415	.475	.594
41	Basic Premium Ratio	.968	.935	.903	.870	.838	.806	.773	.741	.708	.676	.611	.546	.481	.352
	Loss Conversion Factor	.032	.065	.097	.130	.162	.194	.227	.259	.292	.324	.389	.454	.519	.648
40	Basic Premium Ratio	.965	.929	.894	.859	.823	.788	.753	.718	.682	.647	.576	.506	.435	.294
	Loss Conversion Factor	.035	.071	.106	.141	.177	.212	.247	.282	.318	.353	.424	.494	.565	.706
39	Basic Premium Ratio	.962	.923	.885	.847	.808	.770	.732	.693	.655	.616	.540	.463	.386	.233
	Loss Conversion Factor	.038	.077	.115	.153	.192	.230	.268	.307	.345	.384	.460	.537	.614	.767
38	Basic Premium Ratio	.958	.917	.875	.834	.792	.751	.709	.668	.626	.585	.502	.419	.336	.170
	Loss Conversion Factor	.042	.083	.125	.166	.208	.249	.291	.332	.374	.415	.498	.581	.664	.830
37	Basic Premium Ratio	.955	.910	.865	.820	.776	.731	.686	.641	.596	.551	.461	.371	.282	.102
	Loss Conversion Factor	.045	.090	.135	.180	.224	.269	.314	.359	.404	.449	.539	.629	.718	.898
36	Basic Premium Ratio	.951	.903	.854	.806	.757	.709	.660	.612	.563	.514	.417	.320	.223	.029
	Loss Conversion Factor	.049	.097	.146	.194	.243	.291	.340	.388	.437	.486	.583	.680	.777	.971
35	Basic Premium Ratio	.947	.895	.842	.789	.736	.684	.631	.578	.525	.473	.367	.262	.156	.000
	Loss Conversion Factor	.053	.105	.158	.211	.264	.316	.369	.422	.475	.527	.633	.738	.844	.987
34	Basic Premium Ratio	.943	.886	.829	.771	.714	.657	.600	.543	.486	.428	.314	.200	.085	.000
	Loss Conversion Factor	.057	.114	.171	.229	.286	.343	.400	.457	.514	.572	.686	.800	.915	.969

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
33	Basic Premium Ratio	.938	.876	.814	.752	.690	.628	.567	.505	.443	.381	.257	.133	.009	.000
	Loss Conversion Factor	.062	.124	.186	.248	.310	.372	.433	.495	.557	.619	.743	.867	.991	.953
32	Basic Premium Ratio	.933	.866	.799	.732	.665	.598	.531	.463	.396	.329	.195	.061	.000	.000
	Loss Conversion Factor	.067	.134	.201	.268	.335	.402	.469	.537	.604	.671	.805	.939	.984	.939
31	Basic Premium Ratio	.927	.854	.781	.707	.634	.561	.488	.415	.342	.268	.122	.000	.000	.000
	Loss Conversion Factor	.073	.146	.219	.293	.366	.439	.512	.585	.658	.732	.878	.994	.965	.925
30	Basic Premium Ratio	.920	.840	.760	.680	.600	.520	.440	.360	.280	.200	.040	.000	.000	.000
	Loss Conversion Factor	.080	.160	.240	.320	.400	.480	.560	.640	.720	.800	.960	.975	.949	.913
29	Basic Premium Ratio	.913	.826	.739	.651	.564	.477	.390	.303	.216	.128	.000	.000	.000	.000
	Loss Conversion Factor	.087	.174	.261	.349	.436	.523	.610	.697	.784	.872	.990	.958	.935	.902
28	Basic Premium Ratio	.904	.807	.711	.615	.519	.422	.326	.230	.134	.037	.000	.000	.000	.000
	Loss Conversion Factor	.096	.193	.289	.385	.481	.578	.674	.770	.866	.963	.969	.940	.918	.887
27	Basic Premium Ratio	.892	.785	.677	.570	.462	.355	.247	.140	.032	.000	.000	.000	.000	.000
	Loss Conversion Factor	.108	.215	.323	.430	.538	.645	.753	.860	.968	.983	.946	.918	.897	.868
26	Basic Premium Ratio	.881	.761	.642	.522	.403	.283	.164	.044	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.119	.239	.358	.478	.597	.717	.836	.956	.983	.960	.925	.899	.879	.851
25	Basic Premium Ratio	.868	.736	.604	.472	.340	.208	.075	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.132	.264	.396	.528	.660	.792	.925	.987	.961	.940	.907	.883	.864	.838
24	Basic Premium Ratio	.852	.705	.557	.409	.261	.114	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.148	.295	.443	.591	.739	.886	.992	.964	.941	.922	.893	.872	.855	.832
23	Basic Premium Ratio	.835	.669	.504	.338	.173	.008	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.165	.331	.496	.662	.827	.992	.969	.944	.924	.907	.881	.862	.848	.827
22	Basic Premium Ratio	.814	.628	.442	.256	.070	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.186	.372	.558	.744	.930	.978	.949	.927	.909	.894	.871	.854	.841	.823
21	Basic Premium Ratio	.790	.579	.369	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.210	.421	.631	.841	.990	.957	.932	.912	.896	.882	.862	.847	.835	.818
20	Basic Premium Ratio	.758	.516	.274	.032	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.242	.484	.726	.968	.966	.936	.913	.895	.881	.869	.851	.837	.827	.812
19	Basic Premium Ratio	.720	.439	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.280	.561	.841	.979	.942	.915	.894	.878	.865	.854	.838	.826	.817	.805
18	Basic Premium Ratio	.672	.344	.016	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.328	.656	.984	.954	.920	.896	.877	.863	.851	.842	.827	.817	.810	.799
17	Basic Premium Ratio	.617	.234	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.383	.766	.977	.932	.902	.879	.863	.850	.839	.831	.819	.810	.803	.794
16	Basic Premium Ratio	.550	.100	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.450	.900	.953	.913	.885	.865	.851	.839	.830	.823	.812	.804	.798	.790
15	Basic Premium Ratio	.477	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.523	.992	.932	.896	.872	.854	.841	.831	.822	.816	.806	.799	.794	.788

PERMANENT

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
<u>Size Group</u>															
14	Basic Premium Ratio	.414	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.586	.973	.912	.881	.861	.846	.834	.825	.818	.812	.804	.797	.793	.787
13	Basic Premium Ratio	.344	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.656	.953	.889	.867	.851	.838	.828	.821	.814	.809	.801	.796	.791	.786
12	Basic Premium Ratio	.256	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.744	.931	.874	.856	.842	.831	.823	.816	.810	.806	.799	.794	.790	.785
11	Basic Premium Ratio	.159	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.841	.906	.860	.846	.834	.825	.818	.812	.807	.803	.796	.792	.788	.784
10	Basic Premium Ratio	.042	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.958	.879	.848	.836	.827	.819	.813	.807	.803	.800	.794	.790	.787	.783
9	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.982	.850	.838	.828	.820	.813	.808	.803	.800	.797	.792	.788	.786	.782
8	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.952	.838	.828	.820	.813	.808	.803	.800	.796	.794	.790	.787	.784	.781
7	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.917	.828	.820	.813	.807	.803	.799	.796	.793	.791	.788	.785	.783	.780
6	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.876	.818	.812	.806	.802	.798	.795	.792	.790	.788	.785	.783	.782	.779
5	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.826	.809	.804	.800	.797	.794	.791	.789	.787	.786	.783	.782	.780	.778
4	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.815	.800	.797	.794	.792	.790	.788	.786	.785	.784	.782	.781	.779	.777

AMENDATORY SECTION (Amending WSR 02-24-029, filed 11/27/02, effective 1/1/03)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of ((34.2)) 36.0 mills (((\$0342)) \$0360) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

WSR 03-24-070

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Pharmacy)

[Filed December 1, 2003, 3:55 p.m.]

Date of Adoption: October 15, 2003.

Purpose: Implement legislation to allow the electronic transfer of prescription information from practitioner's offices to pharmacies and between pharmacies. The rule also implements legislation related to the faxing of prescription information.

Statutory Authority for Adoption: Chapters 69.41, 69.50 RCW, RCW 18.64.005.

Adopted under notice filed as WSR 03-20-106 on October 1, 2003.

Changes Other than Editing from Proposed to Adopted Version: The proposed rule was changed to clarify the intent of the rule. Changes were not substantial.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 10, 2003

Susan Teil Boyer
Chair

Chapter 246-870 WAC

ELECTRONIC TRANSMISSION OF PRESCRIPTION INFORMATION

NEW SECTION

WAC 246-870-010 Purpose. The purpose of this chapter is to ensure compliance with the law on electronic transfer of prescription information and to provide guidance on how compliance can be achieved.

NEW SECTION

WAC 246-870-020 What definitions do I need to know to understand these rules? (1) "Electronic transmission of prescription information" means the communication from an authorized prescriber to a pharmacy or from one pharmacy to another pharmacy, by computer, by the transmission of an exact visual image of a prescription by facsimile, or by other electronic means other than electronic voice communication, of original prescription information or prescription refill information for a legend drug or controlled substance consistent with state and federal law.

(2) "Confidential patient information" means information maintained in the patient's health care records or individually identifiable health care records. Confidential information must be maintained and protected from release in accordance with chapter 70.02 RCW and applicable federal law.

(3) "Digital signature" means an electronic identifier that provides for message integrity, nonrepudiation, user authentication, and encryption and is intended to have the force and effect of a manual signature.

(4) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a prescription and executed or adopted by an authorized person with the intent to sign the prescription.

(5) "Security" means a system to maintain the confidentiality and integrity of patient records including:

(a) Documented formal procedures for selecting and executing security measures;

(b) Physical safeguards to protect computer systems and other pertinent equipment from intrusion;

(c) Processes to protect, control and audit access to confidential patient information; and

(d) Processes to prevent unauthorized access to the data when transmitted over communication networks or when data physically moves from one location to another using media such as magnetic tape, removable drives or CD media.

NEW SECTION

WAC 246-870-030 What is included in the electronic transmission and transfer of prescription information?

The electronic transfer of prescription information includes the communication of prescription information by computer, fax, or other electronic means. It includes the transfer of original and refill prescriptions and the transfer of prescription information from one pharmacy to another pharmacy.

Transmission of original prescriptions must include:

(1) Prescriber's name and the physical address of the prescriber;

(2) Prescriber's Drug Enforcement Administration Registration number where required for controlled substance prescriptions;

(3) Date of issuance;

(4) Patient's name and address;

(5) Drug name, dose, route, form, directions for use, quantity;

(6) Electronic, digital, or manual signature of the prescriber;

(7) Refills or renewals authorized, if any;

(8) A place to note allergies and a notation of purpose for the drug;

(9) Indication of preference for a generic equivalent drug substitution;

(10) Any other requirements consistent with laws and rules pertaining to prescription content and form, RCW 69.41.120 and 21 Code of Federal Regulations Part 1300; and

(11) Identification of the electronic system readily retrievable for board of pharmacy inspection.

Transfer of prescription information from pharmacy to pharmacy by facsimile, or verbally, must include:

(a) All elements of the original prescription;

(b) Date of transfer maintained in records at each site;

(c) Number of refills remaining and the date of last refill;

(d) State and federal required information for controlled substances;

(e) No further refills may be issued by the transferring pharmacy unless the pharmacies use a common electronic data base for prescription filling which provides an audit trail to document each refill and limits refills to the number authorized.

NEW SECTION

WAC 246-870-040 Can all prescriptions be transmitted electronically? Consistent with state and federal laws and rules over-the-counter, legend drug and controlled substance prescriptions may be transmitted electronically.

Federal and state law do not allow the electronic transfer of Schedule II prescriptions except exact visual images as

described in WAC 246-870-050(3). The pertinent requirements for Schedule II prescriptions are found in RCW 69.50.308 and 21 CFR Part 1306.

NEW SECTION

WAC 246-870-050 What are the requirements for fax machines? Prescription orders may be transmitted to pharmacists directly from the prescriber using facsimile transmission devices subject to the following requirements:

(1) The order contains the date, time, and telephone number and location of the transmitting device.

(2) Prescriptions for Schedule III, IV, and V drugs may be transmitted at any time.

(3) Prescriptions for Schedule II drugs may be transmitted only under the following conditions:

(a) The order is for an injectable Schedule II narcotic substance that is to be compounded by the pharmacist for patient use; or

(b) The prescription is written for patients in a long-term care facility or a hospice program as defined in RCW 69.50.308;

(c) The prescription must be signed by the prescriber;

(d) In a nonemergent situation, an order for Schedule II controlled substances may be prepared for delivery to a patient pursuant to a facsimile transmission but may not be dispensed to the patient except upon presentation of a written order;

(e) In an emergent situation, an order for Schedule II controlled substances may be dispensed to the patient upon the oral prescription of a prescriber subject to the requirements of RCW 69.50.308(c). The pharmacy has seven days to obtain a written prescription that covers an emergency Schedule II oral prescription;

(f) To a hospital as defined in WAC 246-873-010 for a patient admitted to or being discharged from the hospital.

(4) The transmitted order shall be filed in the same manner as any other prescription. However, the pharmacist is responsible for assuring that the quality of the order is sufficient to be legible for at least two years pursuant to the records retention requirements of WAC 246-869-100.

(5) Refill authorizations for prescriptions may be electronically transmitted.

(6) The pharmacist is responsible for assuring that each electronically transmitted prescription is valid and shall verify authenticity with the prescriber whenever there is a question.

(7) No agreement between a prescriber and a pharmacist or pharmacy shall require that prescription orders be electronically transmitted from the prescriber to only that pharmacy.

NEW SECTION

WAC 246-870-060 What are the board requirements for electronic prescription transmission systems? (1) Systems for the electronic transmission of prescription information must be approved by the board. Board approval of systems will be for a period of three years. The board will maintain a list of approved systems.

(2) Systems in which prescriptions are transmitted from the prescriber's facsimile machine to the pharmacy facsimile machine do not require board approval.

(3) Each system shall have policies and procedures on the electronic transmission of prescription information available that address the following:

(a) Patient access. The system may not restrict the patient's access to the pharmacy of their choice.

(b) Security. The system shall have security and system safeguard designed to prevent and detect unauthorized access, modification, or manipulation of prescription information. Accordingly, the system should include:

(i) Documented formal procedures for selecting and executing security measures;

(ii) Physical safeguards to protect computer systems and other pertinent equipment from intrusion;

(iii) Processes to protect, control and audit access to confidential patient information; and

(iv) Processes to prevent unauthorized access to the data when transmitted over communication networks or when data physically moves from one location to another using media such as magnetic tape, removable drives or CD media.

(c) Systems that utilize intermediaries in the electronic communication or processing of prescriptions such as third party payers shall be responsible to insure that their contracts with these intermediaries require security measures that are equal to or better than those provided by this rule and prohibit the modification of any prescription record after it has been transmitted by the practitioner to the pharmacist.

(d) Confidentiality of patient records. The system shall maintain the confidentiality of patient information in accordance with the requirements of chapters 18.64, 69.50, and 70.02 RCW Health Care Information Act and any applicable federal law.

(e) Authentication. To be valid prescriptions transmitted by an authorized prescriber from computer to fax machine or from computer to computer must use an electronic signature or digital signature.

(4) The system shall provide for the transmission and retention of the information by the sender and the receiver of the prescription as required in WAC 246-870-030.

(5) The system must authenticate the sender's authority and credentials to transmit a prescription.

(a) The system shall provide an audit trail of all prescriptions electronically transmitted that documents for retrieval all actions and persons who have acted on a prescription, including authorized delegation of transmission;

(b) The right of the Washington state board of pharmacy to access electronically submitted prescriptions for purposes of investigations in disciplinary proceedings.

(6) If a hard copy prescription, generated from the electronic prescription system, is printed on security paper that insures it is not subject to copying or alteration, an electronic signature may be substituted for a manual signature.

NEW SECTION

WAC 246-870-070 What are the board requirements for pharmacies using electronic prescription transmission systems? Each pharmacy must have policies and procedures

that ensure the integrity and confidentiality of patient information transmitted electronically as required by chapter 70.02 RCW and applicable federal law. All pharmacy employees and agents of the pharmacy are required to read, sign and comply with the policy and procedures.

NEW SECTION

WAC 246-870-080 Can prescription records be stored electronically? Prescription records for legend drugs can be stored electronically if they are in compliance with chapter 246-875 WAC patient medication record systems and are readily retrievable by the board, or its agent for inspection. Controlled substance prescriptions must be maintained in accordance with state and federal regulations.

NEW SECTION

WAC 246-870-090 Can electronic mail systems be used to transmit patient information? Electronic mail systems can be used to transmit patient information concerning an original prescription or information concerning a prescription refill if all direct communications between a pharmacist and a practitioner are kept secure and confidential. The system used to communicate patient information shall meet the requirements for security and confidentiality in WAC 246-870-020.

Effective Date of Rule: March 1, 2004.

November 25, 2003
B. White
for Mary Selecky
Secretary

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-826-990 Health care assistant fees and renewal cycle. (1) Certificates must be renewed every two years as provided in WAC 246-826-050 and chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
First certification	(\$35.00) \$60.00
Renewal	(33.00) 60.00
Expired certificate reissuance	(33.00) 50.00
Recertification	(35.00) 60.00
Late renewal penalty	50.00
Duplicate	15.00

PERMANENT

WSR 03-24-071

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed December 1, 2003, 4:00 p.m., effective March 1, 2004]

Date of Adoption: November 10, 2003.

Purpose: The rule change will adjust health care assistant fees so revenue generated is brought into alignment with costs of administering the program.

Citation of Existing Rules Affected by this Order: Amending WAC 246-826-990.

Statutory Authority for Adoption: RCW 43.70.250.

Other Authority: RCW 18.135.030.

Adopted under notice filed as WSR 03-20-110 on October 1, 2003.

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.

WSR 03-24-076

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed December 2, 2003, 10:44 a.m.]

Date of Adoption: December 2, 2003.

Purpose: To provide the rate of inflation used by county officials to calculate interest on deferred special benefit assessments when farm and agricultural or timber land is removed or withdrawn from classification under chapter 84.34 RCW, the open space program.

Special benefit assessments for certain local improvement to farm and agricultural or timber land classified under chapter 84.34 RCW may be deferred by the land owner. If a landowner has chosen to defer these assessments, when the land is subsequently removed or withdrawn from classification the deferred special benefit assessment becomes due and payable with interest. WAC 458-30-590 provides the rate of inflation used in calculating the interest rate that is added to the amount of deferred special benefit assessments.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-590 Rate of inflation—Publication—Interest rate—Calculation.

Statutory Authority for Adoption: RCW 84.34.360.

Other Authority: RCW 84.34.310.

Adopted under notice filed as WSR 03-20-087 on September 30, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 2, 2003

Alan R. Lynn

Rules Coordinator

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 02-24-058, filed 12/3/02, effective 1/3/03)

WAC 458-30-590 Rate of inflation—Publication—Interest rate—Calculation. (1) **Introduction.** This section sets forth the rates of inflation discussed in WAC 458-30-550. It also explains the department of revenue's obligation to annually publish a rate of inflation and the manner in which this rate is determined.

(2) **General duty of department—Basis for inflation rate.** Each year the department determines and publishes a rule establishing an annual rate of inflation. This rate of inflation is used in computing the interest that is assessed when farm and agricultural or timber land, which are exempt from special benefit assessments, is withdrawn or removed from current use classification.

(a) The rate of inflation is based upon the implicit price deflator for personal consumption expenditures calculated by the United States Department of Commerce. This rate is used to calculate the rate of interest collected on exempt special benefit assessments.

(b) The rate is published by December 31st of each year and applies to all withdrawals or removals from farm and agricultural or timber land classification that occur the following year.

(3) **Assessment of rate of interest.** An owner of classified farm and agricultural or timber land is liable for interest on the exempt special benefit assessment. Interest accrues from the date the local improvement district is created until the land is withdrawn or removed from classification. Interest accrues and is assessed in accordance with WAC 458-30-550.

(a) Interest is assessed only for the time (years and months) the land remains classified under RCW 84.34.020 (2) or (3).

(b) If the classified land is exempt from the special benefit assessment for more than one year, the annual inflation rates are used to calculate an average rate of interest. This average is determined by adding the inflation rate for each year the classified land was exempt from the special benefit assessment after the local improvement district was created.

The sum of the inflation rates is then divided by the number of years involved to determine the applicable rate of interest.

(c) **Example.** A local improvement district for a domestic water supply system was created in January 1990 and the owner used the statutory exemption provided in RCW 84.34.320. On July 1, 1997, the land was removed from the farm and agricultural classification. An average interest rate was calculated using the inflation rates for 1990 through 1997. The owner was then notified of the amount of previously exempt special benefit assessment, plus the average interest rate.

(4) **Rates of inflation.** The rates of inflation used to calculate the interest as required by WAC 458-30-550 are as follows:

YEAR	PERCENT	YEAR	PERCENT
1976	5.6	1977	6.5
1978	7.6	1979	11.3
1980	13.5	1981	10.3
1982	6.2	1983	3.2
1984	4.3	1985	3.5
1986	1.9	1987	3.7
1988	4.1	1989	4.8
1990	5.4	1991	4.2
1992	3.3	1993	2.7
1994	2.2	1995	2.3
1996	2.2	1997	2.1
1998	0.85	1999	1.42
2000	2.61	2001	1.89
2002	1.16	<u>2003</u>	<u>1.84</u>

**WSR 03-24-085
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed December 2, 2003, 2:22 p.m., effective January 1, 2004]

Date of Adoption: December 2, 2003.

Purpose: Chapter 296-27 WAC, Recordkeeping and reporting, in July 2003 the Occupational Safety and Health Administration (OSHA) deleted requirements of the occupational injury and illness recording and reporting requirements rule. OSHA's record-keeping rule had a provision, that effective January 1, 2004, employers of employees experiencing a "recordable work related musculoskeletal disorder (MSD)" would check an MSD column on the OSHA 300 Log. This requirement will not be going into effect and employers will continue to record their MSDs that are recordable as they would any other injury or illness.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-27-01117; and amending WAC 296-27-01113 and 296-27-01119.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Adopted under notice filed as WSR 03-19-105 on September 16, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 1, Amended 2, 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 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 1, Amended 2, Repealed 1.

Effective Date of Rule: January 1, 2004.

December 2, 2003

Paul Trause
Director

AMENDATORY SECTION (Amending WSR 02-22-029, filed 10/28/02, effective 1/1/03)

WAC 296-27-01113 Recording criteria for cases involving occupational hearing loss. (1) Basic requirement. You must record a hearing loss case on the OSHA Log if an employee's hearing test (audiogram) reveals that a recordable threshold shift (RTS) in one or both ears has occurred.

(2) Implementation.

(a) **How do I evaluate the current audiogram to determine whether a recordable threshold shift has occurred?**

(i) If the employee has never previously experienced a recorded hearing loss, you must compare the employee's current audiogram with that employee's baseline audiogram. If the employee has previously experienced a recorded hearing loss, you must compare the employee's current audiogram with the employee's revised baseline audiogram (the audiogram reflecting the employee's previously recorded hearing loss case.)

(ii) The employee has a recordable threshold shift when:

- There is a change in the hearing threshold, relative to the baseline audiogram for that employee, of an average of 10 decibels (dB) or greater at 2000, 3000, and 4000 hertz (Hz) in one or both ears.

AND

- The employee's overall hearing loss (threshold) is 25 dB or greater (averaged at 2000, 3000, and 4000 Hz) in the same ear as the change.

Note: Audiometric test results reflect the employee's overall hearing ability in comparison to audiometric zero.

(b) **May I adjust the current audiogram (results) to reflect the effects of aging on hearing?** Yes (~~when comparing audiogram results for determination of a recordable threshold shift, you may adjust the results for the employee's age when the audiogram was taken using the following tables~~). When you are determining whether an RTS has occurred, you may age adjust the employee's current audiogram results by using Tables A-1 or A-2, as appropriate, in Appendix A of this chapter. You may not use an age adjustment when determining whether the employee's total hearing level is 25 dB or more above audiometric zero.

(TABLE F-1 AGE CORRECTION VALUES IN DECIBELS FOR MALES)

Years	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
20 or younger.....	5	3	4	5	8
21.....	5	3	4	5	8
22.....	5	3	4	5	8
23.....	5	3	4	6	9
24.....	5	3	5	6	9
25.....	5	3	5	7	10
26.....	5	4	5	7	10
27.....	5	4	6	7	11
28.....	6	4	6	8	11
29.....	6	4	6	8	12
30.....	6	4	6	9	12
31.....	6	4	7	9	13
32.....	6	5	7	10	14
33.....	6	5	7	10	14
34.....	6	5	8	11	15
35.....	7	5	8	11	15
36.....	7	5	9	12	16
37.....	7	6	9	12	17
38.....	7	6	9	13	17

39.....	7	6	10	14	18
40.....	7	6	10	14	19
41.....	7	6	10	14	20
42.....	8	7	11	16	20
43.....	8	7	12	16	21
44.....	8	7	12	17	22
45.....	8	7	13	18	23
46.....	8	8	13	19	24
47.....	8	8	14	19	24
48.....	9	8	14	20	25
49.....	9	9	15	21	26
50.....	9	9	16	22	27
51.....	9	9	16	23	28
52.....	9	10	17	24	29
53.....	9	10	18	25	30
54.....	10	10	18	26	31
55.....	10	11	19	27	32
56.....	10	11	20	28	34
57.....	10	11	21	29	35
58.....	10	12	22	31	36
59.....	11	12	22	32	37
60 or older.....	11	13	23	33	38

TABLE F-2 AGE CORRECTION VALUES IN DECIBELS FOR FEMALES

Years	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
20 or younger.....	7	4	3	3	6
21.....	7	4	4	3	6
22.....	7	4	4	4	6
23.....	7	5	4	4	7
24.....	7	5	4	4	7
25.....	8	5	4	4	7
26.....	8	5	5	4	8
27.....	8	5	5	5	8
28.....	8	5	5	5	8
29.....	8	5	5	5	9
30.....	8	6	5	5	9
31.....	8	6	6	5	9
32.....	9	6	6	6	10
33.....	9	6	6	6	10
34.....	9	6	6	6	10
35.....	9	6	7	7	11
36.....	9	7	7	7	11
37.....	9	7	7	7	12
38.....	10	7	7	7	12
39.....	10	7	8	8	12
40.....	10	7	8	8	13
41.....	10	8	8	8	13
42.....	10	8	9	9	13

PERMANENT

43.....	11	8	9	9	14
44.....	11	8	9	9	14
45.....	11	8	10	10	15
46.....	11	9	10	10	15
47.....	11	9	10	11	16
48.....	12	9	11	11	16
49.....	12	9	11	11	16
50.....	12	10	11	12	17
51.....	12	10	12	12	17
52.....	12	10	12	13	18
53.....	13	10	13	13	18
54.....	13	11	13	14	19
55.....	13	11	14	14	19
56.....	13	11	14	15	20
57.....	13	11	15	15	20
58.....	14	12	15	16	21
59.....	14	12	16	16	21
60 or older.....	14	12	16	17	22

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~~You may not use an age adjustment in determining whether the employee's hearing level is 25 dB or greater.)~~

(c) **Do I have to record the hearing loss if I am going to retest the employee's hearing?** No, if you retest the employee's hearing within thirty days of the first test, and the retest does not confirm the RTS, you are not required to record the hearing loss case on the OSHA 300 Log. If the retest confirms the RTS, you must record the hearing loss illness within seven calendar days of the retest. If subsequent audiometric testing indicates that an RTS is not persistent, you may erase or line-out the recorded entry.

(d) **Are there any special rules for determining whether a hearing loss case is work-related?** No. You must use the rules in WAC 296-27-01103 to determine if the hearing loss is work-related. If an event or exposure in the work environment either caused or contributed to the hearing loss, or significantly aggravated a preexisting hearing loss, you must consider the case to be work-related.

(e) **If a physician or other licensed health care professional determines the hearing loss is not work-related, do I still need to record the case?** No. If a physician or other licensed health care professional determines that the hearing loss is not work-related or has not been significantly aggravated by occupational noise exposure, you are not required to consider the case work-related or to record the case on the OSHA 300 Log.

(f) ~~(Effective January 1, 2004,)~~ When you enter a recordable hearing loss case on the OSHA 300 Log, you must check the 300 Log column for hearing loss.

NEW SECTION

WAC 296-27-061 Non-Mandatory Appendix A—Age adjustment calculations for comparing audiograms for recording hearing loss. IMPORTANT: These computations may only be used for comparison of audiograms to

record hearing loss on the OSHA 300 Log. This Appendix Is Non-Mandatory.

In determining whether a recordable threshold shift has occurred, allowance may be made for the contribution of aging to the change in hearing level by adjusting the most recent audiogram. If you choose to adjust the audiogram, you must follow the procedure described below. This procedure and the age correction tables were developed by the National Institute for Occupational Safety and Health in the criteria document entitled "Criteria for a Recommended Standard...Occupational Exposure to Noise," ((HSM)-11001).

For each audiometric test frequency:

(i) Determine from Tables A-1 or A-2 the age correction values for the employee by:

(A) Finding the age at which the most recent audiogram was taken and recording the corresponding values of age corrections at 1000 Hz through 6000 Hz;

(B) Finding the age at which the baseline audiogram was taken and recording the corresponding values of age corrections at 1000 Hz through 6000 Hz.

(ii) Subtract the values found in step (i)(B) from the value found in step (i)(A).

(iii) The differences calculated in step (ii) represent that portion of the change in hearing that may be due to aging.

EXAMPLE: Employee is a 32-year-old male. The audiometric history for his right ear is shown in decibels below.

Employee's age	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
26	10	5	5	10	5
*27	0	0	0	5	5
28	0	0	0	10	5
29	5	0	5	15	5
30	0	5	10	20	10
31	5	10	20	15	15
*32	5	10	10	25	20

The audiogram at age 27 is considered the baseline since it shows the best hearing threshold levels. Asterisks have been used to identify the baseline and most recent audiogram. A threshold shift of 20 dB exists at 4000 Hz between the audiograms taken at ages 27 and 32.

(The threshold shift is computed by subtracting the hearing threshold at age 27, which was 5, from the hearing threshold at age 32, which is 25.) A retest audiogram has confirmed this shift. The contribution of aging to this change in hearing may be estimated in the following manner:

Go to Table A-1 and find the age correction values (in dB) for 4000 Hz at age 27 and age 32.

	Frequency (Hz)				
	1000	2000	3000	4000	6000
Age 32	6	5	7	10	14
Age 27	5	4	6	7	11
Difference	1	1	1	3	3

The difference represents the amount of hearing loss that may be attributed to aging in the time period between the baseline audiogram and the most recent audiogram. In this example, the difference at 4000 Hz is 3 dB. This value is subtracted from the hearing level at 4000 Hz, which in the most recent audiogram is 25, yielding 22 after adjustment. Then the hearing threshold in the baseline audiogram at 4000 Hz (5) is subtracted from the adjusted annual audiogram hearing threshold at 4000 Hz (22). Thus the age-corrected threshold shift would be 17 dB (as opposed to a threshold shift of 20 dB without age correction).

TABLE A-1 - AGE CORRECTION VALUES IN DECIBELS FOR MALES

Age	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
20 or younger	5	3	4	5	8
21	5	3	4	5	8
22	5	3	4	5	8
23	5	3	4	6	9
24	5	3	5	6	9
25	5	3	5	7	10
26	5	4	5	7	10
27	5	4	6	7	11
28	6	4	6	8	11
29	6	4	6	8	12
30	6	4	6	9	12
31	6	4	7	9	13
32	6	5	7	10	14
33	6	5	7	10	14
34	6	5	8	11	15
35	7	5	8	11	15
36	7	5	9	12	16
37	7	6	9	12	17
38	7	6	9	13	17
39	7	6	10	14	18
40	7	6	10	14	19
41	7	6	10	14	20
42	8	7	11	16	20
43	8	7	12	16	21

TABLE A-1 - AGE CORRECTION VALUES IN DECIBELS FOR MALES

Age	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
44	8	7	12	17	22
45	8	7	13	18	23
46	8	8	13	19	24
47	8	8	14	19	24
48	9	8	14	20	25
49	9	9	15	21	26
50	9	9	16	22	27
51	9	9	16	23	28
52	9	10	17	24	29
53	9	10	18	25	30
54	10	10	18	26	31
55	10	11	19	27	32
56	10	11	20	28	34
57	10	11	21	29	35
58	10	12	22	31	36
59	11	12	22	32	37
60 or older	11	13	23	33	38

TABLE F-2 - AGE CORRECTION VALUES IN DECIBELS FOR FEMALES

Age	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
20 or younger	7	4	3	3	6
21	7	4	4	3	6
22	7	4	4	4	6
23	7	5	4	4	7
24	7	5	4	4	7
25	8	5	4	4	7
26	8	5	5	4	8
27	8	5	5	5	8
28	8	5	5	5	8
29	8	5	5	5	9
30	8	6	5	5	9
31	8	6	6	5	9
32	9	6	6	6	10
33	9	6	6	6	10
34	9	6	6	6	10
35	9	6	7	7	11
36	9	7	7	7	11
37	9	7	7	7	12
38	10	7	7	7	12
39	10	7	8	8	12
40	10	7	8	8	13
41	10	8	8	8	13
42	10	8	9	9	13
43	11	8	9	9	14
44	11	8	9	9	14
45	11	8	10	10	15
46	11	9	10	10	15
47	11	9	10	11	16
48	12	9	11	11	16
49	12	9	11	11	16

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Age	Audiometric Test Frequency (Hz)				
	1000	2000	3000	4000	6000
50	12	10	11	12	17
51	12	10	12	12	17
52	12	10	12	13	18
53	13	10	13	13	18
54	13	11	13	14	19
55	13	11	14	14	19
56	13	11	14	15	20
57	13	11	15	15	20
58	14	12	15	16	21
59	14	12	16	16	21
60 or older	14	12	16	17	22

AMENDATORY SECTION (Amending WSR 02-22-029, filed 10/28/02, effective 1/1/03)

WAC 296-27-01119 Forms. (1) Basic requirement. You must use OSHA 300, 300-A, and 301 forms, or equivalent forms, for recordable injuries and illnesses. The OSHA 300 form is called the Log of Work-Related Injuries and Illnesses, the 300-A is the Summary of Work-Related Injuries and Illnesses, and the OSHA 301 form is called the Injury and Illness Incident Report.

(2) Implementation.

(a) **What do I need to do to complete the OSHA 300 Log?** You must enter information about your business at the top of the OSHA 300 Log, enter a one or two line description for each recordable injury or illness, and summarize this information on the OSHA 300-A at the end of the year.

(b) **What do I need to do to complete the OSHA 301 Incident Report?** You must complete an OSHA 301 Incident Report form, or an equivalent form, for each recordable injury or illness entered on the OSHA 300 Log.

(c) **How quickly must each injury or illness be recorded?** You must enter each recordable injury or illness on the OSHA 300 Log and 301 Incident Report within seven calendar days of receiving information that a recordable injury or illness has occurred.

(d) **What is an equivalent form?** An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces. Many employers use an insurance form instead of the OSHA 301 Incident Report, or supplement an insurance form by adding any additional information listed on the OSHA form.

(e) **May I keep my records on a computer?** Yes, if the computer can produce equivalent forms when they are needed, as described under WAC 296-27-02111 and 296-27-03103, you may keep your records using the computer system.

(f) **Are there situations where I do not put the employee's name on the forms for privacy reasons?** Yes, if you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the

OSHA 300 Log under WAC 296-27-02111. You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

(g) **How do I determine if an injury or illness is a privacy concern case?** You must consider the following injuries or illnesses to be privacy concern cases:

- An injury or illness to an intimate body part or the reproductive system;

- An injury or illness resulting from a sexual assault;

- Mental illnesses;

- HIV infection, hepatitis, or tuberculosis;

- Needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (WAC 296-27-01109 for definitions); and

- Other illnesses (effective January 1, 2002,) if the employee independently and voluntarily requests that his or her name not be entered on the log. (Effective January 1, 2004, musculoskeletal disorders (MSDs) are not considered privacy concern cases.)

(h) **May I classify any other types of injuries and illnesses as privacy concern cases?** No, this is a complete list of all injuries and illnesses considered privacy concern cases for the purposes of this section.

(i) **If I have removed the employee's name, but still believe that the employee may be identified from the information on the forms, is there anything else that I can do to further protect the employee's privacy?** Yes, if you have a reasonable basis to believe that information describing the privacy concern case may be personally identifiable even though the employee's name has been omitted, you may use discretion in describing the injury or illness on both the OSHA 300 and 301 forms. You must enter enough information to identify the cause of the incident and the general severity of the injury or illness, but you do not need to include details of an intimate or private nature. For example, a sexual assault case could be described as "injury from assault," or an injury to a reproductive organ could be described as "lower abdominal injury."

(j) **What must I do to protect employee privacy if I wish to provide access to the OSHA Forms 300 and 301 to persons other than government representatives, employees, former employees or authorized representatives?** If you decide to voluntarily disclose the forms to persons other than government representatives, employees, former employees or authorized representatives (as required by WAC 296-27-02111 and 296-27-03103), you must remove or hide the employees' names and other personally identifying information, except for the following cases. You may disclose the forms with personally identifying information only:

- (i) To an auditor or consultant hired by the employer to evaluate the safety and health program;

- (ii) To the extent necessary for processing a claim for workers' compensation or other insurance benefits; or

- (iii) To a public health authority or law enforcement agency for uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required under Department of Health and Human Services Standards

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for Privacy of Individually Identifiable Health Information, 45 CFR 164.512.

(3) Falsification, failure to keep records or reports.

(a) RCW 49.17.190(2) of the act provides that "whoever knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter shall, upon conviction be guilty of a gross misdemeanor and be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months or by both."

(b) Failure to maintain records or file reports required by this chapter, or in the detail required by the forms and instructions issued under this chapter, may result in the issuance of citations and assessment of penalties as provided for in WAC 296-800-35002 through 296-800-35052.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-27-01117 Recording criteria for cases involving work-related musculoskeletal disorders.

**WSR 03-24-089
PERMANENT RULES
DEPARTMENT OF
GENERAL ADMINISTRATION**

[Filed December 3, 2003, 9:40 a.m.]

Date of Adoption: December 1, 2003.

Purpose: The rule is intended to balance the interests of access, safety, and security on the state capitol grounds for public employees, visitors, agency clients, and persons exercising their rights to free speech and assembly.

The rule will provide a means to control unauthorized camping activities that create public health, safety, or security risks. It will also provide a mechanism to enable persons exercising their rights to free speech and assembly to obtain authorization for vigils and other similar activities.

Statutory Authority for Adoption: RCW 43.19011 [43.19.011], 43.19.125, and 46.08.150.

Adopted under notice filed as WSR 03-20-112 on October 1, 2003.

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 1, 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 1, 2003

R. D. Fukai

Director

NEW SECTION

WAC 236-12-435 Camping on state capitol grounds. Camping on the state capitol grounds is prohibited unless permitted by the Director of the Department of General Administration. Camping means arranging any type of structure, shelter or bedding, or parking a vehicle, for purposes of habitation.

**WSR 03-24-105
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed December 3, 2003, 10:34 a.m., effective February 1, 2004]

Date of Adoption: December 3, 2003.

Purpose: The Department of Labor and Industries began this rule-making effort at the direction of the Washington state supreme court following a successful lawsuit by farm workers who were exposed to the hazard posed by organophosphate and N-methyl-carbamate cholinesterase-inhibiting pesticides. See *Rios v. Dep't of Labor and Indus.*, 145 Wn.2d 483, 39 P.3d 961 (2002). The rule applies to all agriculture employers and workers covered by chapter 296-307 WAC, which includes the pesticide worker protection standard, WAC 296-307-107.

Chapter 296-307 WAC, Part J-1 - Cholinesterase monitoring.

- Created this part to include requirements relating to cholinesterase monitoring.

WAC 296-307-14520 What are the department's recommendations for cholinesterase monitoring? (Nonmandatory)

- Requirements relating to cholinesterase monitoring have been moved to WAC 296-307-148 through 296-307-14845.
- Repealed this section.

WAC 296-307-148 Scope and summary.

- Created this section explaining the scope of this part.
- Added a table of contents/summary page relating to cholinesterase monitoring.

WAC 296-307-14805 Maintain handling records for covered pesticides.

- Created this section requiring the maintenance of records for employees handling category I or II organ-

ophosphate or N-methyl-carbamate pesticides and retain those records for seven years.

- Ensure the records are readily accessible to employees and their designated representatives.

WAC 296-307-14810 Implement a medical monitoring program.

- Created this section relating to implementing a medical monitoring program for employees who handle class I or II organophosphate or N-methyl-carbamate pesticides according to the following schedule.
 - Effective February 1, 2004, monitoring is required for employees who handle organophosphate or N-methyl-carbamate pesticides for fifty hours or more in any consecutive thirty-day period.
 - Effective February 1, 2005, monitoring is required for employees who handle organophosphate or N-methyl-carbamate pesticides for thirty hours or more in any consecutive thirty-day period.
- Added language relating to the department may adjust the threshold for coverage of employees under this chapter on February 1, 2005, based on analysis of medical monitoring data collected during 2004.
- Added language indicating that nothing in this rule prohibits employers from providing cholinesterase monitoring to employees who handle organophosphate or N-methyl-carbamate pesticides for fewer hours than specified in Table 1.

WAC 296-307-14815 Identify a physician or licensed health care professional.

- Created this section relating to identifying a physician or other licensed health care provider (LHCP) that will:
 - Provide baseline and periodic cholinesterase testing.
 - Interpret tests and make recommendations.
- Added language relating to making sure the physician is familiar with the requirements of this rule.
- Added language relating to posting the medical provider's information.
- Added language relating to employers are required to obtain copies of employees test results and written recommendations from the physician or LHCP, and these records must be maintained for seven years.
- Added language relating to the physician or LHCP to not reveal in writing or in any other communications personally identifiable medical information.

WAC 296-307-14820 Make cholinesterase testing available.

- Created this section relating to arranging for employees to receive medical monitoring (at no cost to employees and at a reasonable time and place) as follows:
 - Annual red blood cell (RBC) and plasma cholinesterase baseline tests that are taken at least thirty days after the employee last handled organophosphate or N-methyl-carbamate pesticides.
 - Within three days after the end of each thirty-day period where the employee meets the handling levels in Table 1; however, testing is not required more often than every thirty days.

or

- At least every thirty days for those employees who may meet the handling levels in Table 1.

- Included in this section is an exemption that reads, "You do not need to provide baseline or periodic testing for those employees whose work exposure is limited to handling only N-methyl-carbamate pesticides." Also "You do not need to provide periodic testing beyond the baseline for those employees whose handling hours do not exceed the exposure thresholds in Table 1, if you do not count time spent mixing and loading using closed systems, as defined in WAC 296-307-13045 (4)(d)."
- Added a note that reads, "You do not need to count time spent mixing and loading using closed systems (as defined in WAC 296-307-13045 (4)(d)) in determining the need for periodic testing. Time using closed systems is still counted for purposes of establishing coverage under this rule and determining the need for obtaining baseline cholinesterase levels."
- Added a note that reads, "The first thirty consecutive day period begins on the first day of handling organophosphate or N-methyl-carbamate pesticides after obtaining the baseline cholinesterase test."
- Added a note relating to previous baselines may be accepted for new employees if they are obtained according to this rule.
- Added language relating to obtaining a "working baseline" for employees as soon as possible for employees who initially declined cholinesterase testing.
- Created this section relating to obtaining a signed declination form from the medical provider or LHCP if an employee declines cholinesterase testing.

WAC 296-307-14825 Respond to depressed cholinesterase levels.

- Created this section relating to responding to an employee's depressed cholinesterase levels by taking described actions and following the medical provider's occupational health recommendations.
- Added language relating to employees being restricted from handling or other work exposures to organophosphate or N-methyl-carbamate pesticides during the medical removal period.

WAC 296-307-14830 Provide medical removal protection benefits.

- Created this section relating to medical removal benefits being provided for a maximum of three months on each occasion an employee is temporarily removed from work or assigned to other duties due to depressed cholinesterase levels.

WAC 296-307-14835 Maintain records.

- Created this section relating to maintaining accurate medical records for all covered employees.
- Added language relating to maintaining medical monitoring records for seven years.
- Added language relating to ensuring that employee medical records being readily accessible.

WAC 296-307-14840 Provide training.

- Created this section relating to training about possible hazards of organophosphate and N-methyl-carbamate pesticide exposure.
- Added language relating to providing training before employees receive medical monitoring.
- Added language relating to training required by this rule may be combined with other pesticide handler training.

WAC 296-307-14845 Implementation plan.

- The department will implement this rule by doing the following:
 - Organize a scientific team to oversee collection and analysis of data collected during 2004 and 2005.
 - Establish a cholinesterase stakeholder advisory committee to evaluate issues related to rule implementation and provide recommendations to the department.
 - Evaluate the data collected during 2004 and make modifications to the rule as appropriate.
 - Make efforts to defray the costs of medical testing during 2004.
 - Prepare and distribute provider guidelines.
 - Develop and make available a model employee training program.
 - Publish a list of providers and certified laboratories on the Internet.
 - Coordinate record-keeping requirements with the Department of Agriculture.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-307-14520 What are the department's recommendations for cholinesterase monitoring? (Nonmandatory).

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Adopted under notice filed as WSR 03-15-032 on July 9, 2003.

Changes Other than Editing from Proposed to Adopted Version:

WAC 296-307-148 Scope and summary.

- Deleted the link. Links are not codified in WISHA rules.

WAC 296-307-14805 Maintain handling records for covered pesticides.

- Deleted the helpful tool. Helpful tools are not codified in WISHA rules.
- Added language in the last bullet in this section. It now reads, "Make sure that pesticide-handling records are readily accessible to employees, their designated representative, and treating health care professional."

WAC 296-307-14810 Implement a medical monitoring program.

- Changed the effective dates to February 1, 2004, and February 1, 2005.
- Changed the date in the note from "January 15, 2005" to "February 1, 2005."

WAC 296-307-14815 Identify a physician or licensed health care professional.

- In the first bullet replaced the word "provider" with "professional."
- In the first secondary bullet clarified the language. It now reads, "Provide baseline and periodic cholinesterase testing through the department of health public health laboratory, or beginning in 2006, through any laboratory approved by the department of labor and industries."
- In the second secondary bullet, clarified the language, it now reads,
 - Interpret tests
 - Provide you with written recommendations and opinions that:
 - Identify employees with periodic tests results requiring a work practice evaluation.
 - Identify employees with periodic test results indicating they must be removed from handling and other exposure to organophosphate and N-methyl-carbamate pesticides.
 - Provide guidance on medical monitoring.
 - Include any other relevant information concerning an employee's workplace exposure to organophosphate and N-methyl-carbamate pesticides.
- In the second bullet, clarified the language, it now reads, "Instruct the physician or other licensed health care professional (LHCP) to NOT reveal in writing or in any other communication with you, personally identifiable medical information, other than laboratory tests results, for any employee."
- Deleted the link. Links are not codified in WISHA rules.
- In the last bullet, clarified the language, it now reads, "Make sure copies of employee test results and written recommendations from the physician or LHCP are maintained for seven years."

WAC 296-307-14820 Make cholinesterase testing available.

- In the first and second secondary bullets, added the word "provide" at the beginning.
- In the second secondary bullet clarified the language. It now reads,
 - Provide periodic RBC and plasma cholinesterase testing.
 - Within three days after the end of each thirty-day period where the employee meets the handling levels in Table 1; however, testing is not required more often than every thirty days.
 - or
 - At least every thirty days for those employees who may meet the handling levels in Table 1.
- In the first bullet in the note, clarified the language. It now reads, "You do not need to count time spent mixing and loading using closed systems (as defined in WAC 296-307-13045 (4)(d)) in determining the need for periodic testing. Time using closed systems is still counted for purposes of establishing coverage under

this rule and determining the need for obtaining baseline cholinesterase levels."

- In the third bullet replaced the word "written" with "signed."
- In the third bullet deleted the words "Appendix A."

WAC 296-307-14825 Respond to depressed cholinesterase levels.

- In the table replaced the word "investigate" with "evaluate" in two places.
- In the table, second column, first row, add the words "to identify and correct potential sources of pesticide exposure."
- In the table, second column, second row, add the words "to identify and correct potential sources of pesticide exposure."
- In the table, second column, middle row, replaced the word "previously" with "recently."
- In the table, third column, last row, clarified the language. It now reads, "Continue periodic cholinesterase monitoring."

WAC 296-307-14835 Maintain medical monitoring records.

- Changed the title of this section to "Maintain records."
- In the first bullet, deleted the words "medical monitoring." It now reads, "Make sure that the following records are maintained:"
- Deleted the proposed secondary bullet and the subbullets. Added a secondary bullet that reads, "Written recommendations and opinions received from the physician or LHCP."
- In the third bullet, deleted the words "retain medical monitoring" and replaced with "maintain."
- In the fourth bullet, deleted the words "medical monitoring" and replaced with "all."

WAC 296-307-14840 Provide training.

- Deleted the helpful tool. Helpful tools are not codified in WISHA rules.

WAC 296-307-14845 Implementation plan.

- Deleted Appendix A. This will be in the helpful tool section of this rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 10, Amended 0, Repealed 1.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 10, 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 10, Amended 0, Repealed 1.

Effective Date of Rule: February 1, 2004.

December 3, 2003

Paul Trause

Director

Part J-1 CHOLINESTERASE MONITORING

NEW SECTION

WAC 296-307-148 Scope and summary.

Your responsibility:

To implement a monitoring program for your employees who, as part of their job duties, **handle** category I or II organophosphate or N-methyl-carbamate pesticides with the words "DANGER" or "WARNING" on the label.

Definition:

The terms **handle** and **handler** refer to employees who are engaged in the job duties listed in the definition of "handler" contained in WAC 296-307-11005, Pesticides (worker protection standard).

IMPORTANT:

Whenever there is reason to believe that an employee has been poisoned or injured by exposure to pesticides while on the job, you need to provide the medical services required by WAC 296-307-13055.

You must:

- Maintain handling records for covered pesticides
WAC 296-307-14805.
- Implement a medical monitoring program
WAC 296-307-14810.
- Identify a physician or licensed health care professional
WAC 296-307-14815.
- Make cholinesterase testing available
WAC 296-307-14820.
- Respond to depressed cholinesterase levels
WAC 296-307-14825.
- Provide medical removal protection benefits
WAC 296-307-14830.
- Maintain records
WAC 296-307-14835.
- Provide training
WAC 296-307-14840.
- Implementation plan
WAC 296-307-14845.

NEW SECTION

WAC 296-307-14805 Maintain handling records for covered pesticides.

You must:

- Maintain accurate records of all time that each employee spends handling category I or II organophosphate or N-methyl-carbamate pesticides (this includes employees who do not meet the handling hour thresholds in Table 1).
- Retain pesticide handling records for seven years.
- Make sure that pesticide-handling records are readily accessible to employees, their designated representatives, and treating health care professionals.

NEW SECTION

WAC 296-307-14810 Implement a medical monitoring program.

You must:

- Implement a medical monitoring program for your employees who handle or will be expected to handle category I or II organophosphate or N-methyl-carbamate pesticides according to the schedule in Table 1.

**Table 1
Implementation Schedule**

Provide medical monitoring for each employee who handles organophosphate or N-methyl-carbamate pesticides for:	Beginning
Fifty or more hours in any consecutive thirty-day period	February 1, 2004
Thirty or more hours in any consecutive thirty-day period	February 1, 2005

- Note:**
- The department will adjust the threshold for medical monitoring of employees under this rule on February 1, 2005, if the data collected during 2004 clearly demonstrates that the threshold should be either lower or higher than thirty hours.
 - There is nothing in this rule that prohibits employers from providing cholinesterase monitoring to employees who handle organophosphate or N-methyl-carbamate pesticides for fewer hours than specified in Table 1.

NEW SECTION

WAC 296-307-14815 Identify a physician or licensed health care professional.

You must:

- Identify a physician or other licensed health care professional (LHCP) who will:
 - Provide baseline and periodic cholinesterase testing through the department of health public health laboratory, or beginning in 2006, through any laboratory approved by the department of labor and industries.
 - Interpret tests.
 - Provide you with written recommendations and opinions that:
 - Identify employees with periodic test results requiring a work practice evaluation.
 - Identify employees with periodic test results indicating they must be removed from handling and other exposure to organophosphate and N-methyl-carbamate pesticides.
 - Provide guidance on medical monitoring.
 - Include any other relevant information concerning an employee's workplace exposure to organophosphate and N-methyl-carbamate pesticides.
- Instruct the physician or other licensed health care professional (LHCP) to NOT reveal in writing or in any other communication with you, personally identifiable medical

information, other than laboratory test results, for any employee.

- Make sure the physician or LHCP is familiar with the requirements of this rule (for example, by providing a copy of the rule or by confirming that the provider has attended training on the rule).
- Post the name, address, and telephone number of the medical provider you have identified at the locations where employees usually start their work day.
- Make sure copies of employee test results and written recommendations from the physician or LHCP are maintained for seven years.

NEW SECTION

WAC 296-307-14820 Make cholinesterase testing available.

You must:

- Make medical monitoring available to employees who will meet the exposure thresholds in Table 1, at no cost and at a reasonable time and place, as follows:
 - Provide annual baseline red blood cell (RBC) and plasma cholinesterase tests that are taken at least thirty days after the employee last handled organophosphate or N-methyl-carbamate pesticides.
 - Provide periodic RBC and plasma cholinesterase testing:
 - Within three days after the end of each thirty-day period where the employee meets the handling levels in Table 1; however, testing is not required more often than every thirty days;
- OR**
- At least every thirty days for those employees who may meet the handling levels in Table 1.
 - Arrange to obtain a "working baseline" as soon as possible for employees who initially decline cholinesterase testing and later choose to participate in testing.
 - Follow the recommendations of the physician or LHCP regarding continued employee pesticide handling or removal from handling until a thirty-day exposure free baseline can be established.

Exemption: You do not need to provide baseline or periodic testing for those employees whose work exposure is limited to handling only N-methyl-carbamate pesticides.

- Note:**
- You do not need to count time spent mixing and loading using closed systems (as defined in WAC 296-307-13045 (4)(d)) in determining the need for periodic testing. Time using closed systems is still counted for purposes of establishing coverage under this rule and determining the need for obtaining baseline cholinesterase levels.
 - For new employees, the medical provider may accept previous baselines, if they are obtained according to this rule.
 - The first thirty consecutive day period begins on the first day of handling organophosphate or N-methyl-carbamate pesticides after obtaining the baseline cholinesterase test.

You must:

- Obtain a signed declination statement from the physician or LHCP for employees who decline cholinesterase testing.
 - Employees may decline cholinesterase testing only after they receive training about cholinesterase inhibiting pesticides and discuss the risks and benefits of participation with the physician or LHCP.

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– An employee may change his or her mind and elect to participate or decline to continue participation in the program at any time.

- Make sure the employee receives a copy of the signed declination statement.

Note: If employers discourage participation in cholinesterase monitoring, or in any way interfere with an employee's decision to continue with this program, this interference may represent unlawful discrimination under RCW 49.17-160, Discrimination against employee filing, instituting proceedings, or testifying prohibited—Procedure—Remedy.

NEW SECTION

WAC 296-307-14825 Respond to depressed cholinesterase levels.

You must:

- Respond to an employee's depressed cholinesterase levels by:
 - Taking the actions required in Table 2;
- AND**
- Following any additional occupational health recommendations from the physician or LHCP.

Table 2

Required Responses to an Employee's Depressed Cholinesterase Levels

When:	Action to be taken:	Methods:
An employee's RBC or plasma cholinesterase levels fall more than twenty percent below the baseline	Evaluate the employee's work practices to identify and correct potential sources of pesticide exposure	Review: <ul style="list-style-type: none"> • Personal protective equipment (PPE) and its condition • Employees' PPE usage • General sanitation practices and availability of decontamination facilities required by WAC 296-307-13050 • Pesticide handling practices
An employee's RBC cholinesterase level falls thirty percent or more from the baseline OR An employee's plasma cholinesterase level falls forty percent or more from the baseline	Remove the employee from handling and other work exposures to organophosphate and N-methyl-carbamate pesticides such as thinning and harvesting in recently treated areas AND Evaluate the employee's work practices to identify and correct potential sources of pesticide exposure	<ul style="list-style-type: none"> • When available, provide the employee with other duties that do not include handling and other work exposures to organophosphate and N-methyl-carbamate pesticides • Provide medical monitoring and cholinesterase testing as recommended by the physician or LHCP
A removed employee's cholinesterase levels return to twenty percent or less below baseline	The employee may return to handling class I and II organophosphate and N-methyl-carbamate pesticides	Continue periodic cholinesterase monitoring

NEW SECTION

WAC 296-307-14830 Provide medical removal protection benefits.

You must:

- Provide medical removal protection benefits for a maximum of three months on each occasion:
 - An employee is temporarily removed from work due to depressed cholinesterase levels;
- OR**
- Assigned to other duties due to depressed cholinesterase levels.
 - Provide medical removal protection benefits that include maintenance of the same pay, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to organophosphate or N-methyl-carbamate pesticides or otherwise limited.

NEW SECTION

WAC 296-307-14835 Maintain records.

You must:

- Make sure that the following records are maintained:
 - The name, address, and telephone number of the physician or LHCP.
 - Written recommendations and opinions received from the physician or LHCP.
 - Findings of all work practice investigations.
 - Dates when employees were medically removed from their duties and dates when employees are returned to duties that include handling organophosphate or N-methyl-carbamate pesticides.
 - Signed declination statements.
- Maintain records for seven years.
- Make sure that all records are readily accessible to the employee and his or her designated representative.

NEW SECTION

WAC 296-307-14840 Provide training.

You must:

- Make sure employees have received training before initial medical monitoring. The training must include at least the following:
 - The human health hazards and physical symptoms of overexposure to organophosphate and N-methyl-carbamate cholinesterase-inhibiting pesticides.
 - The purpose and requirements for medical monitoring.

Note: Training required by this rule may be combined with other pesticide handler training as required by WAC 296-307-13025, Pesticide safety training—Standards for pesticide handlers.

NEW SECTION

WAC 296-307-14845 Implementation plan. The department will implement and complete an evaluation of this rule by doing the following:

- Organize a scientific team to oversee collection and analysis of data collected during 2004 and 2005. L&I will select representatives of the University of Washington,

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Washington State University, as well as other interested members of the academic and scientific communities, to participate on the team. The team will provide an initial analysis of testing data and any appropriate recommendations directly to L&I and to the cholinesterase monitoring advisory committee by November 1, 2004, and a further analysis and any appropriate recommendations by November 1, 2005. A final report and recommendations will be completed by September 30, 2006.

- Establish a cholinesterase stakeholder advisory committee to evaluate issues related to rule implementation and provide recommendations to the department regarding implementation of the rule and any possible modifications to it. L&I will invite representatives of growers, labor and other affected state agencies to participate on the advisory committee. The committee will have an opportunity to comment on the analysis completed by the scientific team and to make any appropriate recommendations before December 1, 2004, and again before December 1, 2005. In addition, the committee will review the scientific committee's final report and recommendations and provide advice to L&I prior to December 1, 2006.

- Review reports from the scientific team and stakeholder advisory committee, and other relevant information and make modifications to the rule as appropriate.

- Make efforts to defray the costs of medical testing during 2004.

- Prepare and distribute provider guidelines.

- Develop and make available a model employee training program.

- Publish a list of trained providers and certified laboratories on the internet.

- Coordinate recordkeeping requirements with the department of agriculture.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-307-14520	What are the department's recommendations for cholinesterase monitoring? (Nonmandatory)
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WSR 03-24-002
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 03-290—Filed November 19, 2003, 3:51 p.m.]

Date of Adoption: November 19, 2003.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 232-28-61900C; 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: NOAA fisheries approved marked hatchery-origin steelhead fisheries in the Upper Columbia Steelhead Evolutionary Significant Unit in October 2003. These fisheries may continue with modifications to the emergency rules issued previously. Modifications: 1) Change the whitefish gear rules to match the current steelhead rules in the Methow and Similkameen rivers; 2) disk tags were applied to steelhead during run-size determination and fish sampling operations at Priest Rapids Dam, these disk tagged hatchery-origin fish are no longer needed for monitoring purposes; 3) close to 100% of the "adipose-fin clipped" hatchery-origin steelhead bound for waters above Priest Rapids Dam have passed, impacts to above Priest Rapids Dam bound (AD clipped only) steelhead are now minimal. These regulation modifications will simplify rules for anglers and make the selective gear rules for steelhead enforceable. 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.

November 19, 2003

Evan Jacoby

for Jeff Koenings

Director

NEW SECTION

WAC 232-28-61900E Exceptions to statewide rules—Columbia, Methow, Okanogan and Similkameen rivers. Notwithstanding the provisions of WAC 232-28-619, it is unlawful to violate the following provisions in the following waters:

(1) Columbia River from Highway 395 bridge at Pasco to the Old Hanford townsite wooden power line towers upstream of Ringold Springs Rearing Facility - Effective immediately, open to fish for and possess up to two hatchery steelhead per day until further notice.

(2) Columbia River from Rocky Reach Dam to Chief Joseph Dam - Effective immediately, open until further notice. Night closure. Daily limit may contain up to two adipose fin clipped steelhead.

(3) Columbia River from the Highway 395 Bridge at Pasco to the Old Hanford townsite wooden powerline towers, effective immediately through December 31, 2003, special daily limit of six salmon, no more than four adults.

(4) Methow River - Mouth upstream to the confluence with the Chewuch River. Effective immediately open until further notice. Selective gear rules except it is lawful to fish from motorized vessels. Night closure. Daily limit may contain up to two adipose fin clipped steelhead.

— Except: Effective December 1, 2003 until further notice whitefish gear rules do not apply.

(5) Okanogan River - Effective immediately open from mouth upstream until further notice, except closed from Zosel Dam downstream to one-quarter mile below railroad trestle. Selective gear rules except lawful to fish from motorized vessels. Night closure. Daily limit may contain up to two adipose fin clipped steelhead.

(6) Similkameen River - Effective immediately open from mouth to 400 feet below Enloe Dam open until further notice. Selective gear rules. Night closure. Daily limit may contain up to two adipose fin clipped steelhead.

— Except: Effective December 1, 2003 until further notice whitefish gear rules do not apply.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-61900C	Exeptions to statewide ruels—Columbia, Methow, Okanogan and Similkameen rivers. (03-258)
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Reviser's note: The spelling 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 03-24-009

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION

[Filed November 20, 2003, 2:06 p.m.]

Date of Adoption: November 19, 2003.

EMERGENCY

Purpose: To create the commute trip reduction (CTR) performance grant program.

Statutory Authority for Adoption: RCW 70.94.996.

Other Authority: RCW 70.94.534, 70.94.541.

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 is an entirely new program with funds allocated for the 2004 fiscal year. The program has to be developed with sufficient time to allow award recipients to demonstrate performance.
- These rules establish a performance-based grant program with funding to be awarded on a fiscal year basis. To receive funds for the fiscal year the award recipient needs to demonstrate performance this year.
- Award recipients need as much time as possible to create and implement their projects in order to be successful.
- Performance is demonstrated through the use of an established survey methodology that requires two weeks processing time at the University of Washington in addition to the time required for survey administration.
- The rules will be negotiated with the Commute Trip Reduction Task Force and their availability is limited due to their reporting requirements to the legislature.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 1, 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.

November 19, 2003

P. J. Hammond

Chief of Staff

Chapter 468-60 WAC

CTR PERFORMANCE GRANT PROGRAM

NEW SECTION

WAC 468-60-010 Commute trip reduction performance grants. The Washington state department of transportation (WSDOT) will develop, together with the commute

trip reduction task force (CTR), and administer a CTR performance grant program designed to reduce the number of commute vehicle miles traveled (VMT) and commute vehicle trips by employees. The 2003 legislature created this grant to provide financial incentives or compensation to organizations that increase the capacity of the transportation system by reducing the number of vehicle trips and miles traveled for commute purposes. The amounts granted will be based on the projected number of annual commute vehicle trips and commute VMT reduced during the grant period. The amount of funds provided to the grantee will be determined based on the actual performance of their project. If necessary, WSDOT will revise these rules following the first grant round to create a more effective and efficient grant program.

(1) **What are CTR performance grants?** Grants are awarded on a competitive basis to organizations for reducing commute vehicle trips and commute vehicle miles traveled. The grantee will receive funds based on the value to the transportation system of the project performance. The performance grant program is available to private employers, public agencies, nonprofit organizations, developers, and property managers who provide financial incentives to their own or other employees for ridesharing, public transportation, nonmotorized transportation, telework, and alternative work schedules, and that reduce the number of vehicle trips and miles traveled for commuting.

(2) **Definitions.** For purposes of this section, the following definitions apply.

(a) *Financial incentives* is defined as a policy, procedure, capital investment or payment intended to provide employees a financial gain if they commute in ways other than by driving alone. For example, the eligible incentives may include, but are not limited to: Providing a free transit pass, reducing the parking charge for rideshare vehicles, initiating parking charges for employee vehicles, reducing the cost of a transportation service such as a transit pass, paying the membership fee for a car sharing program, providing employees alternative work week schedules, providing a direct cash payment, reducing the insurance rate for employees who reduce the use of their vehicle for commuting, or reducing the distance an employee travels to work by reassigning their work location to a worksite closer to their home.

(b) *Car sharing* means a membership program intended to offer an alternative to car ownership under which persons or entities that become members are permitted to use vehicles from a fleet on an hourly basis.

(c) *Telework* means a program where work functions that are normally performed at a traditional workplace are instead performed by an employee at his or her home at least one day a week for the purpose of reducing the number of trips to the employee's workplace.

(d) *Commute vehicle trips* is defined as the number of vehicle trips made to bring employees to work at a worksite or specified collection of worksites each morning.

(e) *Reduced commute vehicle trips* is defined as the change in the number of vehicle trips made to bring a consistent number of employees to a worksite or collection of worksites. Reduced vehicle trips can be calculated using two separate surveys that measure the number of vehicles arriving at the specified worksite(s) and making an adjustment for the

change in employee responses for the two surveys. Subsection (16) of this section describes in detail the process used by WSDOT to calculate reduced commute vehicle trips.

(f) *Commute vehicle miles traveled* (VMT) is the average distance employees travel to work (one way) in a motor vehicle, divided by the vehicle occupancy. For passenger cars, trucks, vans, and motorcycles, WSDOT will calculate the vehicle occupancy from survey data using CTR task force guidelines, or from equivalent data as agreed by WSDOT and the applicant. For buses, WSDOT will assume an average occupancy of twenty-five persons. Bicycling, walking, train ridership, and the avoidance of commute vehicle trips via telework and use of compressed workweeks, will not be considered as using motor vehicles.

(g) *Reduced VMT* is defined as the measured change in the number of vehicle miles traveled per employee. Reduced VMT can be calculated from two separate surveys that measure the commute distance per employee and the way they commute to work.

(h) *Performance* is defined as the reduction in the number of commute vehicle trips to the work location and the reduction in the commute vehicle miles traveled by employees at the specified work location(s).

(i) *Eligible trips* are defined in this section as the commute trips taken by employees at the targeted worksite(s) established in the applications and measured in the proposed measurement methodology. To be considered an eligible reduced trip and VMT, the involved employee must benefit from the program implemented by the applicant.

(j) *Agent* is an organization or individual who represents the private employer, public agency, nonprofit organization, developer, or property manager and is charged with managing the grant program or providing the employee the financial service.

(k) A *cost effective application* is one that defines a project that will reduce commute vehicle trips and commute vehicle miles traveled at a cost less than the defined roadway capacity cost. This cost will vary by year and will be clearly identified on the grant application form.

(l) *Mode split* is the percentage of employees traveling to work using various means of transportation (known as modes). For example, if the drive alone mode split for a worksite is seventy-three percent, then seventy-three percent of the employees arriving at that site drove alone.

(m) *Commute mode* is the means of transportation an employee took to work. For example, their commute mode may be by driving alone, carpooling, alternative work schedule, teleworking, etc.

(3) **Who can apply?** These statewide grants are available on a competitive basis for private employers, public agencies, nonprofit organizations, developers, and property managers or their agents who provide financial incentives to their own or other employees for ridesharing, public transportation, nonmotorized transportation, telework, and compressed work weeks.

(4) **What kinds of projects will be funded?** To receive funds, the project must meet the review criteria and rank highly in the competitive review. The applicant determines the actual scope and design of the project. New and existing projects are eligible to receive a grant.

(5) **How much money is available?** The amount of funds made available for this program is set in the state transportation budget. For the 2003-2005 biennium, one million five hundred thousand dollars is budgeted for the grants. No more than seven hundred fifty thousand dollars will be available for each fiscal year (July-June).

(6) **How will the grant funds be distributed?** A minimum amount of the grant funds is guaranteed to be available in each of three funding zones: Ten percent of available funds for Central Puget Sound (CPS) (King, Pierce, Snohomish counties), ten percent of available funds for non-Central Puget Sound applications, and ten percent of available funds for statewide applications (applications with worksites in the CPS and outside the CPS). The remaining grant funds will be awarded based on the project's ranking and available funds.

(7) **How much money will be awarded to individual grants?** Funds will be allocated based on the estimated commute vehicle trips and miles traveled reduced for the project. The applicant will provide an estimate of the anticipated performance and the amount of funds they request. Once the selection committee ranks the projects, WSDOT will award the grants based on committee ranking until seven hundred fifty thousand dollars is awarded in each fiscal year or all cost effective projects are funded. No one employer, etc., may receive more than one hundred thousand dollars per fiscal year.

(8) **How much money can be awarded to applications with multiple employer partners?** The total amount of funds that can be provided to a partnership application is the sum of the total amount eligible per employer up to two hundred fifty thousand dollars per application. No single application or project will be awarded a grant in excess of two hundred fifty thousand dollars per fiscal year.

(9) **How does the applicant apply for the grant?** This subsection describes the application procedures used in the performance grant program. WSDOT will notify eligible applicants of the open period for grant applications. WSDOT may open more than one grant period per year depending on whether all funds are awarded. Applicants apply for this grant by submitting a completed "Performance Grant Application" form during an open grant period. The "Performance Grant Application" form is available on request from the Washington state department of transportation and is available to be downloaded from the WSDOT website at: <http://wsdot.wa.gov/TDM/performancegrant/>.

(a) No private employer, public agency, nonprofit organization, developer, or property manager is eligible for grants under this section in excess of one hundred thousand dollars in any fiscal year.

(b) Eligible applicants may submit more than one application. However, no applicant may request more grant funds than they are eligible to receive.

(c) Applicants may, and are encouraged to, submit a grant application that will cover two years. Applications covering two years must estimate the number of vehicle trips and VMT reduced for each of the two fiscal years. Only one base measurement will be required for a two-year application. Recipients of two-year grants may receive the start-up portion of their award in the first year and the performance portion in the second year. In this situation, funding for the trips

and VMT reduced will be assumed to have occurred in the second year of the project.

(d) The grant funds must be received by the grantee by the end of the fiscal year in which the application was received.

(e) No grants will be awarded to an applicant requesting compensation at a rate higher than the annualized cost of providing new roadway capacity. The annualized cost of providing new capacity will be provided by WSDOT as part of the application document.

(f) For purposes of distributing awarded funds, one trip is assumed to equal 13.07 VMT (the average commute distance measured as part of the CTR program) or the average one-way commute distance for the employees covered by the project. The applicant may, through documentation in the applications, provide a different trip to VMT ratio that is specific to employees in their proposal.

(g) An agent "who will provide the financial incentive to the employee" can submit a partnership grant application and be the prime grantee for the project. All procedures in this section will apply to the agent for this type of partnership grant.

(h) No applicant may claim a reduction in employee commute vehicle trips or commute VMT that is claimed as part of another application.

(10) **How will the application be reviewed?** An award committee comprised of between six and nine members will be selected by the chair of the CTR task force and will include at least two members of the commute trip reduction task force, at least one member from Central Puget Sound and one from the rest of the state, at least one employer, at least one transit member and at least one city government representative. Grants will be awarded based on the criteria as defined in subsection (11) of this section.

(11) **What are the review criteria?** The applications will be reviewed based on the following criteria.

(a) **Applicant provides incentives:** To be eligible for the grant, the applicant must provide financial incentives to their own or other employees for ridesharing, using public transportation, car sharing, or nonmotorized commuting.

(b) **Project predictability:** Are the estimates of employee participation and overall trip and VMT reduction likely to be achieved based on the assessment of the review committee?

(c) **Measurability:** The performance of the project must be measurable. If the applicant submits their own measurement approach, the measurement plan submitted must be as accurate an estimate of the trips reduced as would be generated if the applicant made use of the WSDOT-developed measurement tool (subsection (16) of this section).

(d) **Cost effectiveness:** Does the project have a high likelihood of achieving its benefits at a relatively low expenditure of performance grant funds? Are the projected benefits achievable at a cost less than providing the equivalent roadway capacity?

(e) **Sustainability:** If this project is funded, will its benefits continue after the grant-funded element of the project has been completed? Do the project design and partnerships indicate a high probability for continuing the project after all grant funds are used?

(f) **Thoroughness:** Has the project been thoroughly researched and carefully thought out? Are adequate details presented?

(g) **Redundancy:** Does the project propose to provide services that are already available for the employees?

(12) **How will the recipient receive the money?** Once the projects have been reviewed, prioritized and selected, the applicant will enter into a contract with the Washington state department of transportation for implementation of the project. This contract will establish the amount of money the grantee can receive for the project, the timelines and performance expectations. The funds will be provided to the grantee through three approaches: Start-up, performance and performance bonus.

(a) **Start-up:** The grantee may request up to fifty percent of awarded funds after project startup. Start-up funding will be provided dollar for dollar on a cost-reimbursable basis, but in no circumstances will this amount exceed fifty percent of the total project award.

(b) **Grant performance:** The remaining funds will be available to the grantee following the performance measurement. The grantee has the option to measure their performance halfway through the project and at the end of the year. If the grantee conducts a midterm measurement, they will be eligible to receive half of the performance funding following this measurement with the balance available after the second measurement survey. If the grantee elects to measure only at the end of the project, all of the remaining funds will be available, depending on the performance they achieved through their project. No performance funds will be available for any project that fails to perform.

(c) **Performance bonus:** The grantee will be eligible to receive up to twenty percent additional funds if the performance of their project exceeds their anticipated performance. These funds will only be provided at the end of the contract period and the grantee will receive the funds for additional performance based on the same award rate per trip reduced and same award rate per VMT reduced as identified in their application and subsequent contract. Note: No one employer, etc., may receive more than one hundred thousand dollars in a FY. The performance bonus portion of the funding will only be available if funds are remaining in the grant account.

(13) **Project timeline:** To receive all eligible grant funds for the fiscal year, the grantee must provide measured data on their project's performance to WSDOT by June 15th.

(14) **Receipt of grant funds:** The grantee must submit a grant fund disbursement form provided by WSDOT in order to receive their grant funds. On this form the grantee will identify the funds requested and documentation of performance or expenditures (if required). For the performance portion of the grant award, no funds will be made available without documentation of actual employee reductions in VMT and vehicle trips.

(15) **Performance documentation:** The applicant must, as part of the application, indicate how they will provide evidence of the performance made during the year. WSDOT will make available a survey instrument that can be used to measure performance at employer worksites. The grantee may elect to provide performance data in an alterna-

tive format approved by WSDOT. The measurement approach used by the applicant must clearly demonstrate how changes are calculated and adjustments made for changes in employee population.

(16) **Measurement of VMT and commute trips reduced:** Measurement of performance must provide actual counts of vehicle trips and VMT made by the employees in the program, preceding and following the grant period. The performance measurement must adjust for changes in employee populations during the grant period. WSDOT will use the following methodology to calculate changes in the number of commute trips and commute VMT at a project worksite(s):

(a) **Baseline survey.** At the beginning of the program, the worksite(s) will survey their employees about their commuting behavior using the standard WSDOT commute trip reduction employee survey form. This initial survey is called the baseline survey. WSDOT will calculate a baseline mode split, based on results from the baseline survey. In calculating this mode split, and those from subsequent surveys, WSDOT will calculate assumptions to adjust for missing data, days reported by employees as not worked, inconsistency between commute mode and vehicle occupancy data, and reported use of compressed workweeks as specified in the CTR guidelines published by WSDOT and available on the Internet <http://www.wsdot.wa.gov/tdm/tripreduction/CTRguide/SEC3.cfm>.

(b) **Performance measurement survey.** The grantee will survey the eligible project employees a second time by June 15th. This second survey is called the performance measurement survey.

(c) WSDOT will calculate the mode split based on the results of the performance measurement survey. Using the number of employees at the site during the first measurement survey and the mode split from the first measurement survey, WSDOT will calculate the average number of vehicle trips that employees took per day, during the first measurement survey period. Using this same number of employees, WSDOT also will calculate the average number of trips the employees would have taken per day during the first measurement survey if they had the mode split calculated from the baseline survey.

(d) The difference between the two numbers calculated under subsection (2)(b) of this section is the change in the average number of trips per day at the site between the two surveys. These calculations take into consideration changes in employment at the site; the employer will not be entitled to increased payments due to a reduction in force or be penalized because of an increase in employment.

(e) WSDOT will calculate the average one-way distance for trips made by each mode in the performance measurement survey, and multiply this by the change in the average number of trips by that mode per day. The sum of these values for motorized commuting modes is the change in VMT.

WSR 03-24-019
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 03-291—Filed November 21, 2003, 3:01 p.m., effective December 1, 2003]

Date of Adoption: November 20, 2003.

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 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 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 1, 2003.

November 20, 2003

Evan Jacoby

for Jeff Koenings

Director

NEW SECTION

WAC 220-52-04600C Coastal crab fishery—Special management area. Notwithstanding the provisions of WAC 220-52-046, effective December 1, 2003 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 until further notice:

(a) Coastal waters between 47°40.50'N and 47°58.00'N, and east of a line described by the following points:

Southern point (Destruction Island): 47°40.50'N
124°40.00'W

Northern point (Cape Johnson): 47°58.00'N
124°48.00'W

(b) Coastal waters between 47°09.00'N and 47°21.00'N,
and east of a line described by the following points:

Southwest point (Copalis Rock area): 47°09.00'N
124°24.00'W

Northwest point: (mouth of Quinault river): 47°21.00'N
124°30.00'W

(2) The following area is closed from January 7, 2004
through March 9, 2004:

(a) Coastal waters between 48°07.50'N and 48°22.86'N,
and east of a line described by the following points:

Southwest point: 48°07.50'N 124°51.50'W

Northwest point: 48°20.00'N 124°50.00'W

Cape Flattery: 48°22.86'N 124°43.83'W

WSR 03-24-020
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 03-293—Filed November 21, 2003, 3:04 p.m.]

Date of Adoption: November 21, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-32-05700V; and amending WAC 220-
32-057.

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 per-
manent rule would be contrary to the public interest.

Reasons for this Finding: Opens Bonneville Pool for a
sturgeon gill net season. There are eight hundred fish left on
the Bonneville Pool guideline. Continues setline season in
Bonneville and John Day pools. There is room on the guide-
lines in both areas to allow for a season. Conforms state rules
with tribal rules and is consistent with compact action of
November 20, 2003. 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 Nongov-
ernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Ini-
tiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify,
Streamline, or Reform Agency Procedures: New 0,
Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule
Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative
Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 21, 2003

Jim Lux

for Jeff Koenings

Director

NEW SECTION

**WAC 220-32-05700W Columbia River sturgeon sea-
sons above Bonneville Dam.** Notwithstanding the provi-
sions of WAC 220-32-057, effective immediately, it is
unlawful to take, fish for or possess sturgeon taken for com-
mercial purposes in Columbia River Salmon Management
Catch Reporting Areas 1F, 1G, and 1H, except those individ-
uals possessing treaty fishing rights under the Yakima, Warm
Springs, Umatilla, and Nez Perce treaties may fish for stur-
geon under the following provisions:

1) Open Area is 1F.

a) 6:00 a.m. December 1 through 6:00 p.m. December
14, 2003.

b) Gear: Gill nets. Minimum mesh size of 8 1/2 inches.

c) Allowable sale: sturgeon between 4 and 5 feet in
length, walleye, carp. Salmon and steelhead may not be sold
but may be retained for subsistence purposes.

d) All standard river mouth and dam sanctuaries are in
effect.

2) Dates: Immediately until further notice.

a) Open areas are 1F and 1H.

b) Gear: setlines.

c) During the season specified in Section 2, it is unlawful
to:

1) retain for commercial purposes sturgeon less than 48
inches or greater than 60 inches in length.

2) sell, barter, or attempt to sell or barter sturgeon eggs
that have been removed from the body cavity of a sturgeon
prior to sale of the sturgeon to a wholesale dealer licensed
under chapter RCW 77.65, or to sell or barter sturgeon eggs
at retail.

3) deliver to a wholesale dealer licensed under chapter
RCW 77.65 any sturgeon that are not in the round with the
head and tail intact.

d) During the season specified in Section 2, it is unlawful
to use set line gear:

1) with more than 100 hooks per set line

2) with hooks less than the minimum size of 9/0

3) with treble hooks

4) without visible buoys attached and with buoys that do
not specify operator and tribal identification.

REPEALER

The following section of the Washington Administrative
Code is repealed:

WAC 220-32-05700V

Columbia River sturgeon
seasons above Bonneville
Dam. (03-263)

EMERGENCY

**WSR 03-24-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-294—Filed November 21, 2003, 3:06 p.m., effective November 21, 2003, 6:01 p.m.]

Date of Adoption: November 21, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-31100R and 220-47-41100S; and amending WAC 220-47-311 and 220-47-411.

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 action opens Area 8 for one additional day of purse seine and gill net fishing and opens Area 7B to gill nets continuously through the end of the season. It also adds three days of gill net fishing in Areas 10 and 11 and changes the days open for purse seine gear to Monday and Tuesday in Areas 8A and 12C. This action also continues the change of days and time period fished in Area 8A for gill nets to daylight fishing to address fishers concerns and accommodate the treaty fishing schedule. Harvestable numbers of chum remain on the nontreaty share in these areas. Finally, this action closes Area 8D to purse seine and gill net gear to ensure egg take goal is met at the Tulalip Hatchery. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 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: November 21, 2003, 6:01 p.m.
November 21, 2003

Jim Lux
for Jeff Koenings
Director

NEW SECTION

WAC 220-47-31100S Purse seine—Open periods. Notwithstanding the provisions of WAC 220-47-311, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with purse seine gear, for

commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 8A, 8D, 10, 11, and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Area	Time	Date
8	7:00 AM - 5:00 PM	11/25
8A	7:00 AM - 5:00 PM	11/24, 11/25
8D	Closed	
12C	7:00 AM - 5:00 PM	11/24, 11/25

NEW SECTION

WAC 220-47-41100T Gill net—Open periods. Notwithstanding the provisions of WAC 220-47-411, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with gill net gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 8A, 10, 11, 12 and 12B unless the gill net license holder provides the department with 24-hour notice prior to each day of fishing. The daily fishing notice to the department must include the gill net license holder's name, telephone number where they can be contacted and the area they will be fishing. The notice must be given by one of the following three means:

- (a) Fax transmission to 360-902-2949;
- (b) E-mail to psfishtickets@dfw.wa.gov; or
- (c) Toll-free telephone call to 1-866-791-1279

Effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 7B, 8, 8A, 8D, 10, 11 and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

AREA	TIME	-	DATE(S)	MINIMUM MESH
7B:	Continuous thru	-	4PM 12/5	6 1/4"
8:	7AM	-	6PM 11/25	6 1/4"
8A:	7AM	-	6PM 11/24, 11/25, 11/26, 11/28	6 1/4"
8D:			Closed	
10, 11:	4PM	-	8AM NIGHTLY 11/23, 11/25, 11/27	
12C	7AM	-	6PM 11/25	6 1/4"

REPEALER

The following sections of the Washington Administrative Code are repealed effective 6:01 p.m. November 21, 2002:

- WAC 220-47-31100R Purse seine—Open periods. (03-292)
- WAC 220-47-41100S Gill nets—Open periods. (03-292)

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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 03-24-029
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed November 24, 2003, 3:59 p.m., effective November 24, 2003]

Date of Adoption: November 13, 2003.

Purpose: To continue the emergency rule that has been in place since April 1, 2003, while the permanent rule-making process (initiated under WSR 03-08-081) is completed. The emergency rule reflects the April 1, 2003, federal increase in the federal poverty level (FPL). Federal poverty guidelines are updated annually in the Federal Register by the United States Department of Health and Human Services under Section 673(2) of the Omnibus Budget Reconciliation Act (42 U.S.C. 9902(2)).

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0085 Medicare savings program—Monthly income and countable resources standards.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.530.

Other Authority: 42 U.S.C. 9902(2).

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; and 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: Federal statute (42 U.S.C., Chapter 7) requires states to use the annually adjusted FPL guidelines as the basis for determining financial eligibility standards for certain medical assistance programs. The department adopted emergency rules - WSR 03-08-065 and 03-16-021 - to implement the 2003 FPL standards that went into effect on April 1, 2003, per the United States Department of Health and Human Services announcement published in the Federal Register (Volume 68, No. 26, pages 6456-6458). This emergency rule will extend WSR 03-16-021 that would otherwise expire on November 24, 2003. The immediate effective date is needed to prevent a lapse in the applicable FPL that could result in incorrect eligibility determinations for individuals and families in need of medical assistance. The department has filed a preproposal statement of inquiry, WSR 03-08-081, and is taking appropriate steps to adopt the emergency rule as a permanent rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, 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 1, Repealed 0.

Effective Date of Rule: November 24, 2003.

November 13, 2003

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-18-056, filed 8/30/01, effective 9/30/01)

WAC 388-478-0085 Medicare ((cost-sharing)) savings programs—Monthly income and countable resources standards. (1) The qualified Medicare beneficiary (QMB) program income standard is up to one hundred percent of the Federal Poverty Level (FPL). Beginning April 1, ((2001)) 2003, the QMB program's income standards are:

Table with 2 columns: Category and Amount. (a) One person: \$((716)) 749. (b) Two persons: \$((968)) 1010.

(2) The special low-income Medicare beneficiary (SLMB) program income standard is over one hundred percent of FPL, but under one hundred twenty percent of FPL. Beginning April 1, ((2001)) 2003, the SLMB program's income standards are:

Table with 3 columns: Category, Minimum, and Maximum. (a) One person: \$((716.01)) 749.01, \$((859)) 898. (b) Two persons: \$((968.01)) 1010.01, \$((1161)) 1212.

(3) The ((expanded special low income Medicare beneficiary (ESLMB))) qualified individual (QI-1) program income standard is over one hundred twenty percent of FPL, but under one hundred thirty-five percent of FPL. Beginning April 1, ((2001)) 2003, the ESLMB program's income standards are:

Table with 3 columns: Category, Minimum, and Maximum. (a) One person: \$((859.01)) 898.01, \$((967)) 1011. (b) Two persons: \$((1161.01)) 1212.01, \$((1367)) 1364.

(4) The qualified disabled working individual (QDWI) program income standard is up to two hundred percent of FPL. Beginning April 1, ((2001)) 2003, the QDWI program's income standards are:

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- (a) One person \$((1432))
 1497
- (b) Two persons \$((1935))
 2020

(5) ~~((The qualified individual (QI) program income standard is over one hundred thirty five percent of FPL, but under one hundred seventy five percent of FPL. Beginning April 1, 2001, the QI program's income standards are:-~~

	Minimum	Maximum
(a) One person	\$967.01	\$1253
(b) Two persons	\$1307.01	\$1694

(6)) ~~The resource standard for the Medicare ((cost sharing)) savings programs in this section is:~~

- (a) One person \$4000
- (b) Two persons \$6000

WSR 03-24-035
EMERGENCY RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed November 25, 2003, 2:13 p.m., effective December 1, 2003]

Date of Adoption: December 1 [November 25], 2003.

Purpose: To implement the Uniform Money Services Act, chapter 287, Laws of 2003; specifically, to facilitate licensing of money services businesses as required by the act. This is an extension of the emergency rule filed as WSR 03-16-074 on August 4, 2003. The agency has filed a notice of intent to adopt this rule as a permanent rule. The CR-101 was filed on July 11, 2003, as WSR 03-15-044. The agency is actively undertaking the appropriate procedures to adopt the rule as a permanent rule.

Statutory Authority for Adoption: RCW 43.320.040, chapter 19.230 RCW.

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: As of October 1, 2003, both new and existing money services businesses may not operate without a license issued by the Department of Financial Institutions. To provide a framework for the licensing process, circulate licensing applications, and to continue to receive and process license applications, an emergency rule is necessary.

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 19, 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 19, 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 1, 2003.

November 25, 2003

Helen P. Howell

Director

Chapter 208-690 WAC

REGULATION OF MONEY SERVICES PROVIDERS

PART A
DEFINITIONS

NEW SECTION

WAC 208-690-010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Act" means the Uniform Money Services Act, chapter 19.230 RCW, and C287 L 2003.

(2) "Affiliate" means any person who directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, another person.

(3) "Annual license assessment due date" means the date specified in WAC 208-690-090.

(4) "Applicant" means a person that files an application for a license under this chapter, including the applicant's proposed responsible individual and executive officers, and persons in control of the applicant.

(5) "Audited financial statement," means a statement prepared by an independent accountant according to generally accepted accounting principles.

(6) "Authorized delegate," means a person a licensee designates to provide money services on behalf of the licensee. A person that is exempt from licensing under this chapter cannot have an authorized delegate.

(7) "Board director" means a member of the applicant or licensee's board of directors if the applicant or licensee is a corporation or limited liability company, or a partner if the applicant or licensee is a partnership.

(8) "Control" means:

(a) Ownership of, or the power to vote, directly or indirectly, at least twenty-five percent of a class of voting securities or voting interests of a licensee or applicant, or person in control of a licensee or applicant;

(b) Power to elect a majority of executive officers, managers, directors, trustees, or other persons exercising managerial authority of a licensee or applicant, or person in control of a licensee or applicant; or

(c) Power to exercise directly or indirectly, a controlling influence over the management or policies of a licensee or applicant, or person in control of a licensee or applicant;

(9) "Currency exchange" means exchanging the money of one government for the money of another government, or holding oneself out as able to exchange the money of one

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government for the money of another government. The following persons are not considered currency exchangers:

(a) Affiliated businesses that engage in currency exchange for a business purpose other than currency exchange;

(b) A person who provides currency exchange services for a person acting primarily for a business, commercial, agricultural, or investment purpose when the currency exchange is incidental to the transaction;

(c) A person who deals in coins or money whose value is primarily determined because it is rare, old, or collectible;

(d) A person who in the regular course of business chooses to accept from a customer the money of a country other than the United States in order to complete the sale of a good or service other than currency exchange, that may include cash back to the customer, and does not otherwise engage in currency exchange for compensation or gain.

(10) "Currency exchanger" means a person that is engaged in currency exchange.

(11) "Director" means the director of the Department of Financial Institutions.

(12) "Executive officer" means a president, chairperson of the executive committee, chief financial officer, responsible individual, or other individual who performs similar functions.

(13) "Financial institution" means any person doing business under the laws of any state or the United States relating to commercial banks, bank holding companies, savings banks, savings and loan associations, trust companies, or credit unions.

(14) "Licensee" means a person licensed under Chapter 19.230, RCW.

(15) "Mail" includes electronic mail.

(16) "Material litigation" means litigation that according to generally accepted accounting principles is significant to an applicant's or licensee's financial health and would be required to be included in an applicant's or licensee's audited financial statements, report to shareholders, or similar records.

(17) "Mobile location" means a vehicle or movable facility where money services are provided

(18) "Money" means a medium of exchange or unit of account that is authorized, adopted or recognized by the United States or a foreign government. "Money" also includes a medium of exchange or unit of account established by an intergovernmental organization or by agreement between two or more governments.

(19) "Money services" means money transmission or currency exchange.

(20) "Money transmission" means receiving money or its equivalent value to transmit, deliver, or instruct to be delivered, the money or its equivalent value to another location, inside or outside the United States, by any means including but not limited to wire, facsimile, or electronic transfer. "Money transmission" does not include the provision solely of connection services to the Internet, telecommunications services, or network services, or network access.

(21) "Money transmitter" means a person that is engaged in money transmission.

(22) "Outstanding money transmission" means the value of all money transmissions reported to the licensee for which the money transmitter has received money or its equivalent value from the customer for transmission, but has not yet completed the money transmission by delivering the money or monetary value to the person designated by the customer.

(23) "Payment instrument" means a check, draft money order, traveler's check, or other instrument for the transmission or payment of money or its equivalent value, whether or not negotiable. "Payment instrument" does not include a credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services.

(24) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture; government, governmental subdivision, agency or instrumentality; public corporation; or any other legal or commercial entity.

(25) "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, corporation, or association, or the owner of a sole proprietorship.

(26) "RCW" means the *Revised Code of Washington*.

(27) "Record" means information that is inscribed on a tangible medium, or that is stored in an electronic or other medium, and is retrievable in perceivable form.

(28) "Responsible individual" means an individual who is employed by a licensee and has principal managerial authority over the provision of money services by the licensee in this state.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any other territory or insular possession subject to the jurisdiction of the United States.

(30) "Stored value" means the recognition of value or credit to the account of persons, when that value or credit is primarily intended to be redeemed for a limited universe of goods, intangibles, services, or other items provided by the issuer of the stored value, its affiliates, or other involved in transactions functionally related to the goods, intangibles, services; or other items sold by the issuer or its affiliates.

(31) "Unsafe or unsound practice" means a practice or conduct by a person licensed or required to be licensed by the Act to provide money services, or an authorized delegate of such a person, which creates the likelihood of material loss, insolvency, or dissipation of the licensee's assets, or otherwise materially prejudices the financial condition of the licensee or the interests of its customers.

PART B APPLICATION OF THE ACT

NEW SECTION

WAC 208-690-020 Application. The Act and these rules apply only to the activities of money transmission and currency exchange, as defined in the Act and these rules. These definitions focus on activities engaged in rather than the entity that engages in them. Section 4 of the Act (RCW 19.230.020) lists certain exclusions. As a general rule, there

is no attempt to include in the application of the Act and these rules those financial activities that are otherwise regulated and involve the transfer of money or its equivalent value as an ancillary or incidental part of the core activity. The target of the Act and these regulations is money transmission and currency exchange as stand-alone for-profit services.

A person who obtains a license to engage in money transmission may provide currency exchange services without obtaining a separate currency exchange license.

PART C LICENSING

NEW SECTION

WAC 208-690-030 License application. Each person required to have a money transmission or currency exchange license must apply to the director by filing:

(1) A completed application in the form prescribed by the director;

(2) For the responsible individual and principal(s):

(a) Biographical information, including employment history for the immediate previous five years;

(b) A personal credit report from a recognized independent credit-reporting agency;

(c) A signed authorization for a background investigation on a form prescribed by the director.

(3) If the application is for money transmission, a surety bond as required by WAC 208-690-040;

(4) A non-refundable application fee as prescribed by WAC 208-690-130(1). The application fee is not refundable.

(5) An initial license fee as prescribed by WAC 208-690-130(2). The initial license fee will be refunded if the license application is denied.

(6) For each authorized delegate, the business name, including any additional names by which the business may be known, the business address and the name of the primary contact person. If an authorized delegate provides money services at more than one location the business address of each such location must be provided.

(7) A full description of the screening process used by the applicant in selecting authorized delegates, including any sample forms used, the method used to screen for criminal history, and a sample of the contract which the applicant uses to establish the legal relationship of authorized delegate.

(8) If the applicant is a money transmitter, a certification that the applicant's investment portfolio includes only permissible investments under RCW 19.230.200 and 19.230.210.

NEW SECTION

WAC 208-690-031 Addition of authorized delegates. To add authorized delegate(s) or company-owned locations after a money transmitter or currency exchanger license has been issued, the licensee must apply to the director by filing:

(1) A completed application in the form prescribed by the director;

(2) For each proposed additional authorized delegate, the business name, including any additional names by which the

business may be known, the business address and name of the primary contact person, and the business address of each location where the authorized delegate will provide money services;

(3) Fees required by WAC 208-690-130 for the addition of authorized delegates.

NEW SECTION

WAC 208-690-035 Authorized delegates, limitation, inclusion. (1) Only a licensee may designate an authorized delegate. An authorized delegate, or any other person exempt from the licensing requirements of chapter 19.230 RCW cannot have an authorized delegate.

(2) Any person who is designated by a licensee to provide money services on behalf of the licensee is an authorized delegate, regardless of whether that person would be exempt from the application of chapter 19.230 RCW if they provided money services on their own behalf.

NEW SECTION

WAC 208-690-040 Surety bond. (1) Each money transmitter licensee shall continuously maintain a surety bond as required by RCW 19.230.050, issued by a company authorized to do surety business in this state, as a surety. The surety may not be a wholly owned subsidiary or affiliate of the applicant or licensee.

(2) The penal sum of the bond shall be calculated annually according to the following schedule:

(a) \$10,000 if the applicant or licensee had money transmission receipts of less than one million dollars for the previous twelve months, including applicants who have not previously engaged in providing money transmission services.

(b) \$20,000 if the applicant or licensee had money transmission receipts of at least one million but less than two million dollars for the previous twelve months.

(c) \$30,000 if the applicant or licensee had money transmission receipts of at least two million but less than three million dollars for the previous twelve months.

(d) \$40,000 if the applicant or licensee had money transmission receipts of at least three million but less than four million dollars for the previous twelve months.

(e) \$50,000 if the applicant or licensee had money transmission receipts of four million dollars or more for the previous twelve months.

In addition to these amounts the penal sum of the bond is increased by \$10,000 for each additional location where that applicant provides money services, including each location of authorized delegates, and each location owned and operated by the applicant, up to a maximum total amount of \$500,000.

NEW SECTION

WAC 208-690-050 Increase of security. The director may increase the amount of security required, to a maximum of \$1,000,000, if the financial condition of a money transmitter licensee so requires. The director shall consider, without limitation, the following criteria:

(1) Significant reduction of net worth.

- (2) Financial losses.
- (3) Potential losses resulting from violations of Chapter 19.230, RCW, or these rules;
- (4) Licensee filing for bankruptcy.
- (5) The initiation of license revocation proceedings against the licensee in any state or foreign country.
- (6) The filing of a state or federal criminal indictment against the licensee, key officer, board director or principal, based on conduct related to providing money services or money laundering.
- (7) A licensee, executive officer, board director, or principal being convicted of a crime.
- (8) The safety and soundness of the licensee.
- (9) Other events and circumstance that, in the judgment of the director, impair the ability of the licensee to meet its obligations to its money services customers.

NEW SECTION

WAC 208-690-060 Net worth. (1) A money transmitter applicant or licensee must demonstrate a net worth of at least the amounts set forth in the following schedule:

- (a) \$10,000 if the applicant has not previously engaged in the provision of money services, or it had money transmission receipts of less than one million dollars for the previous twelve months.
 - (b) \$20,000 if the applicant or licensee had money transmission receipts of at least one million dollars but less than two million dollars for the previous twelve months;
 - (c) \$30,000 if the applicant or licensee had money transmission receipts of at least two million dollars but less than three million dollars for the previous twelve months;
 - (d) \$40,000 if the applicant or licensee had money transmission receipts of at least three million dollars but less than four million dollars for the previous twelve months; or
 - (e) \$50,000 if the applicant or licensee had money transmission receipts of four million dollars or more for the previous twelve months.
- (2) Determinations of net worth must be made according to generally accepted accounting principles.

NEW SECTION

WAC 208-690-070 License denial, suspension, revocation. (1) Director may deny a money services license if the director determines that:

- (a) The application is incomplete;
- (b) The surety bond, or net worth requirements of WAC 208-690-040 through WAC 208-690-060 have not been met;
- (c) The general fitness and character requirements of RCW 19.230.070 and 19.230.100 have not been met as demonstrated by any of the following findings:
 - (i) The applicant or licensee, an executive officer, proposed responsible person, board director or person in control has been convicted of any felony within the past 10 years;
 - (ii) The applicant or licensee, an executive officer, proposed responsible person, board director or person in control has been convicted of a crime involving a financial transaction within the past 10 years;
 - (iii) The applicant or licensee, an executive officer, proposed responsible person, board director or person in control

has charges pending against him/them for violations relating to a financial transaction(s) within the past 10 years;

(iv) The applicant or licensee, an executive officer, proposed responsible person, board director, or person in control has falsified any information supplied in connection with the application;

(v) The applicant or licensee, or any authorized delegate thereof, has had an adverse action taken against any business license related to providing financial services by a jurisdiction within the United States within the past 3 years.

(d) The applicant or licensee, or any authorized delegate thereof, fails to respond to a request for information from the director within 15 days of a third request for the same information.

(e) The applicant or licensee has failed to register with the United States Department of the Treasury as required by 31 USC Section 5330.

(f) The applicant or licensee, an executive officer, proposed responsible individual, board director, or person in control is listed on the specially designated nationals and blocked persons list prepared by the United States department of the treasury as a potential threat to commit terrorist acts or to finance terrorist acts.

(2) In lieu of denying an application as authorized by any of the findings in subsection (1) of this section, the director may suspend processing that application if the director determines that the condition requiring denial may be temporary and resolved satisfactorily within a reasonable period of time. The director may resume processing the application if the director determines that a favorable resolution of the disqualifying condition has occurred.

(3) The director may revoke or suspend a license and issue an order to cease and desist operations as a money services licensee if another jurisdiction initiates an adverse action against the money services license of the licensee, or upon finding any condition or fact that would have led to denial of a license if known by the director during the processing of the application.

PART D RECORDKEEPING AND REPORTING REQUIREMENTS

NEW SECTION

WAC 208-690-080 Audited annual financial statement. A licensee is required to have an audited financial statement prepared annually in accordance with generally accepted accounting principles.

NEW SECTION

WAC 208-690-090 Annual report and annual assessment. A form for the preparation of the annual report and license assessment will be mailed to each licensee annually and made available by electronic transmission. The licensee must submit its completed annual report and annual license assessment fee prescribed by WAC 208-690-140 no later than July 1, or the next business day when/if July 1 is not a business day. The report shall include the following:

(1) A copy of the licensee's most recent audited annual financial statement or, if the licensee is a wholly owned subsidiary of another corporation, the most recent audited consolidated annual financial statement of the parent company.

(2) A description of each material change, as defined by WAC 208-690-110, to information submitted by the licensee in its original license application, which has not been previously reported to the director on any required report.

(3) A list of current authorized delegates as prescribed by WAC 208-690-030(6).

(4) If the licensee is a money transmitter, a certification that the licensee's investment portfolio includes only permissible investments under RCW 19.230.200 and 19.230.210.

(4) If the licensee is a money transmitter, proof that the licensee continues to maintain an adequate surety bond and net worth as required by WAC 208-690-040 through WAC 208-690-060.

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 208-690-100 Late penalty. (1) If a licensee fails to submit the required annual report, or license assessment fee by July 1, the director shall send the licensee a notice of suspension and assess a penalty equal to ten percent of the license assessment fee. If the delay exceeds thirty days, the director shall send a notice to the licensee that its license has expired and that the licensee must pay a penalty equal to twenty-five percent of the annual assessment fee. If either of these deadlines occurs on a day that is not a business day, the deadline shall be the next business day.

(2) The director may reinstate an expired license under this section if, within twenty days after the effective date of the expiration, the licensee:

(a) Files the complete annual report and pays both the annual license assessment and the late fee; and

(b) The licensee did not engage in providing money services during the period its license was expired.

NEW SECTION

WAC 208-690-110 Material change. Material changes of any of the items required to be included in the licensee's application must be reported to the director within thirty days of the occurrence of the change. "Material change" means any change that is not trivial, and that, if not reported, would cause an investigation or examination to be misled or delayed. Such a change would include, but not be limited to changing the physical and/or mailing address, responsible individual, licensee's name or DBA (Doing Business As), and other similar activities.

NEW SECTION

WAC 208-690-120 Change of authorized delegates—Locations. (1) A licensee shall file with the director within forty-five days after the end of each fiscal quarter:

(a) Any change in previously designated/existing locations where money services are provided, including mobile locations;

(b) Any change in the name or trade name (DBA or Doing Business As) of an existing authorized delegate;

(c) Any deletions from its roster of authorized delegates; and

(d) The fee required by WAC 208-690-150. If there is no change in the roster of authorized delegates or locations where money services are provided during a fiscal quarter, no filing is required.

PART E FEES

NEW SECTION

WAC 208-690-130 License fees. (1) A non-refundable license application fee of \$500 shall be paid by each license applicant, plus \$50 for each additional location where the licensee or an authorized delegate will provide money services, up to a maximum of \$8,000. A non-refundable application fee of \$50 shall be paid by a licensee for each authorized delegate or company owned location the licensee seeks to add to its roster after the company license has been issued.

(2) An applicant shall pay an initial license fee of \$500, plus \$50 for each additional location where the applicant or an authorized delegate will provide money services, up to a maximum of \$8,000. This initial license fee is refundable if the application is denied. A licensee shall pay an initial license fee of \$50 for each authorized delegate the licensee seeks to add to its roster after the license has been issued. This fee is refundable if the application to add an authorized delegate is denied. The fee is not refundable if the application is withdrawn.

NEW SECTION

WAC 208-690-140 License assessment. A licensee shall pay an annual license assessment of \$500 plus \$50 for each additional location where the licensee or an authorized delegate provides money services, up to a maximum of \$8,000.

NEW SECTION

WAC 208-690-150 Transaction fee. A fee of \$30 shall be paid by a licensee for the administrative costs connected with processing a change of a licensee's address or name, or a change in control of a licensee, a change in responsible individual, or changes in the business/trade name or location of an existing authorized delegate, or company-owned location, or other material changes.

NEW SECTION

WAC 208-690-160 Late fees. A late fee of ten percent of the annual license assessment will be added to the assessment if the annual report and license assessment are not submitted by July 1. If the delay exceeds thirty days the late fee is increased to twenty-five percent of the annual license

assessment. If either of these deadlines occurs on a day that is not a business day, the deadline will be the next business day.

NEW SECTION

WAC 208-690-170 Investigation and examination fee. The director will collect fees of \$75 per hour for investigation and examination services, including the following services:

(1) The review and attendant investigation of changes in control, changes in the responsible individual, changes in the identity or location of authorized delegates, and other material changes.

(2) The review and attendant investigation of permissible investments of the licensee.

(3) Any examination of the licensee's books, records and files deemed necessary by the director.

WSR 03-24-036

EMERGENCY RULES

DEPARTMENT OF FISH AND WILDLIFE

[Order 03-296—Filed November 25, 2003, 4:56 p.m.]

Date of Adoption: November 25, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-72-011, 220-72-089, and 220-72-090.

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 confirmation of this disease into additional areas requires further prompt action to halt and/or minimize the further spread of the disease. 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 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: Immediately.

November 25, 2003

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-72-01100A Oyster drill restricted shellfish areas—Puget Sound. Notwithstanding the provisions of WAC 220-72-011, effective immediately until further notice, all waters, tidelands, shellfish handling facilities and equipment (including aquaculture vehicles and vessels) operated in conjunction with said waters and tidelands of Puget Sound within the following areas are designated as oyster drill restricted shellfish areas:

(1) Carr Inlet -

(a) Burley Lagoon — inside and northerly of the Purdy bridge.

(b) Minter Creek — inside and westerly of a line projected from:

Point No. 1 from the mainland at 122°41'00" W Long. due south to

Point No. 2 at 47°21'00" N. Lat.

122°41'00" W. Long. thence to

Point No. 3 at 47°21'00" N. Lat. then projected true west to the mainland.

NEW SECTION

WAC 220-72-08900B Denman Island Disease prohibited area. Notwithstanding the provisions of WAC 220-72-089, effective immediately until further notice, an area where *Mikrocytos mackini*, the causative agent of Denman Island Disease, has been confirmed is designated as a Denman Island Disease prohibited area. This label applies to all waters, tidelands, shellfish handling facilities and equipment (including aquaculture vehicles and vessels) operated in conjunction with said waters and tidelands. The following areas are designated as Denman Island Disease prohibited areas:

(1) Strait of Juan de Fuca, Dungeness Bay — inside and westerly of a line projected from the tip of Dungeness Spit due south to the mainland.

(2) Orcas Island,

(a) Deer Harbor — inside and northerly of a line projected between Pole Pass Point and Steep Point.

(b) West Sound — inside and northerly of a line projected between Caldwell Point and the most southerly point of land west of the community of Orcas.

(c) East Sound — inside and northerly of a line projected between Diamond Point and the most south-westerly point on Orcas Island at Obstruction Pass.

(3) Westcott Bay — inside and westerly of a line projected between the most southerly point of White Point and the most northerly point of Delacombe Point.

(4) Bellingham and Samish Bays - southerly and inside of a line projected between Lummi Point and Gooseberry Point and easterly and inside of line projected between Carter Point and William Point.

(5) Minter Creek — inside and westerly of a line projected from:

Point No. 1 from the mainland at 122°41'00" W Long. due south to

Point No. 2 at 47°21'00" N. Lat.

122°41'00" W. Long. thence to

Point No. 3 at 47°21'00" N. Lat. where it reaches the mainland.

(6) McMicken Island - inside and westerly of a line projected between Dougall Point and Wilson Point.

(7) Oakland Bay - inside and northerly of a line projected across Oakland Bay at 47°14'30" N. Lat. and inside and southerly of a line projected from:

Point No. 1 from the mainland on the west side of Oakland Bay at 47°15'00 due east to

Point No. 2 at 47°15'00" N. Lat.

123°04'00" W. Long. thence to

Point No. 3 at 123°04'00" N. Lat. where it reaches the mainland.

NEW SECTION

WAC 220-72-09000B Denman Island Disease surveillance area. Notwithstanding the provisions of WAC 220-72-090, effective immediately until further notice, all waters, tidelands, shellfish handling facilities and equipment (including aquaculture vehicles and vessels) operated in conjunction with said waters and tidelands within the following areas are designated as Denman Island Disease surveillance areas:

(a) North Puget Sound, Strait of Juan de Fuca and San Juan Islands — easterly of a line projected true north of Cape Flattery to the international boundary line, northerly of a line projected from the northern most tip of Tala Point to the western most tip of Foulweather Bluff, and northerly of a line projected from the eastern most point of Apple Cove Point to the western most point of Edwards Point.

(b) South Puget Sound — inside and southerly of the Tacoma Narrows Bridge.

Reviser's note: The spelling 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 03-24-037
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 03-295—Filed November 25, 2003, 4:56 p.m.]

Date of Adoption: November 24, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-41100T; and amending WAC 220-47-411.

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 regulation reduces the number of days open for gill nets in Areas 10 and 11 based on state/tribal agreement and is necessary to reduce potential impacts on Nisqually chum. 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.

November 24, 2003

J. P. Koenigs

Director

by Larry Peck

NEW SECTION

WAC 220-47-41100U Gill net—Open periods. Notwithstanding the provisions of WAC 220-47-411, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with gill net gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 8A, 10, 11, 12 and 12B unless the gill net license holder provides the department with 24-hour notice prior to each day of fishing. The daily fishing notice to the department must include the gill net license holder's name, telephone number where they can be contacted and the area they will be fishing. The notice must be given by one of the following three means:

(a) Fax transmission to 360-902-2949;

(b) E-mail to psfishtickets@dfw.wa.gov; or

(c) Toll-free telephone call to 1-866-791-1279

Effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 7B, 8, 8A, 8D, 10, 11 and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

AREA	TIME	-	DATE(S)	MINIMUM MESH
7B:	Continuous thru	-	4PM 12/5	6 1/4"
8:	7AM	-	6PM 11/25	6 1/4"
8A:	7AM	-	6PM 11/24, 11/25, 11/26, 11/28	6 1/4"

EMERGENCY

AREA	TIME	-	DATE(S)	MINIMUM MESH
8D:			Closed	
10, 11:	4PM	-	8AM 11/25	
12C	7AM	-	6PM 11/25	6 1/4"

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-41100T Gill nets—Open periods.
(03-294)

WSR 03-24-044
EMERGENCY RULES
UNIVERSITY OF WASHINGTON

[Filed November 26, 2003, 8:45 a.m., effective November 27, 2003]

Date of Adoption: November 19, 2003.

Purpose: To amend chapter 478-136 WAC, Use of University of Washington facilities, in order to provide rules regulating the sale, possession, consumption, and service of alcohol on the University of Washington campuses. These rule amendments follow the enactment of ESB 5560 that repeals RCW 66.44.190, which had prohibited the sale of alcohol on the Seattle campus.

Citation of Existing Rules Affected by this Order: Amending WAC 478-136-030 and 478-136-060.

Statutory Authority for Adoption: RCW 28B.20.130.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: In ESB 5560, the 2003 legislature repealed RCW 66.44.190 that had prohibited the sale of alcohol on the Seattle campus (with the exception of the faculty club). WAC 478-136-030, the rule that regulates the use of university facilities, prohibits only the consumption and possession of alcoholic beverages in Husky Stadium. There is currently no permanent regulation directly addressing the sale of alcohol on campus.

The University of Washington desires to adopt permanent rules regarding the sale of alcohol on campus and is continuing the permanent rule-making process for that purpose. Until that process is complete, the university believes that regulation of the sale of alcohol on campus by these emergency rules is necessary to preserve the public health, safety, and welfare.

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 2, 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 0, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This emergency rule follows a substantially similar previous emergency rule that went into effect July 29, 2003, (see WSR 03-16-024). Per RCW 34.05.350(2), the University of Washington is actively undertaking permanent rule making for these rules as evidenced by the university's filing of WSR 03-15-099 (preproposal statement of inquiry), WSR 03-19-102 (proposed rule making), and a public hearing on the matter held October 22, 2003.

Effective Date of Rule: November 27, 2003.

November 19, 2003

Lee L. Huntsman

Interim President

AMENDATORY SECTION (Amending WSR 02-06-020, filed 2/25/02, effective 3/28/02)

WAC 478-136-030 Limitations on use. (1) Freedom of expression is a highly valued and indispensable quality of university life. However, university facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities. Additionally, use of university facilities may be subject to reasonable time, place and manner restrictions.

(2) University facilities may be used for events and forums regarding ballot propositions and/or candidates who have filed for public office so long as the event has received preliminary approval by an administrative or academic unit and final approval by the committee on the use of university facilities. There are, however, certain limitations on the use of university facilities for these political activities.

(a) First priority for the use of campus facilities shall be given to regularly scheduled university activities.

(b) University facilities may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office only when the full rental cost of the facility is paid. However, use of state funds for payment of facility rental costs is prohibited.

(c) Forums or debates may be scheduled at full facility rental rates if all parties to a ballot proposition election or all candidates who have filed for office for a given position, regardless of party affiliation, are given equal access to the use of facilities within a reasonable time.

(d) No person shall solicit contributions on university property for political uses, except in instances where this limitation conflicts with applicable federal law regarding interference with the mails.

(e) Public areas outside university buildings may be used for political purposes such as events and forums regarding

ballot propositions and/or candidates who have filed for public office, excluding solicitation of funds, provided the other normal business of the university is not disrupted and entrances to and exits from buildings are not blocked.

(f) University facilities or services may not be used to establish or maintain offices or headquarters for political candidates or partisan political causes.

(3) University facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities serve an educational purpose, as determined by the committee on the use of university facilities.

(4) Nothing in these rules is intended to alter or affect the regular advertising, promotional, or underwriting activities carried on, by, or in the regular university media or publications. Policies concerning advertising, promotional or underwriting activities included in these media or publications are under the jurisdiction of and must be approved by their respective management or, where applicable, advisory committees, in accordance with applicable state and federal laws.

(5) In accordance with WAC 478-136-010, the university will make its facilities available only for purposes related to the educational mission of the university, as determined by the committee on the use of university facilities, including but not limited to instruction, research, public assembly, and student activities. When permission is granted to use university facilities for approved instructional or related purposes, as a condition of approval, the user of university facilities agrees to include in all materials nonendorsement statements in the form approved by the committee on the use of university facilities. "Materials" includes all communications, advertisement, and any other printed, electronic, or broadcast/telecast information related to the user's activities offered in university facilities. The committee will determine the content, size of print and placement of the nonendorsement language. The university will not make its facilities available for instructional or related purposes that compete with courses or programs offered by the university.

(6) Solicitation, or distribution of handbills, pamphlets and similar materials by anyone, whether a member of the university community or of the general public, is not permitted in those areas of campus to which access by the public is restricted or where such solicitation or distribution would significantly impinge upon the primary business being conducted.

(7) Solicitation and distribution of materials in university residence halls are governed by residence hall policies. No solicitation of a commercial nature is permitted in university residence halls. Commercial advertising may be allowed, and is restricted to certain designated areas of each residence hall, when it is related to the university's mission and approved by the department of housing and food services.

(8) Electronic amplification on the grounds of the campus is prohibited with the following exceptions:

(a) The lawn area immediately west of the Husky Union Building will be available for open-air speaking events using directional and volume-controlled speech amplification equipment provided by the university. Use of the Husky Union Building lawn site will be available to registered or official student organizations and faculty or staff groups on a

first-come, first-served basis. The amplification system will be issued upon presentation of a currently valid student, faculty or staff identification card at the Husky Union Building Reservation Office.

(b) The committee on the use of university facilities may grant permission, under special circumstances, for the use of other amplification equipment on the lawn site west of the Husky Union Building or in other outdoor locations. Permission should be requested through:

University of Washington
Secretary to the Committee on the
Use of University Facilities
400 Gerberding Hall
Box 351210
Seattle, WA 98195-1210

(or phone: 206-543-2560), sufficiently in advance of the program to allow timely consideration.

(9)(a) No person may use university facilities to camp, except if permission to do so has been granted in accordance with the provisions of chapters 478-116 and 478-136 WAC or except as provided in (b) of this subsection. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. Violators are subject to arrest and criminal prosecution under applicable state, county and city laws.

(b) This provision does not prohibit use of the university residence facilities in accordance with chapter 478-156 WAC or the use of facilities where the employee remains overnight to fulfill the responsibilities of his or her position or where a student remains overnight to fulfill the requirements of his or her course of study.

(10) Within the limits of applicable laws, the University of Washington is committed to establishing and maintaining safe conditions for persons attending football games in Husky Stadium or other athletic events or concerts in campus facilities. Accordingly, the rules enumerated below will apply to all such events and be strictly enforced.

(a) The possession or consumption of alcoholic beverages or illegal drugs is prohibited, except for alcohol allowed under a permit or license obtained under subsection (13) of this section. In addition to having the beverages or drugs confiscated, violators may be subject to university disciplinary action and/or legal proceedings, and removal from the events.

(b) Air horns, glass bottles, cans, picnic baskets, bota bags, ice chests, and thermoses (in excess of two-quart capacity) are prohibited. Individuals possessing such will not be admitted to, or will be removed from, Husky Stadium or other athletic or concert facilities until the items have been stored temporarily at locations provided for that purpose or disposed of in some other manner.

(c) Smoking is prohibited in the seating areas of all athletic stadia. Smoking is permitted on pedestrian concourses.

(d) All persons entering events in Husky Stadium or other athletic venues or events in other campus auditoria or facilities shall be subject to having all containers, bags, backpacks, coolers, or similar items visually inspected. Security personnel shall first ask permission to visually inspect the

item and advise the person that he/she may refuse. Persons who refuse to allow inspection shall be allowed to return the item to a vehicle or otherwise dispose of it, after which admission shall be allowed. Persons who refuse the visual inspection and refuse to dispose of the item shall be denied entry.

(11) Only public service announcements and acknowledgment of sponsors will be allowed on scoreboards at athletic venues.

(a) For purposes of this section, a public service announcement is defined as an announcement which promotes the activities or services of federal, state or local governments, including the University of Washington, or non-profit organizations, or generally contributes to the community's welfare and interests.

(b) In acknowledgment of their sponsorship of the scoreboards or sponsorship of events and programs, sponsors may propose public service announcements for display on the scoreboard during athletic events. The public service announcement may be accompanied by a sponsor's name or logo, but in keeping with university policy may not directly promote the products or services of the company. The text and graphics of public service announcements must be submitted at least three days in advance to the department of intercollegiate athletics for approval by the university.

(c) In addition to these public service announcements, sponsors also may be acknowledged by the display of corporate logos, trademarks, or other approved messages upon panels located on the scoreboard.

(12) The University of Washington is committed to maintaining a safe and healthful work and educational environment for all faculty, staff, students, and visitors. Accordingly, the University of Washington establishes the following smoking policy to protect nonsmokers from exposure to smoke in their university-associated environments and to protect life and property against fire hazards:

(a) Except as provided in subsections (10)(c) and (12)(b) of this section, smoking is prohibited in all university vehicles, inside all buildings owned or occupied by the university and/or used by the university's faculty, staff or students and at any outside areas or locations that may directly or indirectly affect the air supply of buildings or carry smoke into buildings.

(b) Smoking may be permitted in student rooms in university residence halls and apartments in university student housing in accordance with smoking regulations established for those facilities by the vice-president for student affairs.

(c) The director of environmental health and safety may designate specific outdoor locations as no smoking areas.

(d) Any student, staff, or faculty member who violates the university smoking policy may be subject to disciplinary action. In addition, violations of the university smoking policy may be subject to enforcement by the University of Washington police department.

(13) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities only if the procedures set forth in this section are followed.

(a) The appropriate permits/licenses for possession, sale, service, and consumption of alcohol must be obtained from the Washington state liquor control board.

(b) Permits/licenses must be displayed during the event and all other guidelines and restrictions established by the Washington state liquor control board must be followed.

(c) Alcoholic beverages may be possessed, sold, served, and consumed at the faculty center, as so designated by the university board of regents to the Washington state liquor control board, pursuant to a spirits, beer, and wine private club license issued by the Washington state liquor control board.

(d) Alcoholic beverages may be possessed, sold, served, and consumed at university facilities leased to a commercial tenant under a lease that includes authorization for the tenant to apply and hold a license issued by the Washington state liquor control board.

(e) Except as provided in (c) and (d) of this subsection, alcoholic beverages may be possessed, sold, served, and consumed at university facilities only under permits/licenses issued by the Washington state liquor control board and only as follows:

(i) Events at which alcohol is to be sold must be approved by the committee on the use of university facilities and an application to the committee must be accompanied by a request for written authorization under (f) or (g) of this subsection or proof that the seller holds an appropriate license; and

(ii) Events at athletic venues at which alcohol is to be possessed, sold, served, or consumed must not be within the spectator viewing areas and must have restricted attendance, and a university unit, or an individual or organization applying for a permit/license must have obtained approval under (f) or (g) of this subsection; and

(iii) A university unit, or an individual or organization applying for a permit/license must have obtained approval under (f) or (g) of this subsection; and

(iv) Sale, service, and consumption of alcohol is to be confined to specified room(s) or area(s) specified on the license or permit. Unopen containers may not be sold or served. No alcohol is permitted to be taken off-premises.

(f) Written authorization to apply for a special occasion license to sell alcoholic beverages at university facilities must be obtained from the committee on the use of university facilities prior to applying for a special occasion license from the Washington state liquor control board. Authorization should be requested through the University of Washington, secretary to the committee on the use of university facilities, sufficiently in advance of the program to allow timely consideration. (Note: Some license applications must be filed with the Washington state liquor control board at least thirty days or more before the event.) Written authorization to apply for such license shall accompany the license application filed with the Washington state liquor control board.

(g) Written authorization to apply for a banquet permit to serve and consume alcoholic beverages at university facilities must be obtained from the vice-president for student affairs prior to applying for the permit from the Washington state liquor control board. Authorization should be requested through the University of Washington, office of the vice-president for student affairs, sufficiently in advance of the program to allow timely consideration. Written authorization

to apply for such permit shall accompany the permit application filed with the Washington state liquor control board.

(h) Consumption, possession, dispensation, or sale of alcohol is prohibited except for persons of legal age.

AMENDATORY SECTION (Amending WSR 97-24-047, filed 11/26/97, effective 12/27/97)

WAC 478-136-060 Safety and liability. (1) It is the responsibility of any person or organization requesting the use of university facilities to comply with all applicable university policies, procedures, rules and regulations, and applicable local, state and federal laws, including but not limited to fire, health and safety regulations.

(2) Permission to a nonuniversity organization or to a registered (~~or official~~) student organization for the use of university facilities is granted with the express understanding and condition that such organization assumes full responsibility for any loss, damage or claims arising out of such use.

When the event involves physical activity, the sale of alcohol, or otherwise will increase the risk of bodily injury above the level inherent in the facilities to be used, proof of appropriate liability insurance coverage with limits of at least \$1,000,000 per occurrence must be provided to the university's office of risk management before approval for the requested use will be granted.

EMERGENCY



WSR 03-23-013
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION)
OF THE AMENDMENTS TO RAP 15.4,) ORDER
RALJ 9.3 AND 10.2, CRLJ 63, APR 8(g),) NO. 25700-A-779
APR 12.1 AND APR 14)

The Washington State Bar Association having recom-
mended the adoption of the proposed amendments to RAP
15.4, RALJ 9.3 and 10.2, CRLJ 63, APR 8(g), APR 12.1 and
APR 14, and the Court having determined that the proposed
amendments will aid in the prompt and orderly administra-
tion 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 6th day of
November 2003.

Alexander, C.J.

Johnson, J.

Bridge, J.

Madsen, J.

Chambers, J.

Sanders, J.

Owens, J.

Ireland

Fairhurst, J.

RAP 15.4
CLAIM FOR PAYMENT OF EXPENSE FOR INDI-
GENT PARTY

(a) Unchanged.

(b) [Reserved.]

(c) - (e) Unchanged.

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 Reg-
ister pursuant to the requirements of RCW 34.08.040.

RALJ 9.3
COSTS

(a) - (e) Unchanged.

(f) Judgment for Costs. The costs claimed by a party
shall be deemed awarded unless another party unless another
party files and serves written objections within the time pro-
vided by section (d). The clerk of the superior court shall
transmit a copy of the cost bill and any superior court deci-
sion allowing costs to the court of limited jurisdiction and a
copy of the decision to each party. The costs awarded to a
party shall become a part of any judgment entered under rule
9.2(b) 9.2(c).

(g) Unchanged.

Reviser's note: The typographical errors in the above material
occurred in the copy filed by the State Supreme Court and appear in the Reg-
ister pursuant to the requirements of RCW 34.08.040.

RALJ 10.2
DISMISSAL OF APPEAL

(a) Involuntary Dismissal. The superior court will, on
motion of a party or on its own motion after 14 days' notice to
the parties, dismiss an appeal of the case (1) except as pro-
vided in section (b) of this rule 10.3 (c)(1), for failure to
timely file a notice of appeal, or (2) for want of prosecution if
the party appealing has abandoned the appeal. Unless good
cause is shown, an appeal will be deemed abandoned if there
has been no action of record for 90 days.

(b) - (c) Unchanged.

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.

CRLJ 63
JUDGES - DISABILITY

If by reason of death, sickness or other disability, a judge
before whom an action has been tried is unable to perform the
duties to be performed by the court under these rules after a
verdict is returned or findings of fact and conclusions of law
are filed entered, then any other judge regularly sitting in or
assigned to the court in which the action was tried may per-
form those duties; but if such other judge is satisfied that he
or she cannot perform those duties because he the judge did
not preside at the trial or for any other reason, he the judge
may in his the exercise of discretion grant a new trial.

SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)
APR 8. SPECIAL ADMISSIONS

(a) In General. [No change].

(b) Exception for Particular Action or Proceeding.
[No change].

(c) Exception for Indigent Representation. [No
change].

(d) Exception for Educational Purposes. [No change].

(e) Exception for Emeritus Membership. [No
change].

(f) Exception for House Counsel. [No change].

(g) Exception for Military Lawyers. A lawyer admit-
ted to the practice of law in a state or territory of the United
States or of the District of Columbia, who is a full-time active
duty military officer serving in the office of a Staff Judge
Advocate of the United States Army, Air Force, Navy,
Marines, or Coast Guard, a Naval Legal Service Office or a
Trial Service Office, located in the State of Washington, may,
upon application and approval, appear as a lawyer and prac-
tice law before the courts of this state in any matter, litigation,
or administrative proceeding, subject to the following condi-
tions and limitations set forth in this rule. The applicant must
be of good moral character and shall apply by (i) filing an
application in the form and manner that may be prescribed by
the Board of Governors; (ii) presenting satisfactory proof of
admission by examination to the practice of law and current

MISC.

good standing as a member of the bar in any state or territory of the United States or the District of Columbia; (iii) complying with training requirements as set forth below; and (iv) furnishing whatever additional information or proof that may be required in the course of processing the application.

(1) To qualify for admission to practice under this rule, an applicant must, prior to admission, complete at least 15 credit hours of approved continuing legal education on Washington practice, procedure, and professional responsibility.

(2) Military lawyers admitted to practice pursuant to this rule are not, and shall not represent themselves to be members of the Washington State Bar Association.

(3) The applicant's right to practice under this rule: (i) may be terminated by the Supreme Court at any time with or without cause, or (ii) shall be terminated when the military lawyer ends active duty military service in this state. The lawyer admitted under this rule and his or her supervisory Staff Judge Advocate or his or her Commanding Officer are responsible to advise the Washington State Bar Association of any change in status of the lawyer that may affect his or her right to practice law under this rule.

(4) Military lawyers admitted pursuant to the rule may represent active duty military personnel in enlisted grades E-1 through E-4 and their dependents in noncriminal matters to the extent such representation is permitted by the supervisory Staff Judge Advocate or Commanding Officer, Naval Legal Service Office or Commanding Officer, Trial Service Office. Other active duty military personnel and their dependants may be represented if approved by the Service Judge Advocate General or his or her designee.

(5) Military lawyers admitted pursuant to this section may not demand or receive any compensation from clients in addition to the military pay to which they are already entitled.

(6) The practice of a lawyer admitted under this section shall be subject to the Rules of Professional Conduct, the Rules for ~~Lawyer Discipline~~ Enforcement of Lawyer Conduct, the Admission to Practice Rules, and to all other laws and rules governing lawyers admitted to the bar of this state. Jurisdiction shall continue whether or not the lawyer retains the right to practice in Washington and irrespective of the residence of the lawyer.

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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.

SUGGESTED AMENDMENT

ADMISSION TO PRACTICE RULES (APR)

APR 12.1 PRESERVING IDENTITY OF FUNDS AND PROPERTY IN TRANSACTIONS CLOSED BY LIMITED PRACTICE OFFICERS

(a) [No change].

(b) For all transactions in which a certified closing officer has prepared documents under the authorization set forth in rule 12(d), the certified closing officer shall insure that all funds received by the closing firm incidental to the closing of the transaction, including advances for costs and expenses, shall be deposited into one or more identifiable

interest-bearing trust accounts maintained as set forth in section (d) ~~rule 12.1(c)~~, and no funds belonging to the certified closing officer or the closing firm shall be deposited therein except as follows:

(1) Funds reasonably sufficient to pay bank charges may be deposited therein;

(2) Funds belonging in part to the parties to the real estate or personal property transaction that is being closed and in part presently or potentially to the certified closing officer or the closing firm must be deposited therein, but the portion belonging to the certified closing officer or the closing firm may be withdrawn when due unless the right of the certified closing officer or the closing firm to receive it is disputed by the parties to the real or personal property transaction, in which event the disputed portion not be withdrawn until the dispute is finally resolved.

(c) Each trust account referred to in section (b) shall be an interest-bearing trust account in any bank, credit union or savings and loan association, selected by a certified closing officer or the closing firm by which he or she is employed to perform closing services in the exercise of ordinary prudence, authorized by federal or state law to do business in Washington and insured by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund, or the Washington Credit Union Share Guaranty Association, or which is a qualified public depository as defined in RCW 39.58.010(2), or which bank, credit union, savings and loan association or qualified public depository has filed an agreement with the Disciplinary Board pursuant to rule 15.4 of the Rules for Enforcement of Lawyer Conduct. Interest-bearing trust funds shall be placed in accounts in which withdrawals or transfers can be made without delay when such funds are required, subject only to any notice period which the depository institution is required to reserve by law or regulation. Such account, if established in the name of the closing firm, must reference the name(s) of the certified closing officer(s) whose services are engaged in connection with the real or personal property closing activities of the closing firm.

(1) A certified closing officer who receives or whose closing firm receives funds associated with a transaction being closed by that officer shall maintain a pooled interest-bearing trust account for deposit of funds that are nominal in amount or expected to be held for a short period of time. The interest accruing on this account, net of reasonable check and deposit processing charges which shall only include items deposited charge, monthly maintenance fee, per item check charge, and per deposit charge, shall be paid to The Legal Foundation of Washington, as established by the Supreme Court of Washington. All other fees and transaction costs shall be paid by the certified closing officer or the closing firm by which he or she is employed to perform closing services. A certified closing officer or closing firm may, but shall not be required to, notify the parties to the transaction of the intended use of such funds.

(2) All funds received from the parties to a transaction being closed by the certified closing officer, whether received by the certified closing officer or the closing firm, shall be deposited in the account specified in subsection (1) unless they are deposited in:

(i) a separate interest-bearing trust account containing funds pertaining to a specific real or personal property closing if directed by written agreement signed by the parties to the transaction and specifying the manner of distribution of accumulated interest to the parties to the transaction;

(ii) a separate interest-bearing trust account for a particular party to a real or personal property closing on which accumulated interest will be paid to that party; or

(iii) a pooled interest-bearing account with subaccounting that will provide for computation of interest earned by each party's funds and the payment thereof to the respective party.

(3) In determining whether to use the account specified in subsection (1) or an account specified in subsection (2), a certified closing officer shall consider only whether the funds to be invested could be utilized to provide a positive net return to the client, as determined by taking into account the following factors:

(i) the amount of interest that the funds would earn during the period they are expected to be deposited;

(ii) the cost of establishing and administering the account, including the cost of the certified closing officer's services and the cost of preparing any tax reports required for interest accruing to the party(ies)' benefit; and

(iii) the capability of financial institutions to calculate and pay interest to individual parties in the manner contemplated by subsection (2).

(4) As to accounts created under ~~section (d)~~ rule 12.1(c), certified closing officers or the closing firms on whose behalf they are engaged in performing closing services shall direct the depository institution:

(i) to remit interest or dividends, net of reasonable check and deposit processing charges which shall only include items deposited charge, monthly maintenance fee, per item check charge, and per deposit charge, on the average monthly balance in the account, or as otherwise computed in accordance with an institutions standard accounting practice, at least quarterly, to The Legal Foundation of Washington. Other fees and transaction costs will be directed to the certified closing officer of the closing firm by which he or she is employed to perform closing services;

(ii) to transmit with each remittance to the Foundation a statement showing the name of the certified closing officer(s) for whom the remittance is sent, the rate of interest applied, and the amount of service charges deducted, if any, and the account balance(s) of the period in which the report is made, with a copy of such statement to be transmitted to the depositing certified closing officer or closing firm.

(d) [No change].

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SUGGESTED AMENDMENT

ADMISSION TO PRACTICE RULES (APR)

APR 14. LIMITED PRACTICE RULE FOR FOREIGN LAW CONSULTANTS

(a) **Purpose.** [No change.]

(b) **Qualifications.**

(1) To qualify as a Foreign Law Consultant applicant for admission to the limited practice of law in the State of Washington as provided in these rules, a person must:

(i) Present satisfactory proof of both admission to the practice of law, together with current good standing, in a foreign jurisdiction, and active legal experience as a lawyer or counselor at law or the equivalent in a foreign jurisdiction for at least 5 of the 7 years immediately preceding the application; and

(ii) Possess the good moral character and fitness requisite for a member of the Bar of the State of Washington; and

(iii) Execute under oath and file with the Bar Association two copies of an application, ~~one of which shall be in the applicants own handwriting~~, in such form as may be required by the Board of Governors; and

(iv) File with the application a certificate from the authority in such foreign country having final jurisdiction over professional discipline, certifying as to the applicants admission to practice, and the date thereof, and as to the good standing of such lawyer or counselor at law or the equivalent, together with a duly authenticated English translation of such certificate, if it is not in English; and

(v) File with the application a letter of recommendation from one of the members of the executive body of such authority or from one of the judges of the highest law court or courts of original jurisdiction of such foreign country, together with a duly authenticated English translation of such letter, if it is not in English; and

(vi) Provide with the application such other evidence of the applicants educational and professional qualifications, good moral character and fitness and compliance with the requirements of this rule as the Board of Governors may require; and

(vii) Pay upon the filing of the application a fee equal to that required pursuant to rule 3 (d)(2) to be paid by an attorney applicant to take the bar examination.

(2) Upon a showing that strict compliance with the provisions of subsections (b)(1)(iv) or (b)(1)(v) would cause the applicant unnecessary hardship, the Board of Governors may at its discretion waive or vary the application of such provisions and permit the applicant to furnish other evidence in lieu thereof.

(c) **Procedure.** ~~(1)~~ The Board of Governors shall approve or disapprove applications for admission of Foreign Law Consultants. Additional proof of any facts stated in the application may be required by the Board. In the event of the failure or refusal of the applicant to furnish any information or proof, or to answer any inquiry of the Board pertinent to the pending application, the Board may deny the application. Upon approval of the application by the Board of Governors, the Board shall recommend to the Supreme Court the admission of the applicant for the purposes herein stated. The Supreme Court may enter an order admitting to practice those applicants it deems qualified, conditioned upon such applicants:

~~(1)~~ (1) Taking and filing with the Clerk of the Supreme Court the Oath of Attorney pursuant to rule 5; and

(ii) (2) Paying to the Bar Association its membership fee for the current year in the maximum amount required of active members; and

(iii) (3) Filing with the Bar Association in writing his or her address in the State of Washington, or the name and address of his or her registered agent as provided in APR 5(e), together with a statement that the applicant has read the Rules of Professional Conduct and Rules for Enforcement of Lawyer Conduct, is familiar with their contents and agrees to abide by them.

~~(2) Upon the entry of an order of admission, the filing of the required materials and payment of the membership fee, the applicant shall be enrolled as a Foreign Law Consultant and shall be entitled to the limited practice of law as specified by this rule.~~

- (d) **Scope of Practice.** [No change.]
- (e) **Disciplinary Provisions.** [No change.]
- (f) **Continuing Requirements.** [No change.]
- (g) **Termination of License.** [No change.]
- (h) **Reciprocity.** [No change.]

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WSR 03-24-003
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
INFORMATION SERVICES
 (State Interoperability Executive Committee)
 [Memorandum—November 18, 2003]

The State Interoperability Executive Committee (SIEC) will meet on December 11, 2003, from 1:30 - 3:30 p.m., in the Department of Information Services Boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

In addition, the SIEC advisory working group will be meeting every other Wednesday from November 26, 2003, through December 24, 2003. Meetings will be held in the Department of Information Services Building, 1110 Jefferson Street, Olympia, WA from 1:30 - 3:30 p.m.

Questions regarding the SIEC should be directed to Dennis Hausman, (360) 902-3463.

WSR 03-24-004
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Advisory Board of Plumbers)
 [Memorandum—September 23, 2003]

In accordance with chapter 42.30 RCW, Open Public Meetings Act, the quarterly meetings for the Advisory Board of Plumbers have been scheduled for 2004. The meetings are

to begin at 9:30 a.m. on the third Tuesday of January, April, July and October at the following location: Department of Labor and Industries, Rehabilitation Resource Center, 12806 Gateway Drive, Seattle, WA (Tukwila).

The dates are as follows:

- January 20, 2004
- April 20, 2004
- July 20, 2004
- October 19, 2004

WSR 03-24-005
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
 [Memorandum—November 17, 2003]

The Transportation Commission's 2004 meeting schedule is as follows:

Wednesday and Thursday	January 21 and 22
Wednesday and Thursday	February 18 and 19
Wednesday and Thursday	March 17 and 18
Wednesday and Thursday	April 14 and 15
Wednesday and Thursday	May 19 and 20
Wednesday and Thursday	June 16 and 17
Wednesday and Thursday	July 14 and 15
Wednesday and Thursday	August 18 and 19
Wednesday and Thursday	September 15 and 16
Wednesday and Thursday	October 20 and 21
Wednesday and Thursday	November 17 and 18
Wednesday and Thursday	December 15 and 16

The above meetings will be held between 8:00 a.m. and 5:00 p.m. in Room 1D2 of the Transportation Building, 310 Maple Park Avenue S.E., Olympia, WA.

The commission will also hold four local area meetings throughout 2004. Below are the dates and locations for these meetings:

Vancouver	Wednesday, May 26
Yakima	Wednesday, June 23
Grays Harbor	Wednesday, September 22
Spokane	Wednesday, October 27

WSR 03-24-006
RULES COORDINATOR
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Filed November 20, 2003, 10:06 a.m.]

Effective immediately, the rules coordinator for the Office of Minority and Women's Business Enterprises is Cathy V. Canorro.

MISC.

Cathy's contact information is P.O. Box 41160, Olympia, WA 98504-1160, phone (360) 704-1187, e-mail ccanorro@omwbe.wa.gov.

Carolyn Crowson
Director

WSR 03-24-011
NOTICE OF PUBLIC MEETINGS
NOXIOUS WEED CONTROL BOARD
[Memorandum—November 20, 2003]

The next two meetings of the Washington State Noxious Weed Control Board will be held as follows:

Tuesday, January 20 8:30 a.m.	Natural Resources Building Room 172 1111 Washington Street Olympia, WA 98504-2560
Tuesday, March 16 8:30 a.m.	Campbell's Resort 104 West Woodin Chelan, WA 98816

WSR 03-24-015
NOTICE OF PUBLIC MEETINGS
OFFICE OF THE
INTERAGENCY COMMITTEE
(Salmon Recovery Funding Board)
[Memorandum—November 18, 2003]

The next meeting of the Salmon Recovery Funding Board (SRFB) will be December 4 and 5, 2003, in the Natural Resources Building, Rooms 175 a and b, 1111 Washington Street S.E., Olympia, WA.

The main topic of the SRFB meeting will be final preparation for the start of the 5th grant round. If you would like more information on work being done by the SRFB issues task force (ITF) or would like to comment on any of its work, check out the web page at http://www.iac.wa.gov/srfb/5th_rnd_ITF.htm. On this page you will find the list of ITF members, meeting agendas and materials, summaries of past meetings, board direction and decisions, and documents requesting public comment.

To change or add internet addresses on this list, please e-mail tammyo@iac.wa.gov.

WSR 03-24-016
NOTICE OF PUBLIC MEETINGS
CLOVER PARK
TECHNICAL COLLEGE
[Memorandum—November 10, 2003]

Corrections have been made to the board of trustees' Clover Park Technical College's meeting calendar for 2004.

CLOVER PARK TECHNICAL COLLEGE
DISTRICT #29

Board of Trustees Meetings
September 10, 2003

Adoption of the 2004 Meeting Calendar
to include Budget Workshop Sessions,
General Study Sessions, and Annual Retreat

January 14, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
February 18, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
March 10, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
April 14, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
May 12, 2004	<i>Budget Workshop</i> Study Session Regular Meeting	2:00 p.m. 3:00 p.m. 4:00 p.m.	Building #15 Building #15 Building #15
June 9, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
July 14, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
August 11, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
September 8, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
October 2, 2004	Board Retreat	8:30 a.m.	Tacoma
October 13, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
November 10, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15
December 8, 2004	Study Session Regular Meeting	3:00 p.m. 4:00 p.m.	Building #15 Building #15

WSR 03-24-017
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE
[Memorandum—November 20, 2003]

The board of trustees of Bates Technical College will have a special meeting on December 3, 2003, from 5:00 p.m. to approximately 7:00 p.m. in the Clyde Hupp Board Room, 1101 South Yakima Avenue, Tacoma. The board will go into executive session for the purpose of discussing personnel matters. No action will be taken during executive session.

MISC.

WSR 03-24-018

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING**

(Title and Registration Advisory Committee)

[Memorandum—November 19, 2003]

The Title and Registration Advisory Committee (TRAC) meeting that was scheduled for December 2, 2003, has been adjourned and will reconvene at a later date.

DATE: December 2, 2003
TIME: 1:30 p.m. - 3:30 p.m.
PLACE: Highways-Licenses Building
Conference Room 413
1125 Washington Street
Olympia, WA 98504

WSR 03-24-022

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION**

(Capitol Campus Design Advisory Committee)

[Memorandum—November 20, 2003]

Please record the following Capitol Campus Design Advisory Committee meeting date in the Washington State Register:

Date: Monday, December 1
Time: 10:00 a.m.
Location: Division of Capitol Facilities
1058 Capitol Way
Lower Conference Room

If you have any questions, please contact Kim M. Buccarelli at (360) 902-0955.

WSR 03-24-024

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
INFORMATION SERVICES**

[Memorandum—November 21, 2003]

The following 2004 meeting notices are to be published in the Washington State Register.

Customer Advisory Board - all meetings are held from 1:30 - 3:30 p.m., in the Department of Information Services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

January 26
February 23
March 22
April 26
May 24
June 28

July 26
August 23
September 27
October 25
November 22

Information Services Board - all meetings are held from 1:00 - 5:00 p.m., in the Department of Information Services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

January 8
March 11
May 13
July 8
September 9
November 10

K-20 Network Board - all meetings are held from 1:30 - 4:00 p.m., in the Department of Information Services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

January 22
April 29
July 22
October 14

State Interoperability Executive Committee - all meetings are held from 1:30 - 3:30 p.m., in the Department of Information Services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

February 25
June 9
September 22
December 1

State Interoperability Executive Committee Advisory Working Group - all meetings are held from 1:30 - 3:30 p.m., in the Department of Information Services, 1110 Jefferson Street, Olympia, WA. Meetings are scheduled for every other Wednesday from 1:30 - 3:30 p.m. to begin on January 7, 2004.

Washington State Geographic Information Council - all meetings are held from 10:00 a.m. - 12:00 p.m., in the Department of Information Services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

February 19
April 15
June 17
August 19
October 21
December 16

MISC.

Washington Integrated Justice Information Board - all meetings are held from 10:00 a.m. - 12:00 p.m., in the Department of Information Services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 20
- February 17
- March 16
- April 20
- May 18
- June 15
- July 20
- August 17
- September 21
- October 19
- November 16
- December 21

For further information please contact Laurel McMillan at (360) 902-3566.

WSR 03-24-025
NOTICE OF PUBLIC MEETINGS
LOWER COLUMBIA COLLEGE
 [Memorandum—November 20, 2003]

On November 19, 2003, the Lower Columbia College board of trustees adopted the following meeting schedule for the year 2004. All regularly scheduled meetings are held on the third Wednesday of each month, at 5:00 p.m. on the college campus (unless otherwise noted on the following schedule).

If you have any questions, please don't hesitate to contact James L. McLaughlin, President.

Lower Columbia College Board of Trustees
2004 Meeting Schedule

The trustees meet on the 3rd Wednesday of the month at 5:00 unless noted differently below.

January 21, 2004	5:00 p.m.	Regular Meeting	Heritage Room
February 18, 2004	9:00 a.m.	Regular Meeting/Workshop	Heritage Room
March 10, 2004	5:00 p.m.	Special Executive Session	Administrative Conference Room
March 17, 2004	5:00 p.m.	Regular Meeting	Heritage Room
April 21, 2004	5:00 p.m.	Regular Meeting	Heritage Room
May 19, 2004	5:00 p.m.	Regular Meeting	Heritage Room

June 16, 2004	5:00 p.m.	Regular Meeting	Heritage Room
July 21, 2004	9:00 a.m.	Regular Meeting/Workshop	TBD
August 2004	NO MEETING		
September 15, 2004	5:00 p.m.	Regular Meeting	Heritage Room
October 20, 2004	5:00 p.m.	Regular Meeting	Heritage Room
November 17, 2004	5:00 p.m.	Regular Meeting	Heritage Room
December 15, 2004	5:00 p.m.	Regular Meeting	Heritage Room

WSR 03-24-027
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Board of Boiler Rules)
 [Memorandum—November 19, 2003]

Below are listed the scheduled meeting dates for 2004.

- January 20-21, 2004
- March 15-16, 2004
- May 17-18, 2004
- September 20-21, 2004
- November 15-16, 2004

All meetings start at 10:00 a.m.

All meetings will be held at the Tacoma Labor and Industries Office, Meeting Room #3, 950 Broadway, Tacoma, WA 98402.

Please call Robb Marvin at (360) 902-5270 if you have any questions or you can obtain information at www.lni.wa.gov/scs/boilers.

WSR 03-24-032
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Electrical Board)
 [Memorandum—November 25, 2003]

As per chapter 42.30 RCW, the Open Public Meetings Act, the time and place of the regular meetings for the Electrical Board is as follows:

DATE	TIME	LOCATION
January 29, 2004	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98501

MISC.

DATE	TIME	LOCATION
April 29, 2004	9:00 a.m.	Comfort Inn Evergreen Room 1620 74th Avenue S.W. Tumwater, WA 98501
July 29, 2004	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98501
October 28, 2004	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98501

Please call (360) 902-5572 if you have any questions about these meetings.

WSR 03-24-038
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE

[Memorandum—November 19, 2003]

Pursuant to RCW 42.30.075, following is the schedule of meetings for the board of trustees of Washington State Community College District 17 for calendar year 2004.

If you have any questions regarding this memo, or the schedule, please contact Christine Pearl, executive assistant to the chancellor/CEO and liaison to the board of trustees, at (509) 434-5006.

BOARD OF TRUSTEES WASHINGTON COMMUNITY COLLEGE DISTRICT 17 SCHEDULE OF MEETINGS		
Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) during calendar year 2004 shall be held at 8:30 a.m. on the following dates (<i>third Tuesdays</i>) and in the following locations:		
Date	Location	Address
January 20, 2004 (3rd Tuesday)	Max Snyder Building	East and West Board Rooms 2000 North Greene Street Spokane, WA
February 17, 2004 (3rd Tuesday)	SFCC	The Falls Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA
March 16, 2004 (3rd Tuesday)	SCC	Lair Littlefoot Room 1810 North Greene Street Spokane, WA
April 20, 2004 (3rd Tuesday)	Max Snyder Building	East and West Board Rooms 2000 North Greene Street Spokane, WA
May 18, 2004 (3rd Tuesday)	IEL	Esmeralda Center (TECC) 3939 North Freya Spokane, WA 99217
June 15, 2004 (3rd Tuesday)	Max Snyder Building	East and West Board Rooms 2000 North Greene Street Spokane, WA
July 20, 2004 (3rd Tuesday)	Max Snyder Building	East and West Board Rooms 2000 North Greene Street Spokane, WA

Date	Location	Address
August 17, 2004 (3rd Tuesday)	Max Snyder Building	East and West Board Rooms 2000 North Greene Street Spokane, WA
September 21, 2004 (3rd Tuesday)	SCC	Lair Littlefoot Room 1810 North Greene Street Spokane, WA
October 19, 2004 (3rd Tuesday)	IEL	Colville Center 985 South Elm Colville, WA
November 16, 2004 (3rd Tuesday)	SFCC	The Falls Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA
December 21, 2004 (3rd Tuesday)	Max Snyder Building	East and West Board Rooms 2000 North Greene Street Spokane, WA

WSR 03-24-039
RULES COORDINATOR
POLLUTION LIABILITY
INSURANCE AGENCY

[Filed November 26, 2003, 7:52 a.m.]

Russell E. Olsen is the Pollution Liability Insurance Agency's rules coordinator. Mr. Olsen's e-mail address is rolsen@plia.wa.gov. If you should need any further information please contact Xyzlinda Marshall at (360) 586-1060.

Roger R. Dovel
Director

WSR 03-24-042
HOUSING FINANCE COMMISSION

[Filed November 26, 2003, 8:44 a.m.]

NOTICE OF PUBLIC HEARING

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 3:30 p.m., Wednesday, January 7, 2004, at the Commission Offices, 1000 Second Avenue, in its Board Room, 28th Floor, Seattle, WA.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds and allocate and use other financial resources during the period in accordance with the goals and objectives of the plan.

The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone at 1-800-767-4663; e-mail at bwortley@wshfc.

MISC.

org; or by written request to the commission and will be available at the commission as of this publication date.

Written public comment is invited, but must be received by December 26, 2003, in the offices of the Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

Kim Herman
Executive Director

WSR 03-24-043

HOUSING FINANCE COMMISSION

[Filed November 26, 2003, 8:45 a.m.]

NOTICE OF PUBLIC HEARING

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 10:00 a.m., Tuesday, January 6, 2004, at the Conference Room 1B, Spokane Public Library, 906 West Main, Spokane, WA 99201, and parking is available.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds and allocate and use other financial resources during the period in accordance with the goals and objectives of the plan.

The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone at 1-800-767-4663; e-mail at bwortley@wshfc.org; or by written request to the commission and will be available at the commission as of this publication date.

Written public comment is invited, but must be received by December 26, 2003, in the offices of the Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

Kim Herman
Executive Director

WSR 03-24-061

NOTICE OF PUBLIC MEETINGS EASTERN WASHINGTON UNIVERSITY

[Memorandum—December 1, 2003]

EASTERN WASHINGTON UNIVERSITY

BOARD OF TRUSTEES

December 5, 2003

9:00 a.m.

PUB 263-5-7

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

WSR 03-24-062

NOTICE OF PUBLIC MEETINGS WALLA WALLA

COMMUNITY COLLEGE

[Memorandum—November 24, 2003]

The following schedule of regular meetings of the board of trustees of Walla Walla Community College for 2004 was adopted at their meeting on November 19, 2003. Time of the meetings will be 9:30 a.m. unless otherwise advised.

2004 MEETING SCHEDULE

FOR

WALLA WALLA COMMUNITY COLLEGE
BOARD OF TRUSTEES

WWCC Board Room

(Meeting times are at 9:30 a.m. unless otherwise advised.)

Wednesday, January 21, 2004

Wednesday, February 18, 2004

Wednesday, March 17, 2004

Wednesday, April 21, 2004;

10 a.m....Clarkston

Wednesday, May 26, 2004

Wednesday, June 30, 2004

Wednesday, July 21, 2004....(optional)

Wednesday, August 18, 2004....(optional)

Wednesday, September 22, 2004

Wednesday, October 20, 2004

Wednesday, November 17, 2004

Wednesday, December 15, 2004

MISC.

WSR 03-24-063

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Wheat Commission)

[Memorandum—November 24, 2003]

The Washington Wheat Commission hereby complies with regulations as stated in RCW 42.30.075 and provides pertinent scheduled meeting information of the board of directors for publication in the State Register for the period of January through December 2004. The meetings will take place in the commission conference room located at 907 West Riverside Avenue, Spokane, WA. The meetings will begin at 10:00 a.m. on the first day and will reconvene at 8:30 a.m. on the second day.

Regular	January 14 and 15
Regular	March 10 and 11
Annual	May 19 and 20
Regular	September 15 and 16
Regular	November 17 and 18

We understand that should any changes to this meeting schedule become necessary, we will provide the information at least twenty days prior to the rescheduled meeting date for publication in the State Register.

WSR 03-24-064

**NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY**

[Memorandum—November 25, 2003]

Following is our agency's list of board of directors meeting dates for the year 2004. If you have any questions, please call Carol Pogers at (206) 689-4080.

**PUGET SOUND CLEAN AIR AGENCY
BOARD OF DIRECTORS
MEETING DATES FOR YEAR 2004**

Regular Monthly Meetings

- January 22, 2004
- February 26, 2004
- March 25, 2004
- April 22, 2004
- May 27, 2004
- June 24, 2004
- July 22, 2004
- August (no meeting)
- September 23, 2004
- October 28, 2004
- November 18, 2004
- December 23, 2004

WSR 03-24-065

**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LOTTERY**

(Lottery Commission)

[Memorandum—December 1, 2003]

Following is the meeting schedule for the regular meetings of the Washington Lottery Commission for 2004:

Thursday, January 15, 2004	Seattle
Thursday, March 18, 2004	Olympia
Thursday, May 20, 2004	Yakima
Thursday, July 22, 2004	Everett
Thursday, September 23, 2004	Spokane
Thursday, November 18, 2004	Vancouver

Washington Lottery 2004 Commission Meeting Dates		
Date	Region	Facility
January 15	Region 3	Westin Hotel 1900 Fifth Avenue Seattle, WA 98101 (206) 728-1000
March 18	Region 4	Comfort Inn 1620 74th Avenue S.W. Tumwater, WA 98501 (360) 352-0691
May 20	Region 2	Red Lion Yakima Gateway 9 North 9th Street Yakima, WA 98901 (509) 452-6511
July 22 (tentative until voted on in January)	Region 6	Wyndham Garden Hotel 19333 North Creek Parkway Bothell, WA 98011 (425) 485-5557
September 23	Region 1	Double Tree City Center 322 North Spokane Falls Court Spokane, WA (509) 455-9600
November 18	Region 5	Heathman Lodge 7801 N.E. Greenwood Drive Vancouver, WA 98662 (360) 254-3100

MISC.

WSR 03-24-067
DEPARTMENT OF ECOLOGY

[Filed December 1, 2003, 3:40 p.m.]

Hearing Notice

State Implementation Plan Revision

Including the Puget Sound Clean Air Agency Updated Port of Seattle Emission Inventory in the State Implementation Plan

Background: Local air pollution control agencies periodically submit air quality plan updates and regulations to the Department of Ecology (ecology) for inclusion in Washington's state implementation plan (SIP). The SIP is a statewide plan for meeting federal health-based standards for certain air pollutants.

Ecology will hold a public hearing to receive comments on including Puget Sound Clean Air Agency's (PSCAA) updated Port of Seattle emission inventory in the SIP. PSCAA has determined that the inventory falls within the existing maintenance plan demonstration for ozone and carbon monoxide. This action facilitates compliance with the general conformity provisions of 40 C.F.R. 93. More specifically, it identifies and accounts for direct and indirect emissions from construction and operations at the Seattle-Tacoma International Airport.

The board of directors of PSCAA will conduct a public hearing at the agency's office. The board is expected to adopt the updated Port of Seattle emission inventory following the local hearing. Ecology's public hearing will follow.

Hearing Schedule: Thursday, January 22, 2004, at 9:15 a.m., Puget Sound Clean Air Agency, 110 Union Street, Suite 500, Seattle, WA.

For a SIP hearing, only comments on whether or not to include the changes into the SIP can be considered. Written comments must be postmarked no later than January 29, 2004, and should be sent to Brett Rude, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

For More Information: For more information about the updated Port of Seattle emission inventory, prior to the hearing, please contact John Anderson, Puget Sound Clean Air Agency, (206) 689-4051.

If you have special accommodation needs, please contact the agency receptionist at Puget Sound Clean Air Agency, (206) 689-4010 (voice) or (800) 833-6388 (TTY) by January 15, 2004.

WSR 03-24-068
DEPARTMENT OF ECOLOGY

[Filed December 1, 2003, 3:41 p.m.]

Hearing Notice

State Implementation Plan Revision

Including and Removing Southwest Clean Air Agency Regulations in the State Implementation Plan

Background: Local air pollution control agencies periodically submit air quality regulations to the Department of Ecology (ecology) for inclusion in Washington's state imple-

mentation plan (SIP). The SIP is a statewide plan for meeting federal health-based standards for certain air pollutants.

Ecology will hold a public hearing to receive comments on: (1) Adding new and revised Southwest Clean Air Agency (SWCAA) regulations to the SIP; and (2) removing certain regulations from the SIP that are not required by Title I of the Clean Air Act, or that were previously repealed by SWCAA's board of directors. The amendments are as follows:

- Revise: Rule 400, Sections 107, 116, 161, 210, 220, 240, 260, 280 and Appendix A
 - Remove: Rule 400, Section 010
- The purpose of these amendments is to:
- Clarify terminology, improve consistency with the Air Operating Permit program, and provide more specific reporting requirements for excess emissions.
 - Incorporate changes in terminology and clarification of required corrective action.
 - Update provisions for preconstruction permit requirements.
 - Establish an official test method for opacity.
 - Incorporate various administrative changes necessary for general SIP implementation.

Hearing Schedule: On Thursday, January 8, 2004, at 3:00 p.m., Southwest Clean Air Agency, 11815 N.E. 99th, Suite 1294, Vancouver, WA 98682-2454.

For a SIP hearing, only comments related to including and/or removing the SWCAA regulations in the SIP can be considered. Written comments must be postmarked no later than January 15, 2004, and should be sent to Brett Rude, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

For More Information: For more information about the content of the regulations, prior to the hearing, please contact Paul Mairose, Southwest Clean Air Agency, (360) 574-3058, extension 30.

If you require this publication in an alternative format or need special accommodations, please contact Mary Allen at (360) 574-3058, extension 10, by December 29, 2003.

WSR 03-24-077
DEPARTMENT OF ECOLOGY

[Filed December 2, 2003, 11:19 a.m.]

**Commercial Low-Level Radioactive
Waste Site Use Permit Fees**

In accordance with chapter 173-326 WAC, Commercial low-level radioactive waste disposal—Site use permits, the Department of Ecology is providing notice of the site use permit fees for the period of March 1, 2004, through February 28, 2005. The annual base fee, 1x, has been set at \$424. Site use permit fees for each category are as follows:

<u>CATEGORY</u>	<u>FACTOR</u>	<u>FEE</u>
< 50 cubic feet	1x	\$424
≥50 < 500 cubic feet	2x	\$848
≥500 < 1,000 cubic feet	5x	\$2,120

MISC.

≥1,000 < 2,500 cubic feet	10x	\$4,240
≥2,500 cubic feet	35x	\$14,840
Nuclear Utilities	100x	\$42,400

For further information please contact Mike Garner at (360) 407-7102.

WSR 03-24-078
NOTICE OF PUBLIC MEETINGS
GRAYS HARBOR COLLEGE

[Memorandum—December 1, 2003]

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 20, 2004
- February 17, 2004
- March 16, 2004
- April 20, 2004
- May 18, 2004
- June 15, 2004
- July 20, 2004
- September 21, 2004
- October 19, 2004
- November 16, 2004

WSR 03-24-079
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON

(Board of Regents)

[Memorandum—November 26, 2003]

In accordance with RCW 42.30.075, 28B.20.105, 28B.20.130, and WAC 478-04-030, the board of regents of the University of Washington established the following meeting schedule for 2004 at its regular meeting held November 21, 2003.

DAY	DATE	LOCATION
Friday	January 16, 2004	
Friday	February 20	
Friday	March 19	
Friday	April 16*	
Friday	May 21	
Friday	June 11	UW TACOMA AT 1:30 P.M. IN FRIDAY HARBOR
Friday	July 16	
Friday	August 20*	
Friday	September 17	
THURSDAY	October 14	AT 3:00 P.M. IN SPOKANE
Friday	November 19	
Friday	December 10*	

*The April, August, and December meetings will be canceled, circumstances permitting.

The meetings will commence at 1:00 p.m. (except as otherwise noted) unless public notice is given to the contrary. The meetings will be held in the Walker-Ames Room of Kane Hall on the University of Washington main campus, Seattle, Washington, unless another location is established and public notice given in accordance with chapter 42.30 RCW.

To request disability accommodations, contact the Office of the ADA Coordinator, at least ten days in advance of the event, 543-6450 (voice), 543-6452 (TDD), 685-3885 (fax), access@u.washington.edu (e-mail).

WSR 03-24-080
NOTICE OF PUBLIC MEETINGS
HIGHER EDUCATION CONSORTIUM

[Memorandum—November 26, 2003]

The NSIS Higher Education Consortium board of directors has adopted a schedule of regular meetings for 2004:

- Thursday, February 12th
- Thursday, October 14th

Meetings will begin at 9:00 a.m. and will be held in Conference Room 213, University Center at Everett Station, 3201 Smith Avenue, Everett, WA. This meeting space is accessible to persons of disability. For information, call the University Center office at (425) 252-9505.

WSR 03-24-081
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Apprenticeship and Training Council)

[Memorandum—December 1, 2003]

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 15-16, 2004	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98501
April 15-16, 2004	9:00 a.m.	Best Western Lakeway Inn and Conference Center 714 Lakeway Drive Bellingham, WA 98229
July 15-16, 2004	9:00 a.m.	The Heathman Lodge 7801 Northeast Greenwood Drive Vancouver, WA 98662
October 14-15, 2004	9:00 a.m.	Davenport Hotel 10 South Post Street Spokane, WA 99201

MISC.

Please call (360) 902-5322 if you have any questions about these meetings.

WSR 03-24-082

NOTICE OF PUBLIC MEETINGS

**DEPARTMENT OF
LABOR AND INDUSTRIES**

(Factory Assembled Structures Advisory Board)

[Memorandum—November 26, 2003]

Factory Assembled Structures Board Meetings - 2004

In accordance with chapter 42.30 RCW, Open Public Meetings Act, the time and place of regular meetings for the Factory Assembled Structures Advisory Board for 2004 have been scheduled.

The meetings are scheduled to begin at 1:00 p.m. on the third Thursday of February, May, August and November at the following location: Labor and Industries Headquarters Building, Room N422 (February meeting only) and Room S130, 7273 Linderson Way S.W., Tumwater, WA 98501.

The dates are as follows:

February 19, 2004

May 20, 2004

August 19, 2004

November 18, 2004

If you need further information please contact Beverly Clark at (360) 902-5263 or clah235@lni.wa.gov.

WSR 03-24-084

INTERPRETIVE AND POLICY STATEMENT

**DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed December 2, 2003, 2:20 p.m.]

In accordance with RCW 34.05.230(12), enclosed is a list of Policy and Interpretive Statements issued by the department for October 2003.

If you have any questions or need additional information, please call Carmen Moore at (360) 902-4206.

POLICY AND INTERPRETIVE STATEMENTS

Specialty Compliance Services Division

Process for Objections to Apprenticeship Program Standards, Policy # WSATC 03-01

The Washington State Apprenticeship and Training Council (WSATC) issued this policy as a means of refining and clarifying the current apprenticeship program standard objection process. This new policy is effective October 17, 2003.

Contact Josh Swanson, Mailstop 44400, phone (360) 902-6411.

Frequently Asked Questions on the Family Care Rules, Policy # ES.C.10.

The purpose of this policy is to provide clarification regarding the new family care rules, chapter 296-130 WAC. This amended version incorporates needed edits to item no. 22 to clarify the description of the family leave provisions. This policy was issued May 29, 2003, and amended October 31, 2003.

Contact Carlena Anderson or Mary Miller, Mailstop P.O. Box 44510, phone (360) 902-5315 or (360) 902-6041.

Family Leave Act, Policy # ES.E.1

The purpose of this policy is to provide clarification regarding the Family Leave Act, chapter 49.78 RCW. This amended version incorporates edits, which clarify the family leave provisions. The format has also been updated to be consistent with the current format of questions and answers and numbering. This policy was issued April 2, 2002, and amended October 31, 2003.

Contact Carlena Anderson or Mary Miller, Mailstop P.O. Box 44510, phone (360) 902-5315 or (360) 902-6041.

Law Restricting Mandatory Overtime for Nurses, RCW 49.28.130 through 49.28.150, Policy # ES A.11

The purpose of the policy is to clarify the elements of the statute that are being enforced. No rules have been developed for this RCW. This policy was issued August 28, 2002, and amended October 31, 2003.

Contact Carlena Anderson or Mary Miller, Mailstop P.O. Box 44510, phone (360) 902-5315 or (360) 902-6041.

WISHA Services Division

WISHA Regional Directive (WRD) 91-7A, "Inspection Procedures for Hazard Communication Standard (HCS) WAC 296-62-054"

This directive established guidelines, policies and clarifications to ensure uniform enforcement of the noted HCS requirements in WAC 296-62-054. With the revision of WAC 296-62-054 included in the CORE rules as, "chemical hazard communication," WAC 296-800-170, this WRD is no longer needed. Repealed October 20, 2003.

Contact Marcia Benn, Mailstop 44648, phone (360) 902-5503.

WISHA Regional Directive (WRD) 90-6A, "Agricultural Pesticide Application and Storage"

This directive provided revised interpretations and guidelines in response to common questions concerning the application, posting, storage and documentation requirements for pesticides contained in the agricultural standards: WAC 296-306-400, 296-306-40003, and 296-306-40005 adopted by Administrative Order 92-24. It is outdated and no longer needed. Repealed October 20, 2003.

Contact Marcia Benn, Mailstop 44648, phone (360) 902-5503.

WISHA Regional Directive (WRD) 84-9 (Amended) "Hearing Conservation Standard, WAC 296-62-09015 through 296-62-09055"

This directive provided clarification of the intent of the hearing conservation standard as an aid to compliance and consultation staff. It is no longer needed with the new hear-

MISC.

ing loss prevention (noise) standard, chapter 296-817 WAC, now in effect. Repealed October 20, 2003.

Contact Marcia Benn, Mailstop 44648, phone (360) 902-5503.

WISHA Regional Directive (WRD) 89-2, "Audiometric Testing Using Insert Phones"

This directive established the compliance procedure to follow if an employer was observed using insert phones for audiometric testing. With the new hearing loss prevention (noise) standard, chapter 296-817 WAC, now in effect, it is no longer needed. Repealed October 20, 2003.

Contact Marcia Benn, Mailstop 44648, phone (360) 902-5503.

WISHA Regional Directive (WRD) 11.40, "Bloodborne Pathogens"

This directive provided guidance for all WISHA enforcement and consultation activities involving WAC 296-62-08001, the bloodborne pathogens standard (in Part J of chapter 296-62 WAC). It is no longer needed with the new bloodborne pathogens standard, chapter 296-823 WAC, now in effect. Repealed October 20, 2003.

Contact Marcia Benn, Mailstop 44648, phone (360) 902-5503.

Carmen Moore
Rules Coordinator
Legislative and
Governmental Affairs Office

WSR 03-24-088

NOTICE OF PUBLIC MEETINGS STATE INVESTMENT BOARD

[Memorandum—December 1, 2003]

Pursuant to WAC 287-01-030, this is to notify you that the Washington State Investment Board's regular board meetings for 2004 will be held on the third Thursday of each month, beginning at 9:30 a.m. at the board's office, located at 2100 Evergreen Park Drive S.W., Olympia, WA.

This information is being supplied for inclusion in the Washington State Register.

If you have questions, please feel free to call Sue Hedrick at (360) 956-4612.

WSR 03-24-093

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:07 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.

Subject: Kidney center services.

Effective Date: August 1, 2003.

Document Description: These are billing instructions for midwife providers to use when billing for medical assis-

tance eligible clients. Included in this document are definitions, updated fee schedule, general program policies, and claim form instructions.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

November 19, 2003

E. A. Myers, Manager
Rules and Publications Section

WSR 03-24-094

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:08 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.

Subject: Childbirth education.

Effective Date: October 1, 2003.

Document Description: These are billing instructions for authorized childbirth education providers to use when billing for medical assistance eligible clients. Included in this document are definitions, "About the Program," client eligibility, authorization process, billing, and fee schedule, and billing form.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

November 19, 2003

E. A. Myers, Manager
Rules and Publications Section

WSR 03-24-095

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:09 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-92 MAA.
Subject: Chemical dependency: Rate increase for individual therapy procedure codes.

MISC.

Effective Date: October 1, 2003 (dates of service).

Document Description: **Effective for dates of service on and after October 1, 2003**, the Medical Assistance Administration (MAA) increased the rates for Individual Therapy CPT™ procedure codes 96154 and 96155.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 19, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-24-096

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:09 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-91 MAA.
Subject: Replacement page for MAA's psychology billing instructions.

Effective Date: October 1, 2003.

Document Description: The purpose of this memorandum is to correct page A.1 of the Medical Assistance Administration's (MAA) Psychology Billing Instructions, dated October 2003 by removing "GAU" clients from the list of eligible clients. They were previously included in this list in error.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 19, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-24-097

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:10 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-90 MAA.
Subject: Maximum allowable cost update for MAA's Rx drug program.

Effective Date: December 1, 2003.

Document Description: Effective for dates of service on and after December 1, 2003, the Medical Assistance Administration (MAA) will implement the following changes to the prescription drug program:

1. New additions to the maximum allowable cost (MAC) list;
2. Adjustments to the existing MAC list; and
3. Adjustments to existing CAWP prices.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 19, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-24-098

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:10 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.

Subject: TAKE CHARGE.

Effective Date: July 1, 2003.

Document Description: These are billing instructions for midwife providers to use when billing for medical assistance eligible clients. Included in this document are definitions, updated fee schedule, general program policies, and claim form instructions.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda,"

"Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 19, 2003
 E. A. Myers, Manager
 Rules and Publications Section

WSR 03-24-099
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 3, 2003, 10:11 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.
 Subject: Family planning program.
 Effective Date: July 1, 2003.

Document Description: These are billing instructions for midwife providers to use when billing for medical assistance eligible clients. Included in this document are definitions, updated fee schedule, general program policies, and claim form instructions.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 19, 2003
 E. A. Myers, Manager
 Rules and Publications Section

WSR 03-24-107
OFFICE OF THE GOVERNOR

[Filed December 3, 2003, 11:19 a.m.]

December 1, 2003

Samuel P. Harvey
 P.O. Box 213
 Bremerton, WA 98337

Re: Appeal of the September 30, 2003, denial by the Department of Labor and Industries (the "department") of that certain petition to amend WAC 296-19A regarding vocational rehabilitation, dated October 16, 2003 (the "Petition").

Dear Mr. Harvey:

Pursuant to RCW 32.05.330(3), I have fully reviewed your appeal and the relevant statutes and regulations, and affirm the department's decision.

It is our policy to intervene in matters presented to the Governor under RCW 34.05.330(3) only when we believe the

agency whose decision is at issue has abused its discretion or acted arbitrarily or capriciously. It is also our policy not to second-guess the thoughtful and deliberate decisions of a state agency so long as those decisions are well founded under the law. This is an extremely high standard of review.

The department has a proper basis for its decision to deny the petition for the reasons described below. The following is a response to your arguments.

1. Violation of Statute: In item 1, point 1 of the Petition you argue that portions of the rule are in conflict with and violate statute. You state that WAC 296-19A-020 limits when the department may provide vocational rehabilitation services to occasions that services are necessary and likely to make the worker employable. You argue that this is in conflict with Title 51 RCW because it leaves no room for other purposes for vocational services, including services for employable injured workers, which you believe are mandated by RCW 51.32.095(2).

Title 51 RCW clearly indicates that one of the goals of vocational rehabilitation is employability. RCW 51.32.095(1) states in part: "One of the primary purposes of this title is to enable the injured worker to become employable at gainful employment." Similarly WAC 296-19A-020 states: "The department may, at its sole discretion, authorize vocational rehabilitation services that are necessary and likely to enable the industrially injured or ill worker to become employable". The statute and the rule are consistent.

RCW 51.32.095(2) does not mandate that vocational services be made available to employable injured workers as the Petition suggests. Rather this section establishes nine priorities for the department to follow once the determination has been made that vocational services are appropriate.

While you may believe that the department should offer vocational services to injured workers who are already employable—the department's obligation under Title 51 RCW is to use vocational services to make the worker employable. If the worker is already employable, s/he is not entitled to vocational services. The department has interpreted the statute reasonably and in good faith.

2. Illegal Denial of Services: In item 1, point 2 of the Petition you argue that WAC 296-19A-025(1) allows illegal denial of services because it authorizes the department to deny vocational services if an injured worker didn't utilize those services on a previous claim. You contend that this violates RCW 51.32.095(1).

Vocational services are discretionary. In exercising its discretion to offer these services, the department has full authority under Title 51 RCW to adopt rules that establish guidelines for the administration of the vocational rehabilitation program. In this case the department has outlined three relevant factors (also indicating their ability to consider other factors not specified in the rule) to consider when determining whether vocational services are appropriate. Whether the worker

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took advantage of and utilized vocational rehabilitation services in other claims is but one consideration, not the sole determining factor of whether the vocational services will be allowed. Therefore the department's consideration of a worker's past use of services does not illegally allow the denial of vocational rehabilitation, nor does it conflict with the statute.

3. The WAC Violates the Statute: In item 1 point 3 of the Petition you argue that WAC 296-19A-210(1)(c) violates RCW 51.30.095(5) because you believe it frees employer companies from responsibility for the quality and effectiveness of vocational services provided by their employees.

RCW 51.32.095(5) mandates that the department establish criteria to monitor the quality and effectiveness of the rehabilitation services provided by individuals and organizations. WAC 296-19A-210(1)(c) which outlines the responsibility of individual providers is consistent with the statute.

4. WAC 296-19A As a Whole Violates Statute: In item, 1 point 4 of the Petition you argue that WAC 296-19A violates the statute because it does not include a provision that cites providers for failing to deliver services promptly and efficiently.

As a preliminary matter of statutory construction, the terms of the RCW need not be restated in the WAC. To the extent that the WAC provides no more specificity of the statutory terms, "prompt and efficient," the RCW governs.

Nonetheless, our review indicates that WAC 196-19A consists of several rules that require vocational services to be provided to the department promptly and efficiently. The department requires certain reports and other information to be received within a specified timeframe. The specific statements provided in a variety of rules are sufficient for the department to meet its obligations under the statute. Again, the rule is consistent with the statute.

5. The Rules Apply Differently to Public and Private Parties: In item 2, point 1 of the Petition you argue that WAC 296-19A-137 applies differently to public and private vocational providers. Your argument is based on the assertion that it is more difficult for public providers to meet the 15-day reporting requirement than it is for private providers, due to lack of resources.

WAC 296-19A-137 sets a 15-day reporting requirement for stand-alone job analysis services. This reporting requirement is exactly the same for public and private providers. Fewer resources available to public providers doesn't equate to disparate application of the rule. While I understand your concerns about the need for additional resources, this issue should more appropriately be addressed in a union management setting.

6. Violation of Due Process Requirements—Experienced Vocational Rehabilitation Counselors Not Grandfathered: In Item 3, point 1 of the Petition you argue that the department did not make a good faith effort to

incorporate public comment when the rule was reopened, thus violating due process. Specifically you argue that the department refused to grandfather experienced vocational rehabilitation counselors even though the vast majority of testimony taken on the rule requested that these counselors be grandfathered.

Our review indicates that the department conducted several focus groups, work groups, public hearings and even provided transportation for its vocational counselors to attend meetings to insure their input was received. The department went beyond the requirements set forth in the Administrative Procedures Act (APA) concerning the rulemaking process.

As you know, agencies must often adopt rules for which uniform public comment is not provided. Frequently, it is impossible to reconcile differing viewpoints on issues addressed by agency rulemaking. The APA recognizes this reality by providing that agencies indicate "...how the final rule reflects agency consideration of the comments, or why it fails to do so." (See RCW 34.05.325). Ultimately, state agencies are required to make a final decision on rules based on the best evidence available. These decisions don't always coincide with the wishes of all stakeholders. In this case the department acted in good faith and due process was afforded.

7. Illegal Burden Shifting: In item 3, point 2 of the Petition you argue that the language in WAC 296-19A-210(1)(c) was not in the draft rule and was not subject to public comment, thus denying due process. You further contend that the language in the WAC referenced above frees provider companies from responsibility for the work of their employees and places it on the employees.

The APA generally states that an agency may not adopt a rule that is "substantially different" from the published notice of the proposed rule. RCW 34.05.340 cites three factors that should be considered to determine whether a rule is "substantially different". One of those factors is the extent to which the subject of the adopted rule or the issues determined in it are substantially different from the subject or issues involved in the published proposed rule. Our review indicates that the subject and issue concerning the responsibility of individual vocational providers are very similar in both the published proposed rule and the adopted rule. Due process was afforded.

In regards to illegal burden shifting, the rule clearly indicates that both the employer company and the individual vocational counselor are responsible for the delivery of services to injured workers.

8. Conclusion: It is clear that in all instances argued in your appeal, the department made reasonable interpretations of the statutes in good faith and did not act in an arbitrary or capricious manner in adopting WAC 196-19A. Accordingly, your appeal is denied.

Thank you for your efforts and commitment to providing assistance to injured workers in the state of Washington.

Sincerely,
Gary Locke
Governor

WSR 03-24-108
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE

[Memorandum—December 2, 2003]

The board of trustees of Bates Technical College will have a special meeting on December 3, 2003, beginning at 5:00 p.m. in the Clyde Hupp Board Room, 1101 South Yakima Avenue, Tacoma, WA. The board will meet in executive session for discussions which may include personnel and legal matters as authorized by RCW 42.30.110 [(1)](f), (g) and (i). The board may return to open session to discuss and take action related to personnel matters.

WSR 03-24-109
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF PERSONNEL

(Personnel Resources Board)

[Memorandum—December 2, 2003]

The following is a schedule of the 2004 regular meetings of the Washington Personnel Resources Board (WPRB) and the Department of Personnel (DOP) director's meetings. The WPRB meetings will be held at 10:00 a.m. and the DOP director's meetings will be held at 2:30 p.m. These meetings will be held in the DOP Board Room, 521 Capitol Way South, Olympia, WA.

Thursday, January 8
Thursday, March 11
Thursday, May 13
Thursday, June 10
Thursday, July 8
Thursday, September 9
Thursday, November 18

Should you have any questions regarding this matter, please contact Donna Parker at (360) 664-6347.

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
 - X = Expedited rule making
 - 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.

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16-228-1100	AMD-P	03-17-095	16-228-1455	AMD-P	03-17-095	16-239-040	NEW	03-12-040
16-228-1100	AMD	03-22-029	16-228-1455	AMD	03-22-029	16-239-050	NEW-P	03-07-082
16-228-1110	AMD-P	03-17-095	16-228-1460	AMD-P	03-17-095	16-239-050	NEW	03-12-040
16-228-1110	AMD	03-22-029	16-228-1460	AMD	03-22-029	16-239-060	NEW-P	03-07-082
16-228-1115	AMD-P	03-17-095	16-228-1500	AMD-P	03-17-095	16-239-060	NEW	03-12-040
16-228-1115	AMD	03-22-029	16-228-1500	AMD	03-22-029	16-239-061	NEW-P	03-07-082
16-228-1120	AMD-P	03-17-095	16-228-1520	AMD-P	03-17-095	16-239-061	NEW	03-12-040
16-228-1120	AMD	03-22-029	16-228-1520	AMD	03-22-029	16-239-062	NEW-P	03-07-082
16-228-1125	AMD-P	03-17-095	16-228-1530	AMD-P	03-17-095	16-239-062	NEW	03-12-040
16-228-1125	AMD	03-22-029	16-228-1530	AMD	03-22-029	16-239-063	NEW-P	03-07-082
16-228-1130	AMD-P	03-17-095	16-228-1540	AMD-P	03-17-095	16-239-063	NEW	03-12-040
16-228-1130	AMD	03-22-029	16-228-1540	AMD	03-22-029	16-239-064	NEW-P	03-07-082
16-228-1150	AMD-P	03-17-095	16-228-1545	AMD-P	03-17-095	16-239-064	NEW	03-12-040
16-228-1150	AMD	03-22-029	16-228-1545	AMD	03-22-029	16-239-065	NEW-P	03-07-082
16-228-1200	AMD-P	03-17-095	16-228-1546	AMD-P	03-17-095	16-239-065	NEW	03-12-040
16-228-1200	AMD	03-22-029	16-228-1546	AMD	03-22-029	16-239-070	NEW-P	03-07-082
16-228-1220	AMD-P	03-17-095	16-228-1547	AMD-P	03-17-095	16-239-070	NEW	03-12-040
16-228-1220	AMD	03-22-029	16-228-1547	AMD	03-22-029	16-239-071	NEW-P	03-07-082
16-228-1225	NEW-P	03-17-095	16-228-1550	AMD-P	03-17-095	16-239-071	NEW	03-12-040
16-228-1225	NEW	03-22-029	16-228-1550	AMD	03-22-029	16-239-072	NEW-P	03-07-082
16-228-1231	AMD-P	03-02-099	16-228-1555	AMD-P	03-17-095	16-239-072	NEW	03-12-040
16-228-1231	AMD	03-05-034	16-228-1555	AMD	03-22-029	16-239-073	NEW-P	03-07-082
16-228-1231	AMD-P	03-17-095	16-228-1570	AMD-P	03-17-095	16-239-073	NEW	03-12-040
16-228-1231	AMD	03-22-029	16-228-1570	AMD	03-22-029	16-239-074	NEW-P	03-07-082
16-228-1238	NEW-P	03-17-095	16-228-1585	AMD-P	03-17-095	16-239-074	NEW	03-12-040
16-228-1238	NEW	03-22-029	16-228-1585	AMD	03-22-029	16-239-075	NEW-P	03-07-082
16-228-1250	AMD-P	03-17-095	16-228-1590	AMD-P	03-17-095	16-239-075	NEW	03-12-040
16-228-1250	AMD	03-22-029	16-228-1590	AMD	03-22-029	16-239-076	NEW-P	03-07-082
16-228-1260	AMD-P	03-17-095	16-229-010	AMD-P	03-05-075	16-239-076	NEW	03-12-040
16-228-1260	AMD	03-22-029	16-229-010	AMD	03-09-034	16-239-077	NEW-P	03-07-082
16-228-1262	NEW-P	03-02-098	16-229-200	AMD-P	03-05-075	16-239-077	NEW	03-12-040
16-228-1262	NEW	03-05-033	16-229-200	AMD-W	03-09-035	16-239-078	NEW-P	03-07-082
16-228-1264	NEW-P	03-02-098	16-231-107	AMD-X	03-07-037	16-239-078	NEW	03-12-040
16-228-1264	NEW	03-05-033	16-231-107	AMD	03-11-097	16-239-079	NEW-P	03-07-082
16-228-1266	NEW-P	03-02-098	16-237-170	PREP	03-12-086	16-239-079	NEW	03-12-040
16-228-1266	NEW	03-05-033	16-237-170	AMD-P	03-15-090	16-239-080	NEW-P	03-07-082
16-228-1270	AMD-P	03-17-095	16-237-170	AMD	03-19-013	16-239-080	NEW	03-12-040
16-228-1270	AMD	03-22-029	16-238-010	REP-P	03-07-082	16-239-0801	NEW-P	03-07-082
16-228-1300	AMD-P	03-17-095	16-238-010	REP	03-12-040	16-239-0801	NEW	03-12-040
16-228-1300	AMD	03-22-029	16-238-020	REP-P	03-07-082	16-239-0802	NEW-P	03-07-082
16-228-1320	AMD-P	03-17-095	16-238-020	REP	03-12-040	16-239-0802	NEW	03-12-040
16-228-1320	AMD	03-22-029	16-238-030	REP-P	03-07-082	16-239-0803	NEW-P	03-07-082
16-228-1322	AMD-P	03-17-095	16-238-030	REP	03-12-040	16-239-0803	NEW	03-12-040
16-228-1322	AMD	03-22-029	16-238-060	REP-P	03-07-082	16-239-0804	NEW-P	03-07-082
16-228-1330	AMD-P	03-17-095	16-238-060	REP	03-12-040	16-239-0804	NEW	03-12-040
16-228-1330	AMD	03-22-029	16-238-070	REP-P	03-07-082	16-239-0805	NEW-P	03-07-082
16-228-1370	AMD-P	03-17-095	16-238-070	REP	03-12-040	16-239-0805	NEW	03-12-040

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-239-0806	NEW-P	03-07-082	16-250-028	NEW-P	03-19-128	16-250-095	NEW-P	03-19-128
16-239-0806	NEW	03-12-040	16-250-028	NEW	03-23-128	16-250-095	NEW	03-23-128
16-239-0807	NEW-P	03-07-082	16-250-030	NEW-P	03-19-128	16-250-100	NEW-P	03-19-128
16-239-0807	NEW	03-12-040	16-250-030	NEW	03-23-128	16-250-100	NEW	03-23-128
16-239-0808	NEW-P	03-07-082	16-250-035	NEW-P	03-19-128	16-250-110	NEW-P	03-19-128
16-239-0808	NEW	03-12-040	16-250-035	NEW	03-23-128	16-250-110	NEW	03-23-128
16-239-0809	NEW-P	03-07-082	16-250-040	NEW-P	03-19-128	16-250-120	NEW-P	03-19-128
16-239-0809	NEW	03-12-040	16-250-040	NEW	03-23-128	16-250-120	NEW	03-23-128
16-239-0810	NEW-P	03-07-082	16-250-042	NEW-P	03-19-128	16-250-140	NEW-P	03-19-128
16-239-0810	NEW	03-12-040	16-250-042	NEW	03-23-128	16-250-140	NEW	03-23-128
16-239-0811	NEW-P	03-07-082	16-250-045	NEW-P	03-19-128	16-250-150	NEW-P	03-19-128
16-239-0811	NEW	03-12-040	16-250-045	NEW	03-23-128	16-250-150	NEW	03-23-128
16-239-0812	NEW-P	03-07-082	16-250-050	NEW-P	03-19-128	16-250-155	NEW-P	03-19-128
16-239-0812	NEW	03-12-040	16-250-050	NEW	03-23-128	16-250-155	NEW	03-23-128
16-239-0813	NEW-P	03-07-082	16-250-051	NEW-P	03-19-128	16-250-160	NEW-P	03-19-128
16-239-0813	NEW	03-12-040	16-250-051	NEW	03-23-128	16-250-160	NEW	03-23-128
16-239-090	NEW-P	03-07-082	16-250-052	NEW-P	03-19-128	16-250-170	NEW-P	03-19-128
16-239-090	NEW	03-12-040	16-250-052	NEW	03-23-128	16-250-170	NEW	03-23-128
16-239-0901	NEW-P	03-07-082	16-250-053	NEW-P	03-19-128	16-250-180	NEW-P	03-19-128
16-239-0901	NEW	03-12-040	16-250-053	NEW	03-23-128	16-250-180	NEW	03-23-128
16-239-0902	NEW-P	03-07-082	16-250-054	NEW-P	03-19-128	16-252-001	NEW-P	03-19-126
16-239-0902	NEW	03-12-040	16-250-054	NEW	03-23-128	16-252-001	NEW	03-23-129
16-239-0903	NEW-P	03-07-082	16-250-055	NEW-P	03-19-128	16-252-005	NEW-P	03-19-126
16-239-0903	NEW	03-12-040	16-250-055	NEW	03-23-128	16-252-005	NEW	03-23-129
16-239-0904	NEW-P	03-07-082	16-250-056	NEW-P	03-19-128	16-252-010	NEW-P	03-19-126
16-239-0904	NEW	03-12-040	16-250-056	NEW	03-23-128	16-252-010	NEW	03-23-129
16-239-0905	NEW-P	03-07-082	16-250-057	NEW-P	03-19-128	16-252-015	NEW-P	03-19-126
16-239-0905	NEW	03-12-040	16-250-057	NEW	03-23-128	16-252-015	NEW	03-23-129
16-239-0906	NEW-P	03-07-082	16-250-058	NEW-P	03-19-128	16-252-025	NEW-P	03-19-126
16-239-0906	NEW	03-12-040	16-250-058	NEW	03-23-128	16-252-025	NEW	03-23-129
16-239-0907	NEW-P	03-07-082	16-250-059	NEW-P	03-19-128	16-252-040	NEW-P	03-19-126
16-239-0907	NEW	03-12-040	16-250-059	NEW	03-23-128	16-252-040	NEW	03-23-129
16-239-0908	NEW-P	03-07-082	16-250-060	NEW-P	03-19-128	16-252-042	NEW-P	03-19-126
16-239-0908	NEW	03-12-040	16-250-060	NEW	03-23-128	16-252-042	NEW	03-23-129
16-239-0909	NEW-P	03-07-082	16-250-063	NEW-P	03-19-128	16-252-051	NEW-P	03-19-126
16-239-0909	NEW	03-12-040	16-250-063	NEW	03-23-128	16-252-051	NEW	03-23-129
16-239-0910	NEW-P	03-07-082	16-250-065	NEW-P	03-19-128	16-252-061	NEW-P	03-19-126
16-239-0910	NEW	03-12-040	16-250-065	NEW	03-23-128	16-252-061	NEW	03-23-129
16-239-0911	NEW-P	03-07-082	16-250-067	NEW-P	03-19-128	16-252-062	NEW-P	03-19-126
16-239-0911	NEW	03-12-040	16-250-067	NEW	03-23-128	16-252-062	NEW	03-23-129
16-239-0912	NEW-P	03-07-082	16-250-068	NEW-P	03-19-128	16-252-065	NEW-P	03-19-126
16-239-0912	NEW	03-12-040	16-250-068	NEW	03-23-128	16-252-065	NEW	03-23-129
16-239-100	NEW-P	03-07-082	16-250-069	NEW-P	03-19-128	16-252-069	NEW-P	03-19-126
16-239-100	NEW	03-12-040	16-250-069	NEW	03-23-128	16-252-069	NEW	03-23-129
16-239-1010	NEW-P	03-07-082	16-250-070	NEW-P	03-19-128	16-252-070	NEW-P	03-19-126
16-239-1010	NEW	03-12-040	16-250-070	NEW	03-23-128	16-252-070	NEW	03-23-129
16-239-1020	NEW-P	03-07-082	16-250-071	NEW-P	03-19-128	16-252-071	NEW-P	03-19-126
16-239-1020	NEW	03-12-040	16-250-071	NEW	03-23-128	16-252-071	NEW	03-23-129
16-239-1030	NEW-P	03-07-082	16-250-072	NEW-P	03-19-128	16-252-072	NEW-P	03-19-126
16-239-1030	NEW	03-12-040	16-250-072	NEW	03-23-128	16-252-072	NEW	03-23-129
16-250-001	NEW-P	03-19-128	16-250-073	NEW-P	03-19-128	16-252-073	NEW-P	03-19-126
16-250-001	NEW	03-23-128	16-250-073	NEW	03-23-128	16-252-073	NEW	03-23-129
16-250-005	NEW-P	03-19-128	16-250-074	NEW-P	03-19-128	16-252-074	NEW-P	03-19-126
16-250-005	NEW	03-23-128	16-250-074	NEW	03-23-128	16-252-074	NEW	03-23-129
16-250-010	NEW-P	03-19-128	16-250-075	NEW-P	03-19-128	16-252-075	NEW-P	03-19-126
16-250-010	NEW	03-23-128	16-250-075	NEW	03-23-128	16-252-075	NEW	03-23-129
16-250-015	NEW-P	03-19-128	16-250-076	NEW-P	03-19-128	16-252-076	NEW-P	03-19-126
16-250-015	NEW	03-23-128	16-250-076	NEW	03-23-128	16-252-076	NEW	03-23-129
16-250-018	NEW-P	03-19-128	16-250-080	NEW-P	03-19-128	16-252-080	NEW-P	03-19-126
16-250-018	NEW	03-23-128	16-250-080	NEW	03-23-128	16-252-080	NEW	03-23-129
16-250-020	NEW-P	03-19-128	16-250-090	NEW-P	03-19-128	16-252-090	NEW-P	03-19-126
16-250-020	NEW	03-23-128	16-250-090	NEW	03-23-128	16-252-090	NEW	03-23-129

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-252-095	NEW-P	03-19-126	16-302-150	AMD	03-18-072	16-303-320	AMD	03-18-071
16-252-095	NEW	03-23-129	16-302-155	PREP	03-12-085	16-303-330	AMD-P	03-03-130
16-252-100	NEW-P	03-19-126	16-302-155	AMD-P	03-15-145	16-303-330	AMD	03-08-005
16-252-100	NEW	03-23-129	16-302-155	AMD	03-18-072	16-303-330	PREP	03-12-084
16-252-110	NEW-P	03-19-126	16-302-255	PREP	03-12-085	16-303-330	REP-P	03-15-144
16-252-110	NEW	03-23-129	16-302-255	AMD-P	03-15-145	16-303-330	REP	03-18-071
16-252-120	NEW-P	03-19-126	16-302-255	AMD	03-18-072	16-303-340	AMD	03-06-005
16-252-120	NEW	03-23-129	16-302-385	PREP	03-12-085	16-303-340	PREP	03-20-090
16-252-140	NEW-P	03-19-126	16-302-385	AMD-P	03-15-145	16-319-041	AMD	03-06-006
16-252-140	NEW	03-23-129	16-302-385	AMD	03-18-072	16-319-041	PREP	03-20-092
16-252-150	NEW-P	03-19-126	16-302-410	PREP	03-12-085	16-321-001	REP-X	03-03-124
16-252-150	NEW	03-23-129	16-302-410	AMD-P	03-15-145	16-321-001	REP	03-08-018
16-252-155	NEW-P	03-19-126	16-302-410	AMD	03-18-072	16-321-010	REP-X	03-03-124
16-252-155	NEW	03-23-129	16-302-685	PREP	03-20-091	16-321-010	REP	03-08-018
16-252-165	NEW-P	03-19-126	16-303-200	AMD-P	03-03-130	16-321-020	REP-X	03-03-124
16-252-165	NEW	03-23-129	16-303-200	AMD	03-08-005	16-321-020	REP	03-08-018
16-252-170	NEW-P	03-19-126	16-303-200	PREP	03-12-084	16-321-030	REP-X	03-03-124
16-252-170	NEW	03-23-129	16-303-200	AMD-P	03-15-144	16-321-030	REP	03-08-018
16-252-180	NEW-P	03-19-126	16-303-200	AMD	03-18-071	16-321-040	REP-X	03-03-124
16-252-180	NEW	03-23-129	16-303-210	AMD-P	03-03-130	16-321-040	REP	03-08-018
16-256-001	NEW-P	03-19-127	16-303-210	AMD	03-08-005	16-321-050	REP-X	03-03-124
16-256-001	NEW	03-23-131	16-303-210	PREP	03-12-084	16-321-050	REP	03-08-018
16-256-010	NEW-P	03-19-127	16-303-210	AMD-P	03-15-144	16-321-060	REP-X	03-03-124
16-256-010	NEW	03-23-131	16-303-210	AMD	03-18-071	16-321-060	REP	03-08-018
16-256-020	NEW-P	03-19-127	16-303-220	PREP	03-12-084	16-321-070	REP-X	03-03-124
16-256-020	NEW	03-23-131	16-303-220	REP-P	03-15-144	16-321-070	REP	03-08-018
16-256-030	NEW-P	03-19-127	16-303-220	REP	03-18-071	16-321-080	REP-X	03-03-124
16-256-030	NEW	03-23-131	16-303-230	AMD-P	03-03-130	16-321-080	REP	03-08-018
16-256-040	NEW-P	03-19-127	16-303-230	AMD	03-08-005	16-321-090	REP-X	03-03-124
16-256-040	NEW	03-23-131	16-303-230	PREP	03-12-084	16-321-090	REP	03-08-018
16-256-050	NEW-P	03-19-127	16-303-230	AMD-P	03-15-144	16-321-100	REP-X	03-03-124
16-256-050	NEW	03-23-131	16-303-230	AMD	03-18-071	16-321-100	REP	03-08-018
16-256-060	NEW-P	03-19-127	16-303-240	PREP	03-12-084	16-321-110	REP-X	03-03-124
16-256-060	NEW	03-23-131	16-303-240	AMD-P	03-15-144	16-321-110	REP	03-08-018
16-256-070	NEW-P	03-19-127	16-303-240	AMD	03-18-071	16-321-120	REP-X	03-03-124
16-256-070	NEW	03-23-131	16-303-250	AMD-P	03-03-130	16-321-120	REP	03-08-018
16-256-080	NEW-P	03-19-127	16-303-250	AMD	03-08-005	16-328-008	AMD-P	03-07-090
16-256-080	NEW	03-23-131	16-303-250	PREP	03-12-084	16-328-008	AMD	03-10-080
16-301-005	PREP	03-12-085	16-303-250	AMD-P	03-15-144	16-328-010	PREP	03-03-121
16-301-005	AMD-P	03-15-145	16-303-250	AMD	03-18-071	16-328-010	REP-P	03-07-090
16-301-005	AMD	03-18-072	16-303-300	AMD-P	03-03-130	16-328-010	REP	03-10-080
16-301-010	PREP	03-12-085	16-303-300	AMD	03-08-005	16-328-011	PREP	03-03-121
16-301-010	AMD-P	03-15-145	16-303-300	PREP	03-12-084	16-328-011	AMD-P	03-07-090
16-301-010	AMD	03-18-072	16-303-300	AMD-P	03-15-144	16-328-011	AMD	03-10-080
16-301-055	PREP	03-12-085	16-303-300	AMD	03-18-071	16-328-011	AMD-X	03-17-075
16-301-055	AMD-P	03-15-145	16-303-310	AMD-P	03-03-130	16-328-011	AMD	03-21-166
16-301-055	AMD	03-18-072	16-303-310	AMD	03-08-005	16-333-010	AMD-P	03-07-089
16-301-250	PREP	03-21-158	16-303-310	PREP	03-12-084	16-333-010	AMD	03-10-081
16-301-265	PREP	03-21-158	16-303-310	AMD-P	03-15-144	16-333-040	PREP	03-03-120
16-301-270	PREP	03-21-158	16-303-310	AMD	03-18-071	16-333-040	REP-P	03-07-089
16-301-310	PREP	03-21-158	16-303-315	PREP	03-12-084	16-333-040	REP	03-10-081
16-301-325	PREP	03-21-158	16-303-315	AMD-P	03-15-144	16-333-041	PREP	03-03-120
16-301-330	PREP	03-21-158	16-303-315	AMD	03-18-071	16-333-041	AMD-P	03-07-089
16-301-335	PREP	03-21-158	16-303-317	AMD-P	03-03-130	16-333-041	AMD	03-10-081
16-302-045	PREP	03-12-085	16-303-317	AMD	03-08-005	16-333-041	AMD-X	03-17-075
16-302-045	AMD-P	03-15-145	16-303-317	PREP	03-12-084	16-333-041	AMD	03-21-166
16-302-045	AMD	03-18-072	16-303-317	AMD-P	03-15-144	16-350-045	AMD-P	03-18-124
16-302-110	PREP	03-12-085	16-303-317	AMD	03-18-071	16-350-045	AMD-C	03-21-140
16-302-110	AMD-P	03-15-145	16-303-320	AMD-P	03-03-130	16-350-045	AMD-W	03-23-055
16-302-110	AMD	03-18-072	16-303-320	AMD	03-08-005	16-350-045	PREP	03-23-056
16-302-150	PREP	03-12-085	16-303-320	PREP	03-12-084	16-390	PREP	03-24-104
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16-400-040	AMD-P	03-07-081	16-470-917	AMD-X	03-17-075	16-607-025	REP-P	03-21-170
16-400-040	AMD-W	03-10-062	16-470-917	AMD	03-21-166	16-607-035	REP-P	03-21-170
16-400-100	AMD-P	03-07-081	16-470-921	AMD-P	03-07-092	16-607-045	REP-P	03-21-170
16-400-100	AMD-W	03-10-062	16-470-921	AMD	03-10-082	16-607-050	REP-P	03-21-170
16-400-210	AMD-P	03-07-081	16-512-002	REP-P	03-19-098	16-607-055	REP-P	03-21-170
16-400-210	AMD-W	03-10-062	16-512-005	AMD-P	03-19-098	16-607-060	REP-P	03-21-170
16-400-215	NEW-P	03-07-081	16-512-006	NEW-P	03-19-098	16-607-065	REP-P	03-21-170
16-400-215	NEW-W	03-10-062	16-512-010	AMD-P	03-19-098	16-607-070	REP-P	03-21-170
16-401	PREP	03-14-135	16-512-020	AMD-P	03-19-098	16-607-075	REP-P	03-21-170
16-401-021	AMD-P	03-07-091	16-512-030	REP-P	03-19-098	16-607-080	REP-P	03-21-170
16-401-021	AMD	03-10-083	16-512-040	AMD-P	03-19-098	16-607-085	REP-P	03-21-170
16-401-023	AMD-P	03-07-091	16-512-050	AMD-P	03-19-098	16-607-090	REP-P	03-21-170
16-401-023	AMD	03-10-083	16-528-004	NEW-P	03-21-142	16-607-095	REP-P	03-21-170
16-401-026	REP-P	03-07-091	16-528-005	NEW-P	03-21-142	16-607-100	REP-P	03-21-170
16-401-026	REP	03-10-083	16-528-010	AMD-P	03-21-142	16-607-105	REP-P	03-21-170
16-401-027	AMD-P	03-07-091	16-528-020	AMD-P	03-21-142	16-607-110	REP-P	03-21-170
16-401-027	AMD	03-10-083	16-528-030	REP-P	03-21-142	16-607-115	REP-P	03-21-170
16-401-027	AMD-X	03-17-075	16-528-040	AMD-P	03-21-142	16-607-120	REP-P	03-21-170
16-401-027	AMD	03-21-166	16-528-110	PREP	03-18-047	16-607-125	REP-P	03-21-170
16-401-031	REP-P	03-07-091	16-528-110	AMD-P	03-21-143	16-607-130	REP-P	03-21-170
16-401-031	REP	03-10-083	16-528-150	PREP	03-18-047	16-607-135	REP-P	03-21-170
16-401-032	AMD-P	03-07-091	16-528-150	AMD-P	03-21-143	16-607-140	REP-P	03-21-170
16-401-032	AMD	03-10-083	16-528-220	PREP	03-18-047	16-607-145	REP-P	03-21-170
16-401-041	AMD-P	03-07-091	16-528-220	REP-P	03-21-143	16-610-005	NEW-P	03-21-170
16-401-041	AMD	03-10-083	16-532	PREP	03-18-119	16-610-010	NEW-P	03-21-170
16-401-041	AMD-X	03-17-075	16-532-005	NEW-P	03-21-169	16-610-011	NEW-P	03-21-170
16-401-041	AMD	03-21-166	16-532-006	NEW-P	03-21-169	16-610-012	NEW-P	03-21-170
16-401-050	AMD-P	03-18-124	16-532-010	AMD-P	03-21-169	16-610-013	NEW-P	03-21-170
16-401-050	AMD-C	03-21-140	16-532-020	AMD-P	03-21-169	16-610-015	NEW-P	03-21-170
16-401-050	AMD-W	03-23-055	16-532-030	REP-P	03-21-169	16-610-016	NEW-P	03-21-170
16-401-050	PREP	03-23-056	16-532-040	AMD-P	03-21-169	16-610-018	NEW-P	03-21-170
16-401-060	NEW-P	03-06-102	16-532-060	AMD-P	03-21-169	16-610-020	NEW-P	03-21-170
16-401-060	NEW	03-09-112	16-532-065	REP-P	03-21-169	16-610-025	NEW-P	03-21-170
16-403-280	PREP	03-15-120	16-532-101	PREP	03-18-118	16-610-035	NEW-P	03-21-170
16-403-280	AMD-P	03-20-094	16-532-101	REP-P	03-21-168	16-610-045	NEW-P	03-21-170
16-403-280	AMD	03-24-007	16-532-103	NEW-P	03-21-167	16-610-050	NEW-P	03-21-170
16-406-001	PREP	03-15-118	16-532-105	NEW-P	03-21-167	16-610-055	NEW-P	03-21-170
16-406-001	REP-P	03-20-093	16-532-110	PREP	03-18-118	16-610-060	NEW-P	03-21-170
16-406-001	REP	03-24-008	16-532-110	AMD-P	03-21-168	16-610-062	NEW-P	03-21-170
16-406-025	PREP	03-15-118	16-532-115	NEW-P	03-21-168	16-610-065	NEW-P	03-21-170
16-406-025	AMD-P	03-20-093	16-532-120	PREP	03-18-118	16-610-070	NEW-P	03-21-170
16-406-025	AMD	03-24-008	16-532-120	AMD-P	03-21-168	16-610-080	NEW-P	03-21-170
16-449	PREP	03-14-142	16-536-040	AMD-C	03-06-101	16-610-085	NEW-P	03-21-170
16-458	PREP	03-24-104	16-536-040	AMD-W	03-12-042	16-610-090	NEW-P	03-21-170
16-459	PREP	03-14-142	16-561-005	NEW-P	03-22-086	16-610-092	NEW-P	03-21-170
16-461-010	PREP	03-15-119	16-561-006	NEW-P	03-22-086	16-610-094	NEW-P	03-21-170
16-461-015	PREP	03-15-119	16-561-010	AMD-P	03-22-086	16-610-100	NEW-P	03-21-170
16-465-001	REP	03-05-079	16-561-020	AMD-P	03-22-086	16-610-105	NEW-P	03-21-170
16-465-060	REP	03-05-079	16-561-030	REP-P	03-22-086	16-610-110	NEW-P	03-21-170
16-470	PREP	03-20-119	16-561-040	AMD-P	03-22-086	16-610-115	NEW-P	03-21-170
16-470-905	AMD-P	03-07-092	16-561-060	AMD-P	03-22-086	16-610-120	NEW-P	03-21-170
16-470-905	AMD	03-10-082	16-600-001	REP-X	03-13-129	16-610-122	NEW-P	03-21-170
16-470-911	REP-P	03-07-092	16-600-001	REP-W	03-20-062	16-610-124	NEW-P	03-21-170
16-470-911	REP	03-10-082	16-600-010	REP-X	03-13-129	16-610-125	NEW-P	03-21-170
16-470-912	AMD-P	03-07-092	16-600-010	REP-W	03-20-062	16-610-130	NEW-P	03-21-170
16-470-912	AMD	03-10-082	16-603-010	AMD-X	03-08-088	16-610-135	NEW-P	03-21-170
16-470-912	AMD-X	03-17-075	16-603-010	AMD	03-13-005	16-610-140	NEW-P	03-21-170
16-470-912	AMD	03-21-166	16-607	PREP	03-13-128	16-610-145	NEW-P	03-21-170
16-470-916	REP-P	03-07-092	16-607-005	REP-P	03-21-170	16-657	PREP	03-03-122
16-470-916	REP	03-10-082	16-607-010	REP-P	03-21-170	16-659	PREP	03-03-122
16-470-917	AMD-P	03-07-092	16-607-015	REP-P	03-21-170	16-662-100	AMD-X	03-03-123
16-470-917	AMD	03-10-082	16-607-020	REP-P	03-21-170	16-662-100	AMD	03-08-017

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-662-105	AMD-X	03-03-123	51-11-1411	AMD-P	03-18-073	51-40-1113	REP-P	03-18-075
16-662-105	AMD	03-08-017	51-11-1412	AMD-P	03-18-073	51-40-1114	REP-P	03-18-075
16-662-110	AMD-X	03-03-123	51-11-1413	AMD-P	03-18-073	51-40-1191	REP-P	03-18-075
16-662-110	AMD	03-08-017	51-11-1414	AMD-P	03-18-073	51-40-1192	REP-P	03-18-075
16-662-115	AMD-X	03-03-123	51-11-1415	AMD-P	03-18-073	51-40-1193	REP-P	03-18-075
16-662-115	AMD	03-08-017	51-11-1416	AMD-P	03-18-073	51-40-1194	REP-P	03-18-075
16-690	PREP	03-14-142	51-11-1423	AMD-P	03-18-073	51-40-1195	REP-P	03-18-075
16-750	PREP	03-10-012	51-11-1432	AMD-P	03-18-073	51-40-1196	REP-P	03-18-075
16-750-005	AMD	03-04-001	51-11-1433	AMD-P	03-18-073	51-40-1202	REP-P	03-18-075
16-750-011	AMD	03-04-001	51-11-1436	AMD-P	03-18-073	51-40-1203	REP-P	03-18-075
16-750-011	AMD-P	03-20-034	51-11-1437	AMD-P	03-18-073	51-40-1616	REP-P	03-18-075
16-750-011	AMD	03-24-012	51-11-1440	AMD-P	03-18-073	51-40-1702	REP-P	03-18-075
16-750-015	AMD	03-04-001	51-11-1454	AMD-P	03-18-073	51-40-1909	REP-P	03-18-075
16-750-015	AMD-P	03-20-034	51-11-1513	AMD-P	03-18-073	51-40-2406	REP-P	03-18-075
16-750-015	AMD	03-24-012	51-11-1521	AMD-P	03-18-073	51-40-2900	REP-P	03-18-075
16-752-300	AMD-X	03-11-098	51-11-1532	AMD-P	03-18-073	51-40-2929	REP-P	03-18-075
16-752-300	AMD	03-16-038	51-11-99902	AMD-P	03-18-073	51-40-3004	REP-P	03-18-075
16-752-305	AMD-X	03-11-098	51-13-503	AMD-P	03-18-076	51-40-3102	REP-P	03-18-075
16-752-305	AMD	03-16-038	51-40-001	REP-P	03-18-075	51-40-31200	REP-P	03-18-075
16-752-315	AMD-X	03-11-098	51-40-002	REP-P	03-18-075	51-40-3404	REP-P	03-18-075
16-752-315	AMD	03-16-038	51-40-003	REP-P	03-18-075	51-40-93115	REP-P	03-18-075
16-752-320	AMD-X	03-11-098	51-40-004	REP-P	03-18-075	51-40-93116	REP-P	03-18-075
16-752-320	AMD	03-16-038	51-40-005	REP-P	03-18-075	51-40-93117	REP-P	03-18-075
24-12-010	AMD-E	03-20-036	51-40-007	REP-P	03-18-075	51-40-93118	REP-P	03-18-075
36-12-170	AMD-W	03-06-072	51-40-008	REP-P	03-18-075	51-40-93119	REP-P	03-18-075
36-14-120	NEW-W	03-06-072	51-40-009	REP-P	03-18-075	51-40-93120	REP-P	03-18-075
51-04	PREP	03-08-027	51-40-0200	REP-P	03-18-075	51-42-001	REP-P	03-18-078
51-04	PREP	03-12-017	51-40-0302	REP-P	03-18-075	51-42-002	REP-P	03-18-078
51-04-015	AMD-P	03-18-074	51-40-0303	REP-P	03-18-075	51-42-003	REP-P	03-18-078
51-04-020	AMD-P	03-18-074	51-40-0304	REP-P	03-18-075	51-42-004	REP-P	03-18-078
51-04-060	AMD-P	03-18-074	51-40-0305	REP-P	03-18-075	51-42-005	REP-P	03-18-078
51-11-0101	AMD-P	03-18-073	51-40-0307	REP-P	03-18-075	51-42-007	REP-P	03-18-078
51-11-0105	AMD-P	03-18-073	51-40-0308	REP-P	03-18-075	51-42-008	REP-P	03-18-078
51-11-0108	AMD-P	03-18-073	51-40-0310	REP-P	03-18-075	51-42-0200	REP-P	03-18-078
51-11-0201	AMD-P	03-18-073	51-40-0311	REP-P	03-18-075	51-42-0223	REP-P	03-18-078
51-11-0402	AMD-P	03-18-073	51-40-0313	REP-P	03-18-075	51-42-0303	REP-P	03-18-078
51-11-0502	AMD-P	03-18-073	51-40-0403	REP-P	03-18-075	51-42-0405	REP-P	03-18-078
51-11-0503	AMD-P	03-18-073	51-40-0405	REP-P	03-18-075	51-42-0504	REP-P	03-18-078
51-11-0504	AMD-P	03-18-073	51-40-0510	REP-P	03-18-075	51-42-0600	REP-P	03-18-078
51-11-0505	AMD-P	03-18-073	51-40-0804	REP-P	03-18-075	51-42-0601	REP-P	03-18-078
51-11-0601	AMD-P	03-18-073	51-40-0902	REP-P	03-18-075	51-42-0605	REP-P	03-18-078
51-11-0602	AMD-P	03-18-073	51-40-0904	REP-P	03-18-075	51-42-0901	REP-P	03-18-078
51-11-0625	AMD-P	03-18-073	51-40-0905	REP-P	03-18-075	51-42-1000	REP-P	03-18-078
51-11-0701	AMD-P	03-18-073	51-40-1000	REP-P	03-18-075	51-42-1002	REP-P	03-18-078
51-11-0900	AMD-P	03-18-073	51-40-1002	REP-P	03-18-075	51-42-1004	REP-P	03-18-078
51-11-1001	AMD-P	03-18-073	51-40-1003	REP-P	03-18-075	51-42-1005	REP-P	03-18-078
51-11-1004	AMD-P	03-18-073	51-40-1004	REP-P	03-18-075	51-42-1100	REP-P	03-18-078
51-11-1005	AMD-P	03-18-073	51-40-1007	REP-P	03-18-075	51-42-1101	REP-P	03-18-078
51-11-1006	AMD-P	03-18-073	51-40-1091	REP-P	03-18-075	51-42-1102	REP-P	03-18-078
51-11-1007	AMD-P	03-18-073	51-40-1100	REP-P	03-18-075	51-42-1103	REP-P	03-18-078
51-11-1009	AMD-P	03-18-073	51-40-1101	REP-P	03-18-075	51-42-1104	REP-P	03-18-078
51-11-1132	AMD-P	03-18-073	51-40-1102	REP-P	03-18-075	51-42-1105	REP-P	03-18-078
51-11-1143	AMD-P	03-18-073	51-40-1103	REP-P	03-18-075	51-42-1106	REP-P	03-18-078
51-11-1150	AMD-P	03-18-073	51-40-1104	REP-P	03-18-075	51-42-1107	REP-P	03-18-078
51-11-1310	AMD-P	03-18-073	51-40-1105	REP-P	03-18-075	51-42-1108	REP-P	03-18-078
51-11-1312	AMD-P	03-18-073	51-40-1106	REP-P	03-18-075	51-42-1109	REP-P	03-18-078
51-11-1313	AMD-P	03-18-073	51-40-1107	REP-P	03-18-075	51-42-1110	REP-P	03-18-078
51-11-1322	AMD-P	03-18-073	51-40-1108	REP-P	03-18-075	51-42-1111	REP-P	03-18-078
51-11-1323	AMD-P	03-18-073	51-40-1109	REP-P	03-18-075	51-42-1112	REP-P	03-18-078
51-11-1331	AMD-P	03-18-073	51-40-1110	REP-P	03-18-075	51-42-1113	REP-P	03-18-078
51-11-1332	AMD-P	03-18-073	51-40-1111	REP-P	03-18-075	51-42-1114	REP-P	03-18-078
51-11-1334	AMD-P	03-18-073	51-40-1112	REP-P	03-18-075	51-42-1115	REP-P	03-18-078

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51-42-1116	REP-P	03-18-078	51-50-1009	NEW-P	03-18-075	51-54-001	NEW-P	03-18-079
51-42-1117	REP-P	03-18-078	51-50-1010	NEW-P	03-18-075	51-54-002	NEW-P	03-18-079
51-42-1118	REP-P	03-18-078	51-50-1024	NEW-P	03-18-075	51-54-003	NEW-P	03-18-079
51-42-1119	REP-P	03-18-078	51-50-1101	NEW-P	03-18-075	51-54-007	NEW-P	03-18-079
51-42-1120	REP-P	03-18-078	51-50-1103	NEW-P	03-18-075	51-54-008	NEW-P	03-18-079
51-42-1121	REP-P	03-18-078	51-50-1104	NEW-P	03-18-075	51-54-0100	NEW-P	03-18-079
51-42-1122	REP-P	03-18-078	51-50-1105	NEW-P	03-18-075	51-54-0200	NEW-P	03-18-079
51-42-1123	REP-P	03-18-078	51-50-1106	NEW-P	03-18-075	51-54-0300	NEW-P	03-18-079
51-42-1124	REP-P	03-18-078	51-50-1107	NEW-P	03-18-075	51-54-0500	NEW-P	03-18-079
51-42-1126	REP-P	03-18-078	51-50-1109	NEW-P	03-18-075	51-54-0900	NEW-P	03-18-079
51-42-1301	REP-P	03-18-078	51-50-1203	NEW-P	03-18-075	51-54-1000	NEW-P	03-18-079
51-42-1311	REP-P	03-18-078	51-50-1204	NEW-P	03-18-075	51-54-3000	NEW-P	03-18-079
51-42-1312	REP-P	03-18-078	51-50-1208	NEW-P	03-18-075	51-54-3300	NEW-P	03-18-079
51-42-1401	REP-P	03-18-078	51-50-1702	NEW-P	03-18-075	51-54-3400	NEW-P	03-18-079
51-44-001	REP-P	03-18-079	51-50-1709	NEW-P	03-18-075	51-56-003	AMD-P	03-18-080
51-44-002	REP-P	03-18-079	51-50-2114	NEW-P	03-18-075	51-56-007	AMD-P	03-18-080
51-44-003	REP-P	03-18-079	51-50-2900	NEW-P	03-18-075	51-56-008	AMD-P	03-18-080
51-44-007	REP-P	03-18-079	51-50-3001	NEW-P	03-18-075	51-56-0100	AMD-P	03-18-080
51-44-008	REP-P	03-18-079	51-50-3002	NEW-P	03-18-075	51-56-0200	AMD-P	03-18-080
51-44-0103	REP-P	03-18-079	51-50-3003	NEW-P	03-18-075	51-56-0300	AMD-P	03-18-080
51-44-0105	REP-P	03-18-079	51-50-3004	NEW-P	03-18-075	51-56-0400	AMD-P	03-18-080
51-44-0200	REP-P	03-18-079	51-50-3005	NEW-P	03-18-075	51-56-0500	AMD-P	03-18-080
51-44-0900	REP-P	03-18-079	51-50-3006	NEW-P	03-18-075	51-56-0600	AMD-P	03-18-080
51-44-1003	REP-P	03-18-079	51-50-31200	NEW-P	03-18-075	51-56-1100	NEW-P	03-18-080
51-44-1007	REP-P	03-18-079	51-50-3408	NEW-P	03-18-075	51-56-1300	AMD-P	03-18-080
51-44-10210	REP-P	03-18-079	51-50-3409	NEW-P	03-18-075	51-56-1400	AMD-P	03-18-080
51-44-1102	REP-P	03-18-079	51-51-001	NEW-P	03-18-077	51-56-201300	REP-P	03-18-080
51-44-1109	REP-P	03-18-079	51-51-002	NEW-P	03-18-077	51-57-003	AMD-P	03-18-080
51-44-2500	REP-P	03-18-079	51-51-003	NEW-P	03-18-077	51-57-008	AMD-P	03-18-080
51-44-5200	REP-P	03-18-079	51-51-007	NEW-P	03-18-077	51-57-202000	NEW-P	03-18-080
51-44-6100	REP-P	03-18-079	51-51-008	NEW-P	03-18-077	82-04-010	NEW-X	03-16-039
51-44-6300	REP-P	03-18-079	51-51-0101	NEW-P	03-18-077	82-04-010	NEW	03-21-024
51-44-7404	REP-P	03-18-079	51-51-0102	NEW-P	03-18-077	82-04-020	NEW-X	03-16-039
51-44-7802	REP-P	03-18-079	51-51-0202	NEW-P	03-18-077	82-04-020	NEW	03-21-024
51-44-7900	REP-P	03-18-079	51-51-0303	NEW-P	03-18-077	82-04-030	NEW-X	03-16-039
51-44-8000	REP-P	03-18-079	51-51-0311	NEW-P	03-18-077	82-04-030	NEW	03-21-024
51-45-001	REP-P	03-18-079	51-51-0313	NEW-P	03-18-077	82-04-040	NEW-X	03-16-039
51-45-002	REP-P	03-18-079	51-51-0324	NEW-P	03-18-077	82-04-040	NEW	03-21-024
51-45-003	REP-P	03-18-079	51-51-0325	NEW-P	03-18-077	82-04-050	NEW-X	03-16-039
51-45-007	REP-P	03-18-079	51-51-1004	NEW-P	03-18-077	82-04-050	NEW	03-21-024
51-45-008	REP-P	03-18-079	51-51-2000	NEW-P	03-18-077	82-04-060	NEW-X	03-16-039
51-45-80400	REP-P	03-18-079	51-51-2401	NEW-P	03-18-077	82-04-060	NEW	03-21-024
51-50-001	NEW-P	03-18-075	51-51-2415	NEW-P	03-18-077	82-04-070	NEW-X	03-16-039
51-50-002	NEW-P	03-18-075	51-51-2439	NEW-P	03-18-077	82-04-070	NEW	03-21-024
51-50-003	NEW-P	03-18-075	51-51-2802	NEW-P	03-18-077	82-50-021	AMD-X	03-07-083
51-50-004	NEW-P	03-18-075	51-51-4300	NEW-P	03-18-077	82-50-021	AMD	03-11-073
51-50-005	NEW-P	03-18-075	51-52-001	NEW-P	03-18-078	98-70-010	PREP	03-04-077
51-50-007	NEW-P	03-18-075	51-52-002	NEW-P	03-18-078	98-70-010	AMD-P	03-08-009
51-50-008	NEW-P	03-18-075	51-52-003	NEW-P	03-18-078	98-70-010	AMD	03-11-020
51-50-009	NEW-P	03-18-075	51-52-004	NEW-P	03-18-078	118-33-010	REP-X	03-23-051
51-50-0200	NEW-P	03-18-075	51-52-005	NEW-P	03-18-078	118-33-020	REP-X	03-23-051
51-50-0302	NEW-P	03-18-075	51-52-007	NEW-P	03-18-078	118-33-030	REP-X	03-23-051
51-50-0305	NEW-P	03-18-075	51-52-008	NEW-P	03-18-078	118-33-040	REP-X	03-23-051
51-50-0308	NEW-P	03-18-075	51-52-0101	NEW-P	03-18-078	118-33-050	REP-X	03-23-051
51-50-0310	NEW-P	03-18-075	51-52-0202	NEW-P	03-18-078	118-33-060	REP-X	03-23-051
51-50-0313	NEW-P	03-18-075	51-52-0504	NEW-P	03-18-078	118-33-070	REP-X	03-23-051
51-50-0419	NEW-P	03-18-075	51-52-0601	NEW-P	03-18-078	118-33-080	REP-X	03-23-051
51-50-0707	NEW-P	03-18-075	51-52-1000	NEW-P	03-18-078	118-33-090	REP-X	03-23-051
51-50-0902	NEW-P	03-18-075	51-52-21000	NEW-P	03-18-078	118-33-100	REP-X	03-23-051
51-50-0903	NEW-P	03-18-075	51-52-21404	NEW-P	03-18-078	118-33-110	REP-X	03-23-051
51-50-0909	NEW-P	03-18-075	51-52-22000	NEW-P	03-18-078	118-33-120	REP-X	03-23-051
51-50-1008	NEW-P	03-18-075	51-52-22006	NEW-P	03-18-078	118-65-010	REP-P	03-04-108

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118- 65-020	REP-P	03-04-108	132A-150-010	AMD-P	03-08-056	132F-108-080	AMD-P	03-06-067
118- 65-020	REP	03-10-014	132A-150-010	AMD	03-13-133	132F-108-080	AMD	03-16-015
118- 65-030	REP-P	03-04-108	132A-320-010	AMD-P	03-08-056	132F-108-100	AMD-P	03-06-067
118- 65-030	REP	03-10-014	132A-320-010	AMD	03-13-133	132F-108-100	AMD	03-16-015
118- 65-040	REP-P	03-04-108	132B-120	PREP	03-15-140	132F-108-120	AMD-P	03-06-067
118- 65-040	REP	03-10-014	132B-120-010	AMD-P	03-19-063	132F-108-120	AMD	03-16-015
118- 65-050	REP-P	03-04-108	132B-120-030	AMD-P	03-19-063	132F-108-130	AMD-P	03-06-067
118- 65-050	REP	03-10-014	132B-120-040	AMD-P	03-19-063	132F-108-130	AMD	03-16-015
118- 65-060	REP-P	03-04-108	132B-120-065	AMD-P	03-19-063	132F-108-140	AMD-P	03-06-067
118- 65-060	REP	03-10-014	132B-120-080	AMD-P	03-19-063	132F-108-140	AMD	03-16-015
118- 65-070	REP-P	03-04-108	132B-120-085	AMD-P	03-19-063	132F-120	AMD-C	03-10-078
118- 65-070	REP	03-10-014	132B-120-120	AMD-P	03-19-063	132F-120-020	REP-P	03-06-067
118- 65-081	REP-P	03-04-108	132B-120-130	AMD-P	03-19-063	132F-120-020	REP	03-16-015
118- 65-081	REP	03-10-014	132B-120-135	AMD-P	03-19-063	132F-120-030	REP-P	03-06-067
118- 65-090	REP-P	03-04-108	132B-120-170	AMD-P	03-19-063	132F-120-030	REP	03-16-015
118- 65-090	REP	03-10-014	132B-120-180	AMD-P	03-19-063	132F-120-040	REP-P	03-06-067
118- 66-010	NEW-P	03-04-108	132B-120-190	AMD-P	03-19-063	132F-120-040	REP	03-16-015
118- 66-010	NEW	03-10-014	132B-120-200	AMD-P	03-19-063	132F-120-041	REP-P	03-06-067
118- 66-020	NEW-P	03-04-108	132B-120-220	AMD-P	03-19-063	132F-120-041	REP	03-16-015
118- 66-020	NEW	03-10-014	132F- 01	AMD-C	03-10-078	132F-120-042	REP-P	03-06-067
118- 66-030	NEW-P	03-04-108	132F- 01-010	AMD-P	03-06-067	132F-120-042	REP	03-16-015
118- 66-030	NEW	03-10-014	132F- 01-010	AMD	03-16-015	132F-120-043	REP-P	03-06-067
118- 66-040	NEW-P	03-04-108	132F- 01-020	REP-P	03-06-067	132F-120-043	REP	03-16-015
118- 66-040	NEW	03-10-014	132F- 01-020	REP	03-16-015	132F-120-050	REP-P	03-06-067
118- 66-042	NEW-P	03-04-108	132F-104	AMD-C	03-10-078	132F-120-050	REP	03-16-015
118- 66-042	NEW	03-10-014	132F-104-010	AMD-P	03-06-067	132F-120-060	REP-P	03-06-067
118- 66-045	NEW-P	03-04-108	132F-104-010	AMD	03-16-015	132F-120-060	REP	03-16-015
118- 66-045	NEW	03-10-014	132F-104-020	AMD-P	03-06-067	132F-120-061	REP-P	03-06-067
118- 66-050	NEW-P	03-04-108	132F-104-020	AMD	03-16-015	132F-120-061	REP	03-16-015
118- 66-050	NEW	03-10-014	132F-104-030	REP-P	03-06-067	132F-120-070	REP-P	03-06-067
118- 66-080	NEW-P	03-04-108	132F-104-030	REP	03-16-015	132F-120-070	REP	03-16-015
118- 66-080	NEW	03-10-014	132F-104-801	REP-P	03-06-067	132F-120-080	REP-P	03-06-067
118- 66-081	NEW-P	03-04-108	132F-104-801	REP	03-16-015	132F-120-080	REP	03-16-015
118- 66-081	NEW	03-10-014	132F-104-810	AMD-P	03-06-067	132F-120-090	REP-P	03-06-067
118- 66-085	NEW-P	03-04-108	132F-104-810	AMD	03-16-015	132F-120-090	REP	03-16-015
118- 66-085	NEW	03-10-014	132F-104-811	REP-P	03-06-067	132F-120-100	REP-P	03-06-067
118- 66-090	NEW-P	03-04-108	132F-104-811	REP	03-16-015	132F-120-100	REP	03-16-015
118- 66-090	NEW	03-10-014	132F-104-812	REP-P	03-06-067	132F-120-110	REP-P	03-06-067
118- 67-010	NEW-P	03-21-041	132F-104-812	REP	03-16-015	132F-120-110	REP	03-16-015
118- 67-020	NEW-P	03-21-041	132F-104-813	REP-P	03-06-067	132F-120-120	REP-P	03-06-067
118- 67-030	NEW-P	03-21-041	132F-104-813	REP	03-16-015	132F-120-120	REP	03-16-015
118- 67-040	NEW-P	03-21-041	132F-104-814	REP-P	03-06-067	132F-120-130	REP-P	03-06-067
118- 67-050	NEW-P	03-21-041	132F-104-814	REP	03-16-015	132F-120-130	REP	03-16-015
118- 67-060	NEW-P	03-21-041	132F-104-815	REP-P	03-06-067	132F-120-140	REP-P	03-06-067
118- 67-070	NEW-P	03-21-041	132F-104-815	REP	03-16-015	132F-120-140	REP	03-16-015
118- 67-080	NEW-P	03-21-041	132F-104-816	REP-P	03-06-067	132F-120-150	REP-P	03-06-067
118- 67-090	NEW-P	03-21-041	132F-104-816	REP	03-16-015	132F-120-150	REP	03-16-015
118- 67-100	NEW-P	03-21-041	132F-104-817	REP-P	03-06-067	132F-120-160	REP-P	03-06-067
118- 67-110	NEW-P	03-21-041	132F-104-817	REP	03-16-015	132F-120-160	REP	03-16-015
118- 67-120	NEW-P	03-21-041	132F-104-818	REP-P	03-06-067	132F-120-170	REP-P	03-06-067
118- 67-130	NEW-P	03-21-041	132F-104-818	REP	03-16-015	132F-120-170	REP	03-16-015
131	PREP	03-09-043	132F-104-819	REP-P	03-06-067	132F-120-180	REP-P	03-06-067
131	PREP	03-14-123	132F-104-819	REP	03-16-015	132F-120-180	REP	03-16-015
131	PREP	03-14-124	132F-108	AMD-P	03-06-067	132F-120-190	REP-P	03-06-067
131- 12-080	NEW-P	03-18-002	132F-108	AMD-C	03-10-078	132F-120-190	REP	03-16-015
131- 12-080	NEW	03-22-026	132F-108	AMD	03-16-015	132F-120-200	REP-P	03-06-067
131- 28-026	AMD-E	03-15-020	132F-108-020	AMD-P	03-06-067	132F-120-200	REP	03-16-015
131- 28-026	AMD-P	03-15-021	132F-108-020	AMD	03-16-015	132F-120-210	REP-P	03-06-067
131- 28-026	AMD	03-19-050	132F-108-050	AMD-P	03-06-067	132F-120-210	REP	03-16-015
132A	PREP	03-04-091	132F-108-050	AMD	03-16-015	132F-121-010	NEW-P	03-06-067
132A-116-011	AMD-P	03-08-056	132F-108-070	AMD-P	03-06-067	132F-121-010	NEW	03-16-015

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132F-121-020	NEW-P	03-06-067	132H-116-405	AMD-P	03-19-089	132Q- 02-030	NEW-P	03-13-081
132F-121-020	NEW	03-16-015	132H-116-410	AMD-P	03-19-089	132Q- 02-030	NEW	03-18-021
132F-121-030	NEW-P	03-06-067	132H-116-415	AMD-P	03-19-089	132Q- 02-040	NEW-P	03-13-081
132F-121-030	NEW	03-16-015	132H-116-430	AMD-P	03-19-089	132Q- 02-040	NEW	03-18-021
132F-121-040	NEW-P	03-06-067	132H-116-431	AMD-P	03-19-089	132Q- 02-050	NEW-P	03-13-081
132F-121-040	NEW	03-16-015	132H-116-470	AMD-P	03-19-089	132Q- 02-050	NEW	03-18-021
132F-121-050	NEW-P	03-06-067	132H-116-590	AMD-P	03-19-089	132Q- 02-060	NEW-P	03-13-081
132F-121-050	NEW	03-16-015	132H-116-615	AMD-P	03-19-089	132Q- 02-060	NEW	03-18-021
132F-121-060	NEW-P	03-06-067	132H-116-620	AMD-P	03-19-089	132Q- 02-070	NEW-P	03-13-081
132F-121-060	NEW	03-16-015	132H-116-630	AMD-P	03-19-089	132Q- 02-070	NEW	03-18-021
132F-121-070	NEW-P	03-06-067	132H-116-655	AMD-P	03-19-089	132Q- 02-080	NEW-P	03-13-081
132F-121-070	NEW	03-16-015	132H-116-750	AMD-P	03-19-089	132Q- 02-080	NEW	03-18-021
132F-121-080	NEW-P	03-06-067	132H-116-790	AMD-P	03-19-089	132Q- 02-090	NEW-P	03-13-081
132F-121-080	NEW	03-16-015	132H-120	PREP	03-04-075	132Q- 02-090	NEW	03-18-021
132F-121-090	NEW-P	03-06-067	132H-120-020	AMD-P	03-08-021	132Q- 02-100	NEW-P	03-13-081
132F-121-090	NEW	03-16-015	132H-120-020	AMD	03-14-015	132Q- 02-100	NEW	03-18-021
132F-121-100	NEW-P	03-06-067	132H-120-030	AMD-P	03-08-021	132Q- 02-110	NEW-P	03-13-081
132F-121-100	NEW	03-16-015	132H-120-030	AMD	03-14-015	132Q- 02-110	NEW	03-18-021
132F-121-110	NEW-P	03-06-067	132H-120-040	AMD-P	03-08-021	132Q- 02-120	NEW-P	03-13-081
132F-121-110	NEW	03-16-015	132H-120-040	AMD	03-14-015	132Q- 02-120	NEW	03-18-021
132F-121-120	NEW-P	03-06-067	132H-120-050	AMD-P	03-08-021	132Q- 02-130	NEW-P	03-13-081
132F-121-120	NEW	03-16-015	132H-120-050	AMD	03-14-015	132Q- 02-130	NEW	03-18-021
132F-121-130	NEW-P	03-06-067	132H-120-200	AMD-P	03-08-021	132Q- 02-140	NEW-P	03-13-081
132F-121-130	NEW	03-16-015	132H-120-200	AMD	03-14-015	132Q- 02-140	NEW	03-18-021
132F-121-140	NEW-P	03-06-067	132H-120-220	AMD-P	03-08-021	132Q- 02-150	NEW-P	03-13-081
132F-121-140	NEW	03-16-015	132H-120-220	AMD	03-14-015	132Q- 02-150	NEW	03-18-021
132F-121-150	NEW-P	03-06-067	132H-120-300	AMD-P	03-08-021	132Q- 02-160	NEW-P	03-13-081
132F-121-150	NEW	03-16-015	132H-120-300	AMD	03-14-015	132Q- 02-160	NEW	03-18-021
132F-121-160	NEW-P	03-06-067	132H-120-310	AMD-P	03-08-021	132Q- 02-170	NEW-P	03-13-081
132F-121-160	NEW	03-16-015	132H-120-310	AMD	03-14-015	132Q- 02-170	NEW	03-18-021
132F-121-170	NEW-P	03-06-067	132H-132-010	REP-P	03-08-019	132Q- 02-180	NEW-P	03-13-081
132F-121-170	NEW	03-16-015	132H-132-010	REP	03-14-014	132Q- 02-180	NEW	03-18-021
132F-121-180	NEW-P	03-06-067	132H-132-020	REP-P	03-08-019	132Q- 02-190	NEW-P	03-13-081
132F-121-180	NEW	03-16-015	132H-132-020	REP	03-14-014	132Q- 02-190	NEW	03-18-021
132F-121-190	NEW-P	03-06-067	132H-152-135	PREP	03-04-073	132Q- 02-200	NEW-P	03-13-081
132F-121-190	NEW	03-16-015	132H-152-135	REP-P	03-08-020	132Q- 02-200	NEW	03-18-021
132F-121-200	NEW-P	03-06-067	132H-152-135	REP	03-14-013	132Q- 02-210	NEW-P	03-13-081
132F-121-200	NEW	03-16-015	132H-155-010	NEW-P	03-08-020	132Q- 02-210	NEW	03-18-021
132F-121-210	NEW-P	03-06-067	132H-155-010	NEW	03-14-013	132Q- 02-220	NEW-P	03-13-081
132F-121-210	NEW	03-16-015	132H-155-020	NEW-P	03-08-020	132Q- 02-220	NEW	03-18-021
132F-121-220	NEW-P	03-06-067	132H-155-020	NEW	03-14-013	132Q- 02-230	NEW-P	03-13-081
132F-121-220	NEW	03-16-015	132H-155-030	NEW-P	03-08-020	132Q- 02-230	NEW	03-18-021
132F-121-230	NEW-P	03-06-067	132H-155-030	NEW	03-14-013	132Q- 02-240	NEW-P	03-13-081
132F-121-230	NEW	03-16-015	132H-155-040	NEW-P	03-08-020	132Q- 02-240	NEW	03-18-021
132F-121-240	NEW-P	03-06-067	132H-155-040	NEW	03-14-013	132Q- 02-250	NEW-P	03-13-081
132F-121-240	NEW	03-16-015	132H-155-040	NEW	03-14-138	132Q- 02-250	NEW	03-18-021
132F-121-250	NEW-P	03-06-067	132H-155-050	NEW-P	03-08-020	132Q- 02-260	NEW-P	03-13-081
132F-121-250	NEW	03-16-015	132H-155-050	NEW	03-14-013	132Q- 02-260	NEW	03-18-021
132F-121-260	NEW-P	03-06-067	132H-155-060	NEW-P	03-08-020	132Q- 02-270	NEW-P	03-13-081
132F-121-260	NEW	03-16-015	132H-155-060	NEW	03-14-013	132Q- 02-270	NEW	03-18-021
132H-116	PREP	03-04-074	132H-155-070	NEW-P	03-08-020	132Q- 02-280	NEW-P	03-13-081
132H-116-300	AMD-P	03-19-089	132H-155-070	NEW	03-14-013	132Q- 02-280	NEW	03-18-021
132H-116-310	AMD-P	03-19-089	132Q- 01-006	AMD-X	03-21-084	132Q- 02-290	NEW-P	03-13-081
132H-116-315	AMD-P	03-19-089	132Q- 01-010	AMD-X	03-21-084	132Q- 02-290	NEW	03-18-021
132H-116-320	AMD-P	03-19-089	132Q- 01-020	AMD-X	03-21-084	132Q- 02-300	NEW-P	03-13-081
132H-116-330	AMD-P	03-19-089	132Q- 01-040	AMD-X	03-21-084	132Q- 02-300	NEW	03-18-021
132H-116-350	AMD-P	03-19-089	132Q- 01-050	AMD-X	03-21-084	132Q- 02-310	NEW-P	03-13-081
132H-116-351	AMD-P	03-19-089	132Q- 02	PREP	03-09-094	132Q- 02-310	NEW	03-18-021
132H-116-352	AMD-P	03-19-089	132Q- 02-010	NEW-P	03-13-081	132Q- 02-320	NEW-P	03-13-081
132H-116-354	AMD-P	03-19-089	132Q- 02-010	NEW	03-18-021	132Q- 02-320	NEW	03-18-021
132H-116-356	AMD-P	03-19-089	132Q- 02-020	NEW-P	03-13-081	132Q- 02-330	NEW-P	03-13-081
132H-116-360	AMD-P	03-19-089	132Q- 02-020	NEW	03-18-021	132Q- 02-330	NEW	03-18-021

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132Q- 02-340	NEW-P	03-13-081	132Q- 04-150	REP-P	03-13-082	132Q- 06-016	REP-P	03-13-082
132Q- 02-340	NEW	03-18-021	132Q- 04-150	REP	03-18-021	132Q- 06-016	REP	03-18-021
132Q- 02-350	NEW-P	03-13-081	132Q- 04-160	REP-P	03-13-082	132Q- 06-020	REP-P	03-13-082
132Q- 02-350	NEW	03-18-021	132Q- 04-160	REP	03-18-021	132Q- 06-020	REP	03-18-021
132Q- 02-360	NEW-P	03-13-081	132Q- 04-170	REP-P	03-13-082	132Q- 06-025	REP-P	03-13-082
132Q- 02-360	NEW	03-18-021	132Q- 04-170	REP	03-18-021	132Q- 06-025	REP	03-18-021
132Q- 02-370	NEW-P	03-13-081	132Q- 04-180	REP-P	03-13-082	132Q- 06-030	REP-P	03-13-082
132Q- 02-370	NEW	03-18-021	132Q- 04-180	REP	03-18-021	132Q- 06-030	REP	03-18-021
132Q- 02-380	NEW-P	03-13-081	132Q- 04-190	REP-P	03-13-082	132Q- 06-035	REP-P	03-13-082
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132Q- 02-390	NEW	03-18-021	132Q- 04-200	REP	03-18-021	132Q- 06-040	REP	03-18-021
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136-150-023	AMD-P	03-17-046	137- 80-020	AMD-X	03-16-073	172- 64-010	NEW	03-18-070
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172- 64-090	NEW	03-18-070	173-157-230	NEW	03-03-081	173-201A-602	NEW	03-14-129
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172- 64-100	NEW	03-18-070	173-170-020	AMD	03-07-104	173-201A-612	NEW	03-14-129
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172- 64-110	NEW	03-18-070	173-170-050	AMD	03-07-104	173-303-070	AMD	03-07-049
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172- 64-130	NEW-P	03-11-099	173-170-090	AMD	03-07-104	173-303-100	AMD	03-07-049
172- 64-130	NEW	03-18-070	173-170-100	AMD	03-07-104	173-303-110	AMD	03-07-049
172- 64-140	NEW-P	03-11-099	173-175	PREP	03-22-040	173-303-140	AMD	03-07-049
172- 64-140	NEW	03-18-070	173-183-820	AMD-X	03-06-036	173-303-170	AMD	03-07-049
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173- 26-171	NEW-P	03-13-108	173-183-860	AMD	03-11-010	173-303-505	AMD	03-07-049
173- 26-176	NEW-P	03-13-108	173-201A	AMD-S	03-04-082	173-303-506	AMD	03-07-049
173- 26-180	REP-P	03-13-108	173-201A-010	AMD	03-14-129	173-303-510	AMD	03-07-049
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173- 26-231	NEW-P	03-13-108	173-201A-110	DECOD	03-14-129	173-303-830	AMD	03-07-049
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173- 26-241	NEW-P	03-13-108	173-201A-130	REP	03-14-129	173-314-010	REP	03-10-020
173- 26-250	REP-P	03-13-108	173-201A-140	REP	03-14-129	173-314-100	REP-X	03-05-095
173- 26-251	NEW-P	03-13-108	173-201A-150	DECOD	03-14-129	173-314-100	REP	03-10-020
173- 26-270	REP-P	03-13-108	173-201A-160	AMD	03-14-129	173-314-200	REP-X	03-05-095
173- 26-280	REP-P	03-13-108	173-201A-160	DECOD	03-14-129	173-314-200	REP	03-10-020
173- 26-290	REP-P	03-13-108	173-201A-170	AMD	03-14-129	173-314-210	REP-X	03-05-095
173- 26-300	REP-P	03-13-108	173-201A-170	DECOD	03-14-129	173-314-210	REP	03-10-020
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173- 26-330	REP-P	03-13-108	173-201A-210	NEW	03-14-129	173-314-300	REP-X	03-05-095
173- 26-340	REP-P	03-13-108	173-201A-230	NEW	03-14-129	173-314-300	REP	03-10-020
173- 26-350	REP-P	03-13-108	173-201A-240	RECOD	03-14-129	173-314-310	REP-X	03-05-095
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180-85	PREP	03-10-076	182-20-400	AMD-P	03-24-110	196-21-010	AMD-P	03-16-113
180-86	PREP	03-10-076	182-25-010	AMD-P	03-14-097	196-21-020	AMD-P	03-16-113
180-86-100	PREP	03-09-082	182-25-010	AMD	03-18-039	196-21-030	AMD-P	03-16-113
180-86-100	PREP	03-10-029	182-25-030	AMD-P	03-05-094	196-23-070	PREP	03-13-012
180-86-116	PREP	03-09-083	182-25-030	AMD-W	03-18-086	196-23-070	AMD-P	03-16-113
180-86-116	PREP	03-10-028	182-25-031	REP-X	03-19-016	196-24	PREP	03-09-032
180-87	PREP	03-10-076	182-25-031	REP	03-24-041	196-24-041	REP-P	03-16-113
180-90-105	AMD	03-04-053	182-25-035	NEW-P	03-05-094	196-24-080	REP-P	03-16-113
180-90-110	REP	03-04-053	182-25-035	NEW-W	03-18-086	196-24-085	REP-P	03-16-113
180-90-112	AMD	03-04-053	182-25-090	AMD-P	03-21-157	196-24-100	REP-P	03-16-113
180-90-115	REP	03-04-053	182-25-090	AMD	03-24-040	196-24-105	REP-P	03-16-113
180-90-119	REP	03-04-053	182-50	PREP	03-14-096	196-24-110	REP-P	03-16-113
180-90-120	REP	03-04-053	192-16-033	REP	03-06-038	196-25	PREP	03-09-032
180-90-123	REP	03-04-053	192-16-036	REP	03-06-038	196-25-001	AMD-P	03-16-113
180-90-125	REP	03-04-053	192-16-040	REP	03-06-038	196-25-002	AMD-P	03-16-113
180-90-130	AMD	03-04-053	192-16-042	REP	03-06-038	196-25-005	AMD-P	03-16-113
180-90-133	REP	03-04-053	192-16-045	REP	03-06-038	196-25-010	AMD-P	03-16-113
180-90-135	REP	03-04-053	192-16-047	REP	03-06-038	196-25-020	REP-P	03-16-113
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182-08	AMD-C	03-16-033	192-240-020	NEW	03-06-038	196-27A	PREP	03-14-024
182-08-015	AMD-P	03-13-138	192-240-025	NEW	03-06-038	196-27A-025	NEW-P	03-16-113
182-08-015	AMD	03-17-031	192-240-030	NEW	03-06-038	196-30	PREP	03-03-111
182-08-020	REP-P	03-13-138	192-240-035	NEW	03-06-038	197-11-070	AMD-P	03-03-082
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197- 11-800	AMD	03-16-067	212- 12-200	NEW	03-06-063	220- 24-04000J	NEW-E	03-14-049
197- 11-820	AMD-P	03-03-082	212- 12-210	NEW	03-06-063	220- 24-04000J	REP-E	03-14-049
197- 11-820	AMD	03-16-067	212- 12-220	NEW	03-06-063	220- 24-04000K	NEW-E	03-14-084
197- 11-835	AMD-P	03-03-082	212- 12-230	NEW	03-06-063	220- 24-04000K	REP-E	03-14-084
197- 11-835	AMD	03-16-067	212- 12-240	NEW	03-06-063	220- 32-05100A	NEW-E	03-07-044
197- 11-850	AMD-P	03-03-082	212- 12-250	NEW	03-06-063	220- 32-05100A	REP-E	03-07-044
197- 11-850	AMD	03-16-067	212- 12-260	NEW	03-06-063	220- 32-05100B	NEW-E	03-10-003
197- 11-855	AMD-P	03-03-082	212- 12-270	NEW	03-06-063	220- 32-05100B	REP-E	03-10-003
197- 11-855	AMD	03-16-067	212- 12-280	NEW	03-06-063	220- 32-05100B	REP-E	03-12-002
197- 11-902	AMD-P	03-03-082	212- 12-290	NEW	03-06-063	220- 32-05100C	NEW-E	03-12-002
197- 11-902	AMD	03-16-067	212- 12-300	NEW	03-06-063	220- 32-05100C	REP-E	03-12-023
197- 11-904	AMD-P	03-03-082	212- 12-310	NEW	03-06-063	220- 32-05100D	NEW-E	03-12-023
197- 11-904	AMD	03-16-067	212- 12-320	NEW	03-06-063	220- 32-05100D	REP-E	03-15-004
197- 11-908	AMD-P	03-03-082	212- 12-330	NEW	03-06-063	220- 32-05100E	NEW-E	03-15-004
197- 11-908	AMD	03-16-067	212- 12-340	NEW	03-06-063	220- 32-05100E	REP-E	03-15-004
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204- 82A-060	AMD	03-12-013	212- 12-380	NEW	03-06-063	220- 32-05100G	NEW-E	03-15-093
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208-690-010	NEW-E	03-24-035	218- 10-005	NEW-P	03-19-099	220- 32-05100I	REP-E	03-18-018
208-690-020	NEW-E	03-16-074	218- 10-005	NEW	03-22-012	220- 32-05100J	NEW-E	03-19-084
208-690-020	NEW-E	03-24-035	218- 10-010	NEW-P	03-19-099	220- 32-05100J	REP-E	03-20-019
208-690-030	NEW-E	03-16-074	218- 10-010	NEW	03-22-012	220- 32-05100K	NEW-E	03-20-019
208-690-030	NEW-E	03-24-035	218- 10-015	NEW-P	03-19-099	220- 32-05100K	REP-E	03-20-098
208-690-031	NEW-E	03-24-035	218- 10-015	NEW	03-22-012	220- 32-05100L	NEW-E	03-20-098
208-690-035	NEW-E	03-24-035	218- 10-020	NEW-P	03-19-099	220- 32-05100L	REP-E	03-21-012
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208-690-040	NEW-E	03-24-035	218- 10-025	NEW-P	03-19-099	220- 32-05100M	REP-E	03-21-050
208-690-050	NEW-E	03-16-074	218- 10-025	NEW	03-22-012	220- 32-05100N	NEW-E	03-21-050
208-690-050	NEW-E	03-24-035	218- 10-030	NEW-P	03-19-099	220- 32-05100N	REP-E	03-21-050
208-690-060	NEW-E	03-16-074	218- 10-030	NEW	03-22-012	220- 32-05100Z	REP-E	03-07-044
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208-690-090	NEW-E	03-16-074	220- 16-270	AMD-P	03-21-174	220- 32-05700T	REP-E	03-15-043
208-690-090	NEW-E	03-24-035	220- 16-27000A	NEW-E	03-09-081	220- 32-05700T	REP-E	03-15-094
208-690-100	NEW-E	03-16-074	220- 16-290	NEW	03-05-061	220- 32-05700U	NEW-E	03-15-094
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220- 33-01000Z	REP-E	03-04-033	220- 47-31100P	REP-E	03-23-058	220- 48-06200B	NEW-E	03-19-088
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220- 52-04600B	NEW-E	03-21-108	220- 52-05100R	REP-E	03-12-016	220- 56-12800G	REP-E	03-16-043
220- 52-04600C	NEW-E	03-24-019	220- 52-05100S	NEW-E	03-12-016	220- 56-129	NEW	03-05-057
220- 52-04600N	REP-E	03-04-046	220- 52-05100S	REP-E	03-13-084	220- 56-150	AMD-P	03-21-174
220- 52-04600P	NEW-E	03-04-007	220- 52-05100T	NEW-E	03-13-084	220- 56-175	AMD	03-05-057
220- 52-04600P	REP-E	03-04-007	220- 52-05100T	REP-E	03-14-048	220- 56-175	AMD-X	03-21-139
220- 52-04600P	REP-E	03-07-014	220- 52-05100U	NEW-E	03-14-048	220- 56-18000B	NEW-E	03-10-039
220- 52-04600Q	NEW-E	03-04-046	220- 52-05100U	REP-E	03-14-149	220- 56-18000B	REP-E	03-10-039
220- 52-04600Q	REP-E	03-07-002	220- 52-05100V	NEW-E	03-14-149	220- 56-19500K	NEW-E	03-10-039
220- 52-04600R	NEW-E	03-05-006	220- 52-05100V	REP-E	03-15-053	220- 56-19500K	REP-E	03-10-039
220- 52-04600R	REP-E	03-06-020	220- 52-05100W	NEW-E	03-15-053	220- 56-19500K	REP-E	03-16-043
220- 52-04600S	NEW-E	03-05-047	220- 52-05100W	REP-E	03-15-083	220- 56-19500L	NEW-E	03-16-043
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220- 52-04600T	REP-E	03-10-022	220- 52-05100Y	NEW-E	03-15-136	220- 56-21000A	REP-E	03-16-055
220- 52-04600U	NEW-E	03-07-002	220- 52-05100Y	REP-E	03-16-011	220- 56-215	AMD-P	03-21-174
220- 52-04600U	REP-E	03-08-048	220- 52-05100Z	NEW-E	03-16-011	220- 56-230	AMD	03-05-057
220- 52-04600V	NEW-E	03-07-014	220- 52-05100Z	REP-E	03-16-023	220- 56-23000A	NEW-E	03-07-032
220- 52-04600V	REP-E	03-07-014	220- 52-066	AMD-P	03-06-064	220- 56-23000A	REP-E	03-07-032
220- 52-04600V	REP-E	03-10-021	220- 52-066	AMD-W	03-19-103	220- 56-23000B	NEW-E	03-19-087
220- 52-04600W	NEW-E	03-08-048	220- 52-071	AMD-P	03-13-085	220- 56-23000C	NEW-E	03-23-042
220- 52-04600X	NEW-E	03-10-021	220- 52-071	AMD	03-16-098	220- 56-23000C	REP-E	03-23-042
220- 52-04600X	REP-E	03-10-021	220- 52-07100A	NEW-E	03-14-031	220- 56-232	NEW-P	03-21-174
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220- 52-04600Z	REP-E	03-14-085	220- 52-07100C	NEW-E	03-17-003	220- 56-235	AMD-P	03-21-131
220- 52-050	AMD	03-05-060	220- 52-07100C	REP-E	03-18-048	220- 56-235	AMD-P	03-21-174
220- 52-051	AMD	03-05-064	220- 52-07300A	REP-E	03-03-002	220- 56-23500Q	NEW-E	03-07-032
220- 52-05100A	NEW-E	03-16-023	220- 52-07300B	NEW-E	03-03-002	220- 56-23500Q	REP-E	03-07-032
220- 52-05100A	REP-E	03-16-042	220- 52-07300B	REP-E	03-03-068	220- 56-23500Q	REP-E	03-09-123
220- 52-05100B	NEW-E	03-16-042	220- 52-07300C	NEW-E	03-03-068	220- 56-23500R	NEW-E	03-09-123
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220- 52-05100E	REP-E	03-17-050	220- 52-07300G	NEW-E	03-22-049	220- 56-25500E	NEW-E	03-09-061
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220- 52-05100F	REP-E	03-17-051	220- 55-001	AMD-P	03-06-079	220- 56-25500F	NEW-E	03-11-026
220- 52-05100G	NEW-E	03-17-050	220- 55-001	AMD-W	03-19-104	220- 56-25500F	REP-E	03-11-081
220- 52-05100G	REP-E	03-17-067	220- 55-060	REP-P	03-06-079	220- 56-25500G	NEW-E	03-11-081
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220- 52-05100H	REP-E	03-19-002	220- 55-175	NEW-P	03-21-146	220- 56-25500H	NEW-E	03-13-019
220- 52-05100I	NEW-E	03-19-002	220- 55-180	AMD-X	03-18-038	220- 56-25500H	REP-E	03-13-070
220- 52-05100I	REP-E	03-19-041	220- 55-18000A	NEW-E	03-18-042	220- 56-25500I	NEW-E	03-13-070
220- 52-05100J	NEW-E	03-19-041	220- 56-100	AMD-X	03-13-144	220- 56-25500I	REP-E	03-15-082
220- 52-05100J	REP-E	03-20-039	220- 56-100	AMD-X	03-16-084	220- 56-25500J	NEW-E	03-15-082
220- 52-05100K	NEW-E	03-19-042	220- 56-100	AMD	03-18-007	220- 56-25500J	REP-E	03-21-061
220- 52-05100K	REP-E	03-19-042	220- 56-100	AMD-P	03-21-174	220- 56-265	AMD	03-05-057
220- 52-05100K	REP-E	03-20-006	220- 56-10000A	NEW-E	03-10-039	220- 56-26700A	NEW-E	03-19-087
220- 52-05100L	NEW-E	03-20-006	220- 56-10000A	REP-E	03-16-043	220- 56-27000N	REP-E	03-05-025
220- 52-05100L	REP-E	03-20-006	220- 56-10000B	NEW-E	03-16-043	220- 56-27000P	NEW-E	03-05-025
220- 52-05100M	NEW-E	03-20-039	220- 56-105	AMD	03-05-057	220- 56-27000P	REP-E	03-05-025
220- 52-05100M	REP-E	03-21-059	220- 56-115	AMD-P	03-21-174	220- 56-27000Q	NEW-E	03-19-087
220- 52-05100N	NEW-E	03-21-059	220- 56-118	NEW-P	03-21-174	220- 56-282	AMD-X	03-13-011
220- 52-05100N	REP-E	03-23-046	220- 56-126	AMD-X	03-14-069	220- 56-282	AMD-P	03-13-086
220- 52-05100P	NEW-E	03-09-013	220- 56-126	AMD	03-21-001	220- 56-282	AMD	03-18-006
220- 52-05100P	REP-E	03-09-081	220- 56-12800F	NEW-E	03-10-039	220- 56-282	AMD	03-21-133
220- 52-05100Q	NEW-E	03-09-081	220- 56-12800F	REP-E	03-10-039	220- 56-282	AMD-P	03-21-174
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220-56-325	AMD-P	03-21-174	220-56-370	REP-P	03-06-079	220-88C-04000	NEW-E	03-11-027
220-56-32500C	NEW-E	03-09-014	220-56-370	REP-W	03-19-104	220-88C-04000	REP-E	03-11-027
220-56-32500C	REP-E	03-10-034	220-56-370	REP-P	03-21-174	220-88C-050	AMD-P	03-08-100
220-56-32500D	NEW-E	03-10-034	220-56-380	AMD	03-05-057	220-88C-050	AMD	03-13-002
220-56-32500D	REP-E	03-11-003	220-56-380	AMD-P	03-21-174	220-88D-010	NEW-P	03-13-140
220-56-32500E	NEW-E	03-11-003	220-56-39000A	NEW-E	03-19-087	220-88D-020	NEW-P	03-13-140
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220-56-32500F	NEW-E	03-12-079	220-69-240	AMD	03-05-059	220-88D-040	NEW-P	03-13-140
220-56-32500F	REP-E	03-13-038	220-69-240	AMD	03-05-064	220-88D-050	NEW-P	03-13-140
220-56-32500G	NEW-E	03-13-038	220-69-240	AMD-P	03-13-030	220-100-010	AMD-P	03-06-080
220-56-32500G	REP-E	03-13-107	220-69-240	AMD-P	03-13-087	220-100-010	AMD	03-10-038
220-56-32500H	NEW-E	03-13-107	220-69-240	AMD	03-17-008	220-100-020	AMD-P	03-06-080
220-56-32500H	REP-E	03-14-150	220-69-24000F	NEW-E	03-11-080	220-100-020	AMD	03-10-038
220-56-32500I	NEW-E	03-14-150	220-69-241	AMD	03-05-059	220-100-027	NEW-P	03-06-080
220-56-32500I	REP-E	03-16-005	220-69-27300A	NEW-E	03-12-024	220-100-027	NEW	03-10-038
220-56-32500J	NEW-E	03-16-005	220-72-002	AMD-P	03-06-109	220-100-030	AMD-P	03-06-080
220-56-32500J	REP-E	03-21-107	220-72-002	AMD	03-10-041	220-100-030	AMD	03-10-038
220-56-330	AMD-P	03-21-174	220-72-011	AMD-P	03-06-109	220-100-040	AMD-P	03-06-080
220-56-33000A	NEW-E	03-12-032	220-72-011	AMD	03-10-041	220-100-040	AMD	03-10-038
220-56-33000A	REP-E	03-12-060	220-72-01100A	NEW-E	03-24-036	220-100-045	AMD-P	03-06-080
220-56-33000B	NEW-E	03-12-060	220-72-015	AMD-P	03-06-109	220-100-045	AMD	03-10-038
220-56-33000B	REP-E	03-13-039	220-72-015	AMD	03-10-041	220-100-055	AMD-P	03-06-080
220-56-33000C	NEW-E	03-13-039	220-72-070	AMD-P	03-06-109	220-100-055	AMD	03-10-038
220-56-33000C	REP-E	03-13-066	220-72-070	AMD	03-10-041	220-100-057	NEW-P	03-06-080
220-56-33000D	NEW-E	03-13-066	220-72-073	AMD-P	03-06-109	220-100-057	NEW	03-10-038
220-56-33000D	REP-E	03-15-003	220-72-073	AMD	03-10-041	220-100-058	NEW-P	03-06-080
220-56-33000E	NEW-E	03-15-003	220-72-076	AMD-P	03-06-109	220-100-058	NEW	03-10-038
220-56-33000E	REP-E	03-16-010	220-72-076	AMD	03-10-041	220-100-060	AMD-P	03-06-080
220-56-33000F	NEW-E	03-16-010	220-72-086	NEW-P	03-06-109	220-100-060	AMD	03-10-038
220-56-33000F	REP-E	03-17-032	220-72-086	NEW	03-10-041	220-100-065	AMD-P	03-06-080
220-56-33000G	NEW-E	03-17-032	220-72-087	NEW-P	03-06-109	220-100-065	AMD	03-10-038
220-56-33000G	REP-E	03-21-046	220-72-087	NEW	03-10-041	220-100-068	NEW-P	03-06-080
220-56-33000H	NEW-E	03-21-046	220-72-089	NEW-P	03-06-109	220-100-068	NEW	03-10-038
220-56-33000R	REP-E	03-05-026	220-72-089	NEW	03-10-041	220-100-070	AMD-P	03-06-080
220-56-33000S	NEW-E	03-05-005	220-72-08900B	NEW-E	03-24-036	220-100-070	AMD	03-10-038
220-56-33000S	REP-E	03-06-020	220-72-090	NEW-P	03-06-109	220-100-075	AMD-P	03-06-080
220-56-33000T	NEW-E	03-05-026	220-72-090	NEW	03-10-041	220-100-075	AMD	03-10-038
220-56-33000T	REP-E	03-07-003	220-72-09000B	NEW-E	03-24-036	220-100-080	AMD-P	03-06-080
220-56-33000U	NEW-E	03-06-020	220-72-092	NEW-P	03-06-109	220-100-080	AMD	03-10-038
220-56-33000U	REP-E	03-10-022	220-72-092	NEW	03-10-041	220-100-095	AMD-P	03-06-080
220-56-33000V	NEW-E	03-07-003	220-88B-010	AMD-P	03-13-030	220-100-095	AMD	03-10-038
220-56-33000V	REP-E	03-08-049	220-88B-010	AMD	03-17-007	220-130-040	AMD-P	03-21-130
220-56-33000W	NEW-E	03-08-049	220-88B-020	AMD-P	03-13-030	220-130-080	AMD-P	03-21-130
220-56-33000W	REP-E	03-09-060	220-88B-020	AMD	03-17-007	222-08-010	AMD-P	03-24-113
220-56-33000X	NEW-E	03-09-060	220-88B-030	AMD-P	03-13-030	222-08-020	AMD-P	03-24-113
220-56-33000X	REP-E	03-11-023	220-88B-030	AMD	03-17-007	222-08-020	DECOD-P	03-24-113
220-56-33000Y	NEW-E	03-11-023	220-88B-050	REP-P	03-13-030	222-08-030	AMD-P	03-24-113
220-56-33000Y	REP-E	03-11-039	220-88B-050	REP	03-17-007	222-08-030	DECOD-P	03-24-113
220-56-33000Z	NEW-E	03-11-039	220-88C-020	AMD-P	03-08-100	222-08-035	DECOD-P	03-24-113
220-56-33000Z	REP-E	03-12-032	220-88C-020	AMD	03-13-002	222-08-040	AMD-P	03-24-113
220-56-335	AMD-P	03-21-174	220-88C-02000	NEW-E	03-13-036	222-08-050	NEW-P	03-24-113
220-56-350	AMD	03-05-057	220-88C-02000	REP-E	03-13-036	222-08-060	NEW-P	03-24-113
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220-56-35000P	REP-E	03-07-025	220-88C-03000	NEW-E	03-13-036	222-08-090	NEW-P	03-24-113
220-56-36000R	NEW-E	03-20-038	220-88C-03000	REP-E	03-13-036	222-08-100	NEW-P	03-24-113
220-56-36000R	REP-E	03-20-038	220-88C-040	AMD-P	03-08-100	222-08-120	NEW-P	03-24-113
220-56-36000R	REP-E	03-20-054	220-88C-040	AMD	03-13-002	222-08-130	NEW-P	03-24-113
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222- 08-160	RECOD-P	03-24-113	230- 40-120	AMD-P	03-13-137	232- 12-61900T	NEW-E	03-16-043
222- 12-090	AMD-P	03-24-112	230- 40-120	AMD	03-17-044	232- 12-61900T	REP-E	03-16-043
222- 16-010	AMD-P	03-17-078	230- 40-120	AMD-P	03-17-102	232- 12-828	AMD-P	03-06-079
222- 16-010	AMD-E	03-22-042	230- 40-125	REP-P	03-13-135	232- 12-828	AMD	03-10-040
222- 16-010	AMD-P	03-24-112	230- 40-125	REP	03-20-009	232- 16-600	AMD-P	03-13-115
222- 20-010	AMD-P	03-17-078	230- 40-550	AMD-P	03-05-087	232- 16-600	AMD	03-16-087
222- 20-010	AMD-E	03-22-042	230- 40-550	AMD	03-09-076	232- 16-660	AMD-P	03-13-115
222- 20-015	AMD-P	03-17-078	230- 40-625	AMD-P	03-05-087	232- 16-660	AMD	03-16-087
222- 20-015	AMD-E	03-22-042	230- 40-625	AMD	03-09-076	232- 16-740	AMD-P	03-13-115
222- 20-040	AMD-P	03-17-078	230- 40-803	REP-P	03-13-137	232- 16-740	AMD	03-16-087
222- 20-040	AMD-E	03-22-042	230- 40-803	REP	03-17-044	232- 19-010	REP-P	03-06-080
222- 20-055	AMD-P	03-17-078	230- 40-805	AMD-P	03-13-135	232- 19-010	REP	03-10-038
222- 20-055	AMD-E	03-22-042	230- 40-805	AMD	03-20-009	232- 19-015	REP-P	03-06-080
222- 21-010	AMD	03-06-039	230- 40-805	AMD	03-05-087	232- 19-015	REP	03-10-038
222- 21-030	AMD	03-06-039	230- 40-815	AMD-P	03-05-087	232- 19-015	REP	03-10-038
222- 21-035	AMD	03-06-039	230- 40-815	AMD	03-09-076	232- 19-020	REP-P	03-06-080
222- 21-040	AMD	03-06-039	230- 40-821	AMD-P	03-13-135	232- 19-020	REP	03-10-038
222- 21-045	AMD	03-06-039	230- 40-821	AMD	03-20-009	232- 19-030	REP-P	03-06-080
222- 21-050	AMD	03-06-039	230- 40-823	AMD-P	03-20-008	232- 19-030	REP	03-10-038
222- 24-010	AMD-E	03-22-042	230- 40-825	AMD-P	03-05-087	232- 19-040	REP-P	03-06-080
222- 24-050	AMD-P	03-17-078	230- 40-825	AMD	03-09-076	232- 19-040	REP	03-10-038
222- 24-050	AMD-E	03-22-042	230- 40-825	AMD-P	03-13-137	232- 19-050	REP-P	03-06-080
222- 24-051	AMD-P	03-17-078	230- 40-825	AMD	03-17-044	232- 19-050	REP	03-10-038
222- 24-051	AMD-E	03-22-042	230- 40-833	AMD-P	03-13-137	232- 19-055	REP-P	03-06-080
222- 24-0511	NEW-P	03-17-078	230- 40-860	AMD-P	03-05-087	232- 19-055	REP	03-10-038
222- 24-0511	NEW-E	03-22-042	230- 40-860	AMD	03-09-076	232- 19-060	REP-P	03-06-080
222- 24-0512	NEW-P	03-17-078	230- 40-875	AMD-P	03-05-087	232- 19-060	REP	03-10-038
222- 24-0512	NEW-E	03-22-042	230- 40-875	AMD	03-09-076	232- 19-070	REP-P	03-06-080
230- 02-412	AMD-P	03-08-002	230- 40-895	AMD-P	03-05-087	232- 19-070	REP	03-10-038
230- 02-412	AMD	03-11-042	230- 40-895	AMD	03-09-076	232- 19-080	REP-P	03-06-080
230- 04-110	AMD-P	03-08-002	232- 12-016	AMD-P	03-21-173	232- 19-080	REP	03-10-038
230- 04-110	AMD	03-11-042	232- 12-019	AMD-P	03-21-174	232- 19-090	REP-P	03-06-080
230- 04-124	AMD-P	03-16-061	232- 12-045	NEW-P	03-06-104	232- 19-090	REP	03-10-038
230- 08-010	AMD-P	03-13-135	232- 12-045	NEW	03-13-047	232- 19-100	REP-P	03-06-080
230- 08-010	AMD	03-20-009	232- 12-051	AMD-P	03-06-104	232- 19-100	REP	03-10-038
230- 08-017	AMD	03-05-089	232- 12-051	AMD	03-13-047	232- 19-110	REP-P	03-06-080
230- 12-050	AMD-P	03-17-103	232- 12-054	AMD-P	03-06-104	232- 19-110	REP	03-10-038
230- 12-050	AMD	03-21-065	232- 12-054	AMD	03-13-047	232- 19-120	REP-P	03-06-080
230- 12-305	AMD-P	03-08-001	232- 12-054	AMD	03-13-047	232- 19-120	REP	03-10-038
230- 12-305	AMD	03-11-041	232- 12-055	AMD-P	03-13-141	232- 19-130	REP-P	03-06-080
230- 12-315	AMD-P	03-08-002	232- 12-055	NEW	03-16-087	232- 19-130	REP	03-10-038
230- 12-315	AMD	03-11-042	232- 12-068	AMD-P	03-06-106	232- 19-140	REP-P	03-06-080
230- 12-316	NEW-P	03-08-002	232- 12-068	AMD	03-13-047	232- 19-140	REP-P	03-06-080
230- 12-316	NEW	03-11-042	232- 12-068	AMD-P	03-13-088	232- 19-140	REP	03-10-038
230- 12-340	AMD-P	03-13-135	232- 12-068	AMD	03-16-030	232- 19-180	REP-P	03-06-080
230- 20-050	AMD-P	03-17-103	232- 12-086	AMD-P	03-18-001	232- 19-180	REP	03-10-038
230- 20-050	AMD	03-21-065	232- 12-086	AMD-P	03-21-145	232- 28-02201	REP-P	03-02-103
230- 20-052	REP-P	03-17-103	232- 12-086	AMD-W	03-21-165	232- 28-02201	REP	03-06-110
230- 20-052	REP	03-21-065	232- 12-106	AMD	03-03-016	232- 28-02202	REP-P	03-02-103
230- 20-059	AMD-P	03-05-088	232- 12-106	AMD	03-03-016	232- 28-02202	REP	03-06-110
230- 20-059	AMD	03-11-040	232- 12-168	AMD-P	03-21-174	232- 28-02203	REP-P	03-02-103
230- 20-059	AMD-P	03-24-048	232- 12-181	AMD	03-03-016	232- 28-02203	REP	03-06-110
230- 20-190	REP-P	03-17-103	232- 12-243	AMD-P	03-13-142	232- 28-02204	REP-P	03-02-103
230- 20-190	REP	03-21-065	232- 12-243	AMD	03-17-037	232- 28-02204	REP	03-06-110
230- 20-242	AMD-P	03-17-103	232- 12-287	NEW-E	03-20-045	232- 28-02205	REP-P	03-02-103
230- 20-242	AMD	03-21-065	232- 12-287	AMD-P	03-12-078	232- 28-02205	REP-P	03-06-110
230- 40-010	AMD-P	03-13-135	232- 12-289	AMD	03-16-087	232- 28-02206	REP	03-02-103
230- 40-010	AMD	03-20-009	232- 12-289	NEW-P	03-02-103	232- 28-02206	REP-P	03-02-103
230- 40-040	AMD-P	03-13-135	232- 12-31500J	NEW	03-06-110	232- 28-02206	REP	03-06-110
230- 40-040	AMD	03-20-009	232- 12-619	NEW-E	03-08-075	232- 28-02220	REP-P	03-06-112
230- 40-040	AMD	03-20-009	232- 12-619	AMD-W	03-10-095	232- 28-02220	REP	03-13-047
230- 40-055	AMD-P	03-17-104	232- 12-619	AMD-P	03-21-174	232- 28-02240	REP-P	03-06-112
			232- 12-61900S	NEW-E	03-10-039	232- 28-02240	REP	03-13-047
			232- 12-61900S	REP-E	03-10-039	232- 28-02280	REP-P	03-02-103

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
232-28-02280	REP	03-06-110	232-28-426	REP-P	03-13-115	232-28-61900K	REP-E	03-06-028
232-28-248	AMD-P	03-06-108	232-28-426	REP	03-16-087	232-28-61900K	NEW-E	03-13-069
232-28-248	AMD	03-13-047	232-28-42600C	NEW-E	03-03-102	232-28-61900K	REP-E	03-14-028
232-28-266	AMD-P	03-06-066	232-28-42600C	REP-E	03-03-102	232-28-61900L	NEW-E	03-07-001
232-28-266	AMD	03-10-009	232-28-427	NEW-P	03-13-115	232-28-61900L	REP-E	03-07-001
232-28-271	AMD	03-03-016	232-28-427	NEW	03-16-087	232-28-61900L	REP-E	03-11-037
232-28-271	AMD-P	03-21-134	232-28-515	AMD-P	03-06-107	232-28-61900L	NEW-E	03-13-068
232-28-272	AMD-P	03-06-108	232-28-515	AMD	03-13-047	232-28-61900L	REP-E	03-14-073
232-28-272	AMD	03-13-047	232-28-619	AMD	03-05-057	232-28-61900M	NEW-E	03-07-016
232-28-273	AMD-P	03-06-105	232-28-619	AMD-X	03-12-094	232-28-61900M	REP-E	03-07-016
232-28-273	AMD	03-13-047	232-28-619	AMD	03-16-110	232-28-61900M	REP-E	03-11-037
232-28-276	REP-P	03-06-106	232-28-619	AMD-P	03-21-174	232-28-61900M	NEW-E	03-13-094
232-28-276	REP	03-13-047	232-28-61900A	NEW-E	03-10-053	232-28-61900M	REP-E	03-13-094
232-28-278	REP-P	03-06-113	232-28-61900A	REP-E	03-10-053	232-28-61900N	NEW-E	03-07-023
232-28-278	REP	03-13-047	232-28-61900A	NEW-E	03-20-099	232-28-61900N	REP-E	03-07-023
232-28-279	REP-P	03-06-114	232-28-61900A	REP-E	03-20-099	232-28-61900N	NEW-E	03-14-028
232-28-279	REP	03-13-047	232-28-61900B	REP-E	03-04-047	232-28-61900N	REP-E	03-14-093
232-28-282	AMD	03-03-016	232-28-61900B	NEW-E	03-11-001	232-28-61900P	NEW-E	03-07-075
232-28-282	AMD-P	03-13-141	232-28-61900B	REP-E	03-11-001	232-28-61900P	REP-E	03-07-075
232-28-282	AMD	03-16-087	232-28-61900B	REP-E	03-13-001	232-28-61900P	REP-E	03-13-069
232-28-291	AMD-P	03-06-105	232-28-61900B	NEW-E	03-21-002	232-28-61900P	NEW-E	03-14-073
232-28-291	AMD-P	03-12-077	232-28-61900B	REP-E	03-21-002	232-28-61900P	REP-E	03-20-004
232-28-291	AMD	03-13-047	232-28-61900B	REP-E	03-21-026	232-28-61900Q	REP-E	03-05-003
232-28-291	AMD	03-16-087	232-28-61900C	NEW-E	03-03-004	232-28-61900Q	NEW-E	03-07-064
232-28-331	NEW-P	03-02-103	232-28-61900C	REP-E	03-03-004	232-28-61900Q	REP-E	03-07-064
232-28-331	NEW	03-06-110	232-28-61900C	NEW-E	03-11-037	232-28-61900Q	NEW-E	03-14-093
232-28-331	AMD-P	03-13-117	232-28-61900C	REP-E	03-11-082	232-28-61900Q	REP-E	03-15-092
232-28-331	AMD	03-16-087	232-28-61900C	NEW-E	03-21-026	232-28-61900R	NEW-E	03-07-068
232-28-332	NEW-P	03-02-103	232-28-61900C	REP-E	03-24-002	232-28-61900R	REP-E	03-07-068
232-28-332	NEW	03-06-110	232-28-61900D	NEW-E	03-03-098	232-28-61900R	NEW-E	03-15-092
232-28-332	AMD-P	03-13-118	232-28-61900D	REP-E	03-03-098	232-28-61900R	REP-E	03-20-099
232-28-332	AMD	03-16-087	232-28-61900D	NEW-E	03-11-051	232-28-61900S	NEW-E	03-08-054
232-28-333	NEW-P	03-02-103	232-28-61900D	REP-E	03-11-051	232-28-61900S	REP-E	03-08-054
232-28-333	NEW	03-06-110	232-28-61900D	NEW-E	03-23-047	232-28-61900S	NEW-E	03-16-012
232-28-333	AMD-P	03-13-121	232-28-61900D	REP-E	03-23-047	232-28-61900S	REP-E	03-21-082
232-28-333	AMD	03-16-087	232-28-61900E	NEW-E	03-04-047	232-28-61900T	NEW-E	03-09-001
232-28-334	NEW-P	03-02-103	232-28-61900E	REP-E	03-04-047	232-28-61900T	REP-E	03-09-001
232-28-334	NEW	03-06-110	232-28-61900E	NEW-E	03-11-082	232-28-61900T	REP-E	03-10-033
232-28-334	AMD-P	03-13-119	232-28-61900E	REP-E	03-12-022	232-28-61900T	NEW-E	03-16-057
232-28-334	AMD	03-16-087	232-28-61900E	NEW-E	03-24-002	232-28-61900T	REP-E	03-16-057
232-28-335	NEW-P	03-02-103	232-28-61900F	NEW-E	03-05-003	232-28-61900U	NEW-E	03-09-016
232-28-335	NEW	03-06-110	232-28-61900F	REP-E	03-05-003	232-28-61900U	REP-E	03-09-016
232-28-335	AMD-P	03-13-120	232-28-61900F	NEW-E	03-12-022	232-28-61900U	NEW-E	03-18-041
232-28-335	AMD	03-16-087	232-28-61900F	REP-E	03-13-068	232-28-61900V	NEW-E	03-10-001
232-28-336	NEW-P	03-02-103	232-28-61900G	NEW-E	03-05-038	232-28-61900V	REP-E	03-10-001
232-28-336	NEW	03-06-110	232-28-61900G	REP-E	03-05-038	232-28-61900V	REP-E	03-12-041
232-28-337	NEW-P	03-06-112	232-28-61900G	NEW-E	03-12-041	232-28-61900V	NEW-E	03-18-081
232-28-337	NEW	03-13-047	232-28-61900G	REP-E	03-12-041	232-28-61900V	REP-E	03-18-081
232-28-33700A	NEW-E	03-23-009	232-28-61900H	NEW-E	03-05-037	232-28-61900W	NEW-E	03-10-015
232-28-341	NEW-P	03-06-106	232-28-61900H	REP-E	03-05-037	232-28-61900W	REP-E	03-11-037
232-28-341	NEW	03-13-047	232-28-61900H	REP-E	03-09-001	232-28-61900W	NEW-E	03-19-023
232-28-341	AMD-P	03-13-116	232-28-61900H	NEW-E	03-13-003	232-28-61900W	REP-E	03-19-023
232-28-341	AMD	03-16-087	232-28-61900H	REP-E	03-13-003	232-28-61900W	REP-E	03-19-039
232-28-351	NEW-P	03-06-113	232-28-61900I	NEW-E	03-06-009	232-28-61900X	NEW-E	03-10-032
232-28-351	NEW	03-13-047	232-28-61900I	REP-E	03-06-009	232-28-61900X	REP-E	03-10-032
232-28-35100A	NEW-E	03-17-038	232-28-61900I	NEW-E	03-13-013	232-28-61900X	REP-E	03-11-037
232-28-35100A	REP-E	03-17-038	232-28-61900I	REP-E	03-13-013	232-28-61900X	NEW-E	03-19-036
232-28-352	NEW-P	03-06-114	232-28-61900J	NEW-E	03-06-008	232-28-61900X	REP-E	03-19-036
232-28-352	NEW	03-13-047	232-28-61900J	REP-E	03-06-008	232-28-61900Y	NEW-E	03-10-039
232-28-35200A	NEW-E	03-17-039	232-28-61900J	NEW-E	03-13-001	232-28-61900Y	REP-E	03-10-039
232-28-35200A	REP-E	03-18-016	232-28-61900J	REP-E	03-13-001	232-28-61900Y	REP-E	03-10-053
232-28-35200B	NEW-E	03-18-016	232-28-61900K	NEW-E	03-06-028	232-28-61900Y	NEW-E	03-19-039

TABLE

Table of WAC Sections Affected

Table with 3 main sections of columns: WAC #, ACTION, WSR #. The first section lists WACs from 232-28-61900Y to 236-51-615. The second section lists WACs from 236-51-620 to 246-100-166. The third section lists WACs from 246-101 to 246-272B-00101.

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-272B-00501	NEW-P	03-12-089	246-272B-28001	NEW-P	03-12-089	246-290-654	AMD-P	03-03-079
246-272B-00501	NEW-S	03-18-091	246-272B-28001	NEW-S	03-18-091	246-290-654	AMD	03-08-037
246-272B-00501	NEW	03-22-098	246-272B-28001	NEW	03-22-098	246-290-660	AMD-P	03-03-079
246-272B-01001	NEW-P	03-12-089	246-272B-990	NEW	03-22-098	246-290-660	AMD	03-08-037
246-272B-01001	NEW-S	03-18-091	246-282-990	AMD-P	03-10-043	246-290-660	AMD-P	03-24-106
246-272B-01001	NEW	03-22-098	246-282-990	AMD	03-14-037	246-290-662	AMD-P	03-03-079
246-272B-03001	NEW-P	03-12-089	246-282-990	AMD-P	03-14-145	246-290-662	AMD	03-08-037
246-272B-03001	NEW-S	03-18-091	246-282-990	AMD	03-18-093	246-290-664	AMD-P	03-03-079
246-272B-03001	NEW	03-22-098	246-290	PREP	03-04-044	246-290-664	AMD	03-08-037
246-272B-07001	NEW-S	03-18-091	246-290	PREP-W	03-07-101	246-290-664	AMD-P	03-24-106
246-272B-07001	NEW	03-22-098	246-290	PREP-W	03-07-102	246-290-666	AMD-P	03-03-079
246-272B-08001	NEW-P	03-12-089	246-290	PREP	03-07-103	246-290-666	AMD	03-08-037
246-272B-08001	NEW-S	03-18-091	246-290-002	AMD-P	03-03-079	246-290-666	AMD-P	03-24-106
246-272B-08001	NEW	03-22-098	246-290-002	AMD	03-08-037	246-290-672	AMD-P	03-03-079
246-272B-09501	NEW-P	03-12-089	246-290-010	AMD-P	03-03-079	246-290-672	AMD	03-08-037
246-272B-09501	NEW-S	03-18-091	246-290-010	AMD	03-08-037	246-290-674	AMD-P	03-03-079
246-272B-09501	NEW	03-22-098	246-290-010	AMD-P	03-24-106	246-290-674	AMD	03-08-037
246-272B-0990	NEW-P	03-12-089	246-290-025	AMD-P	03-03-079	246-290-676	AMD-P	03-03-079
246-272B-0990	NEW-S	03-18-091	246-290-025	AMD	03-08-037	246-290-676	AMD	03-08-037
246-272B-11001	NEW-P	03-12-089	246-290-025	AMD-P	03-24-106	246-290-690	AMD-P	03-03-079
246-272B-11001	NEW-S	03-18-091	246-290-060	AMD-P	03-03-078	246-290-690	AMD	03-08-037
246-272B-11001	NEW	03-22-098	246-290-060	AMD-P	03-03-079	246-290-691	AMD-P	03-03-079
246-272B-11501	NEW-P	03-12-089	246-290-060	AMD	03-08-037	246-290-691	AMD	03-08-037
246-272B-11501	NEW-S	03-18-091	246-290-100	AMD-P	03-03-079	246-290-692	AMD-P	03-03-079
246-272B-11501	NEW	03-22-098	246-290-100	AMD	03-08-037	246-290-692	AMD	03-08-037
246-272B-12501	NEW-P	03-12-089	246-290-105	AMD-P	03-03-079	246-290-694	AMD-P	03-03-079
246-272B-12501	NEW-S	03-18-091	246-290-105	AMD	03-08-037	246-290-694	AMD	03-08-037
246-272B-12501	NEW	03-22-098	246-290-125	AMD-P	03-03-079	246-290-696	AMD-P	03-03-079
246-272B-13501	NEW-P	03-12-089	246-290-125	AMD	03-08-037	246-290-696	AMD	03-08-037
246-272B-13501	NEW-S	03-18-091	246-290-130	AMD-P	03-24-106	246-290-71001	NEW-P	03-03-079
246-272B-13501	NEW	03-22-098	246-290-220	AMD-P	03-03-079	246-290-71001	NEW	03-08-037
246-272B-15501	NEW-P	03-12-089	246-290-220	AMD	03-08-037	246-290-71002	NEW-P	03-03-079
246-272B-15501	NEW-S	03-18-091	246-290-300	AMD-P	03-03-079	246-290-71002	NEW	03-08-037
246-272B-15501	NEW	03-22-098	246-290-300	AMD	03-08-037	246-290-71003	NEW-P	03-03-079
246-272B-16501	NEW-P	03-12-089	246-290-300	AMD-P	03-24-106	246-290-71003	NEW	03-08-037
246-272B-16501	NEW-S	03-18-091	246-290-310	AMD-P	03-03-079	246-290-71004	NEW-P	03-03-079
246-272B-16501	NEW	03-22-098	246-290-310	AMD	03-08-037	246-290-71004	NEW	03-08-037
246-272B-17501	NEW-P	03-12-089	246-290-310	AMD-P	03-24-106	246-290-71005	NEW-P	03-03-079
246-272B-17501	NEW-S	03-18-091	246-290-320	AMD-P	03-03-079	246-290-71005	NEW	03-08-037
246-272B-17501	NEW	03-22-098	246-290-320	AMD	03-08-037	246-290-71006	NEW-P	03-03-079
246-272B-18501	NEW-P	03-12-089	246-290-320	AMD-P	03-24-106	246-290-71006	NEW	03-08-037
246-272B-18501	NEW-S	03-18-091	246-290-416	AMD-P	03-03-079	246-290-71007	NEW-P	03-03-079
246-272B-18501	NEW	03-22-098	246-290-416	AMD	03-08-037	246-290-71007	NEW	03-08-037
246-272B-19501	NEW-P	03-12-089	246-290-451	AMD-P	03-03-079	246-290-72001	AMD-P	03-03-079
246-272B-19501	NEW-S	03-18-091	246-290-451	AMD	03-08-037	246-290-72001	AMD	03-08-037
246-272B-19501	NEW	03-22-098	246-290-480	AMD-P	03-03-079	246-290-72005	AMD-P	03-03-079
246-272B-20501	NEW-P	03-12-089	246-290-480	AMD	03-08-037	246-290-72005	AMD	03-08-037
246-272B-20501	NEW-S	03-18-091	246-290-480	AMD-P	03-24-106	246-290-72007	AMD-P	03-03-079
246-272B-20501	NEW	03-22-098	246-290-490	AMD-P	03-03-079	246-290-72007	AMD	03-08-037
246-272B-21501	NEW-S	03-18-091	246-290-490	AMD	03-08-037	246-290-72010	AMD-P	03-03-079
246-272B-21501	NEW	03-22-098	246-290-495	REP-P	03-03-079	246-290-72010	AMD	03-08-037
246-272B-24001	NEW-S	03-18-091	246-290-495	REP	03-08-037	246-290-72010	AMD-P	03-24-106
246-272B-24001	NEW	03-22-098	246-290-601	AMD-P	03-03-079	246-290-72012	AMD-P	03-03-079
246-272B-25001	NEW-P	03-12-089	246-290-601	AMD	03-08-037	246-290-72012	AMD	03-08-037
246-272B-25001	NEW-S	03-18-091	246-290-601	AMD-P	03-24-106	246-290-72012	AMD-P	03-24-106
246-272B-25001	NEW	03-22-098	246-290-630	AMD-P	03-03-079	246-290-990	AMD-P	03-08-036
246-272B-26001	NEW-P	03-12-089	246-290-630	AMD	03-08-037	246-290-990	AMD	03-13-028
246-272B-26001	NEW-S	03-18-091	246-290-630	AMD-P	03-24-106	246-292	PREP	03-04-044
246-272B-26001	NEW	03-22-098	246-290-634	AMD-P	03-03-079	246-292-160	AMD-P	03-08-036
246-272B-27001	NEW-P	03-12-089	246-290-634	AMD	03-08-037	246-292-160	AMD	03-13-028
246-272B-27001	NEW-S	03-18-091	246-290-638	AMD-P	03-03-079	246-294	PREP	03-04-044
246-272B-27001	NEW	03-22-098	246-290-638	AMD	03-08-037	246-294-001	AMD-P	03-23-134

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246-294-020	AMD-P	03-23-134	246-455-070	AMD-W	03-18-084	246-828-020	AMD	03-21-114
246-294-030	AMD-P	03-23-134	246-455-080	AMD-P	03-05-024	246-828-030	REP-P	03-15-106
246-294-040	AMD-P	03-23-134	246-455-080	AMD-S	03-09-127	246-828-045	AMD-P	03-15-106
246-294-050	AMD-P	03-23-134	246-455-080	AMD	03-13-029	246-828-055	REP-P	03-15-106
246-294-060	AMD-P	03-23-134	246-455-090	AMD-P	03-05-024	246-828-061	REP-P	03-15-106
246-294-070	AMD-P	03-23-134	246-455-090	AMD-W	03-18-084	246-828-070	REP-P	03-15-106
246-294-080	AMD-P	03-23-134	246-455-100	AMD-P	03-05-024	246-828-075	AMD-P	03-15-106
246-294-090	AMD-P	03-23-134	246-455-100	AMD-S	03-09-127	246-828-090	AMD-P	03-15-106
246-310-132	REP-W	03-14-137	246-455-100	AMD	03-13-029	246-828-095	AMD-P	03-15-106
246-310-261	AMD-W	03-14-137	246-562	PREP	03-09-017	246-828-100	AMD-P	03-15-106
246-310-262	AMD-W	03-14-137	246-562-010	AMD-P	03-15-141	246-828-105	AMD-P	03-15-106
246-310-263	NEW-W	03-14-137	246-562-010	AMD	03-19-054	246-828-220	AMD-P	03-15-106
246-310-290	NEW-P	03-03-097	246-562-020	AMD-E	03-06-050	246-828-270	AMD-P	03-15-106
246-310-290	NEW	03-07-096	246-562-020	AMD-P	03-15-141	246-828-290	AMD-P	03-15-106
246-310-295	NEW-P	03-03-097	246-562-020	AMD	03-19-054	246-828-320	AMD-P	03-15-106
246-310-295	NEW	03-07-096	246-562-050	AMD-P	03-15-141	246-828-330	AMD-P	03-15-106
246-310-990	AMD-P	03-03-097	246-562-050	AMD	03-19-054	246-828-350	AMD-P	03-15-106
246-310-990	AMD	03-07-096	246-562-060	AMD-P	03-15-141	246-828-500	AMD-P	03-15-106
246-310-990	AMD-P	03-18-092	246-562-060	AMD	03-19-054	246-828-550	AMD-P	03-15-106
246-310-990	AMD	03-22-020	246-562-080	AMD-P	03-15-141	246-828-990	AMD-P	03-15-106
246-320-010	AMD-P	03-12-090	246-562-080	AMD	03-19-054	246-830-005	AMD	03-11-033
246-320-010	AMD-W	03-14-016	246-562-110	AMD-P	03-15-141	246-830-435	NEW	03-11-033
246-320-010	AMD-X	03-22-083	246-562-110	AMD	03-19-054	246-830-990	AMD-P	03-03-077
246-320-370	NEW-P	03-12-090	246-562-120	AMD-P	03-15-141	246-830-990	AMD	03-07-095
246-320-370	NEW-W	03-14-016	246-562-120	AMD	03-19-054	246-834-990	PREP	03-13-126
246-320-370	NEW-X	03-22-083	246-562-130	AMD-P	03-15-141	246-836-990	AMD-P	03-03-077
246-320-990	AMD-P	03-18-092	246-562-130	AMD	03-19-054	246-836-990	AMD	03-07-095
246-320-990	AMD	03-22-020	246-562-140	AMD-P	03-15-141	246-840-010	PREP	03-12-087
246-322-990	AMD-P	03-18-092	246-562-140	AMD	03-19-054	246-840-010	AMD-E	03-13-143
246-322-990	AMD	03-22-020	246-562-160	AMD-P	03-15-141	246-840-010	AMD-E	03-21-115
246-323-990	AMD-P	03-10-099	246-562-160	AMD	03-19-054	246-840-700	AMD-E	03-15-034
246-323-990	AMD	03-14-147	246-650-001	AMD-P	03-17-092	246-840-700	AMD-E	03-22-085
246-324-990	AMD-P	03-18-092	246-650-001	AMD	03-24-026	246-840-840	PREP	03-12-087
246-324-990	AMD	03-22-020	246-650-010	AMD-P	03-17-092	246-840-840	AMD-E	03-13-143
246-325-990	AMD-P	03-18-092	246-650-010	AMD	03-24-026	246-840-840	AMD-E	03-21-115
246-325-990	AMD	03-22-020	246-650-020	AMD-P	03-17-092	246-840-850	PREP	03-12-087
246-326-990	AMD-P	03-18-092	246-650-020	AMD	03-24-026	246-840-850	AMD-E	03-13-143
246-326-990	AMD	03-22-020	246-650-030	AMD-P	03-17-092	246-840-850	AMD-E	03-21-115
246-329-990	AMD-P	03-18-092	246-650-030	AMD	03-24-026	246-840-860	PREP	03-12-087
246-329-990	AMD	03-22-020	246-650-040	NEW-P	03-17-092	246-840-860	AMD-E	03-13-143
246-335-015	AMD-X	03-19-135	246-650-040	NEW	03-24-026	246-840-860	AMD-E	03-21-115
246-335-060	AMD-X	03-19-135	246-650-050	NEW-P	03-17-092	246-840-870	PREP	03-12-087
246-335-990	AMD-P	03-18-092	246-650-050	NEW	03-24-026	246-840-870	AMD-E	03-13-143
246-335-990	AMD	03-22-020	246-680-001	AMD	03-11-031	246-840-870	AMD-E	03-21-115
246-380-990	AMD-P	03-18-092	246-680-010	AMD	03-11-031	246-840-880	PREP	03-12-087
246-380-990	AMD	03-22-020	246-680-010	AMD	03-11-031	246-840-880	AMD-E	03-13-143
246-455-001	AMD-P	03-05-024	246-680-020	AMD	03-11-031	246-840-880	AMD-E	03-21-115
246-455-001	AMD-S	03-09-127	246-802-990	AMD-P	03-03-077	246-840-880	AMD-E	03-21-115
246-455-001	AMD	03-13-029	246-802-990	AMD	03-07-095	246-840-890	PREP	03-12-087
246-455-010	AMD-P	03-05-024	246-809-610	AMD-P	03-19-132	246-840-890	AMD-E	03-13-143
246-455-010	AMD-S	03-09-127	246-809-620	AMD-P	03-19-132	246-840-890	AMD-E	03-21-115
246-455-010	AMD	03-13-029	246-809-630	AMD-P	03-19-132	246-840-900	PREP	03-12-087
246-455-020	AMD-P	03-05-024	246-809-700	NEW-P	03-19-134	246-840-900	REP-E	03-13-143
246-455-020	AMD-S	03-09-127	246-809-710	NEW-P	03-19-134	246-840-900	REP-E	03-21-115
246-455-020	AMD	03-13-029	246-809-720	NEW-P	03-19-134	246-840-910	AMD-E	03-15-034
246-455-030	AMD-P	03-05-024	246-812-010	AMD	03-12-061	246-840-910	AMD-E	03-22-085
246-455-030	AMD-S	03-09-127	246-812-130	REP	03-12-061	246-840-930	AMD-E	03-15-034
246-455-030	AMD	03-13-029	246-812-160	AMD	03-12-061	246-840-930	AMD-E	03-22-085
246-455-040	AMD-P	03-05-024	246-815-990	AMD-P	03-03-077	246-840-940	AMD-E	03-15-034
246-455-040	AMD-S	03-09-127	246-815-990	AMD	03-07-095	246-840-940	AMD-E	03-22-085
246-455-040	AMD	03-13-029	246-826-990	AMD-P	03-20-110	246-840-990	AMD-E	03-12-063
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246-841-405	AMD-E	03-22-084	246-887-045	NEW	03-04-045	246-976-520	REP-P	03-19-133
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246-847-065	PREP	03-08-029	246-887-165	NEW	03-09-064	246-976-535	NEW-P	03-19-133
246-847-120	PREP	03-08-092	246-889-050	NEW-P	03-06-002	246-976-540	NEW-P	03-19-133
246-847-170	PREP	03-08-030	246-889-050	NEW	03-13-027	246-976-550	REP-P	03-19-133
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246-850-150	NEW	03-17-093	246-919-120	REP-X	03-12-091	246-976-620	AMD-P	03-19-133
246-850-160	NEW-P	03-12-088	246-919-120	REP	03-20-109	246-976-640	REP-P	03-19-133
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246-850-990	AMD-P	03-17-091	246-919-130	REP	03-20-109	246-976-680	REP-P	03-19-133
246-850-990	AMD	03-21-116	246-919-140	REP-X	03-12-091	246-976-690	REP-P	03-19-133
246-851-160	PREP	03-04-043	246-919-140	REP	03-20-109	246-976-720	REP-P	03-19-133
246-851-170	PREP	03-04-043	246-919-150	REP-X	03-12-091	246-976-730	REP-P	03-19-133
246-851-390	REP	03-05-021	246-919-150	REP	03-20-109	246-976-740	REP-P	03-19-133
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246-869-220	PREP	03-15-067	246-919-350	REP	03-20-109	246-976-770	REP-P	03-19-133
246-869-260	PREP-W	03-04-042	246-919-360	AMD-X	03-15-068	246-976-780	REP-P	03-19-133
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246-870-010	NEW-C	03-17-004	246-919-720	REP	03-20-109	246-976-810	REP-P	03-19-133
246-870-010	NEW-C	03-20-106	246-924-354	PREP	03-05-020	246-976-820	REP-P	03-19-133
246-870-010	NEW	03-24-070	246-926-020	PREP	03-14-032	246-976-822	REP-P	03-19-133
246-870-020	NEW-P	03-11-092	246-926-100	AMD	03-10-100	246-976-870	AMD-P	03-19-133
246-870-020	NEW-C	03-17-004	246-926-100	PREP	03-14-144	246-976-881	AMD-P	03-19-133
246-870-020	NEW-C	03-20-106	246-926-110	PREP	03-14-144	246-976-885	AMD-P	03-19-133
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246-870-050	NEW-C	03-17-004	246-933-320	AMD-P	03-06-100	250- 18-025	AMD-P	03-09-145
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246-870-060	NEW-P	03-11-092	246-933-501	NEW	03-14-035	250- 18-030	AMD	03-13-056
246-870-060	NEW-C	03-17-004	246-933-510	NEW-P	03-06-100	250- 18-035	AMD-P	03-09-145
246-870-060	NEW-C	03-20-106	246-933-510	NEW	03-14-035	250- 18-035	AMD	03-13-056
246-870-060	NEW	03-24-070	246-933-520	NEW-P	03-06-100	250- 18-035	AMD-P	03-16-089
246-870-070	NEW-P	03-11-092	246-933-520	NEW	03-14-035	250- 18-035	AMD	03-20-053
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246-870-070	NEW-C	03-20-106	246-933-530	NEW	03-14-035	250- 18-040	REP	03-13-056
246-870-070	NEW	03-24-070	246-933-550	NEW-P	03-06-100	250- 18-060	AMD-P	03-16-089
246-870-080	NEW-P	03-11-092	246-933-550	NEW	03-14-035	250- 18-060	AMD	03-20-053
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246-870-090	NEW-C	03-17-004	246-976-021	PREP	03-09-125	250- 69-010	AMD	03-04-101
246-870-090	NEW-C	03-20-106	246-976-021	AMD-P	03-15-069	250- 69-020	AMD	03-04-101
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250-69-090	AMD	03-04-101	260-36	PREP-W	03-21-104	284-30-3905	NEW	03-14-092
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250-70-010	AMD-P	03-16-065	260-40	PREP	03-21-078	284-30-3906	NEW-S	03-09-143
250-70-010	AMD	03-20-047	260-40-160	PREP	03-21-056	284-30-3906	NEW	03-14-092
250-70-020	AMD-P	03-16-065	260-48	PREP	03-05-068	284-30-3907	NEW-P	03-03-132
250-70-020	AMD	03-20-047	260-48-630	AMD-P	03-04-089	284-30-3907	NEW-S	03-09-143
250-70-030	AMD-P	03-16-065	260-48-630	AMD	03-07-057	284-30-3907	NEW	03-14-092
250-70-030	AMD	03-20-047	260-48-890	AMD-P	03-09-133	284-30-3908	NEW-P	03-03-132
250-70-040	AMD-P	03-16-065	260-48-890	AMD-W	03-13-072	284-30-3908	NEW-S	03-09-143
250-70-040	AMD	03-20-047	260-48-900	AMD-P	03-09-133	284-30-3908	NEW	03-14-092
250-70-050	AMD-P	03-16-065	260-48-900	AMD-W	03-13-072	284-30-3909	NEW-P	03-03-132
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250-70-060	AMD-P	03-16-065	260-48-910	AMD-W	03-13-072	284-30-3909	NEW	03-14-092
250-70-060	AMD	03-20-047	260-48-940	NEW-P	03-07-053	284-30-3910	NEW-P	03-03-132
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250-70-070	AMD	03-20-047	260-60	PREP	03-21-081	284-30-3910	NEW	03-14-092
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250-70-080	AMD	03-20-047	260-70-610	AMD-P	03-07-052	284-30-3911	NEW-S	03-09-143
250-80-060	AMD-P	03-19-108	260-70-610	AMD	03-11-018	284-30-3911	NEW	03-14-092
250-80-060	AMD	03-23-119	260-70-630	AMD-P	03-07-055	284-30-3912	NEW-P	03-03-132
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251-04-035	NEW-P	03-10-101	260-70-630	PREP	03-13-071	284-30-3912	AMD-X	03-20-123
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251-04-035	NEW	03-13-051	260-70-700	AMD	03-06-004	284-30-3913	NEW	03-14-092
251-04-035	AMD-P	03-19-129	260-72-010	AMD-W	03-05-069	284-30-3914	NEW-P	03-03-132
251-04-035	AMD	03-22-003	260-72-010	REP-P	03-05-070	284-30-3914	NEW-S	03-09-143
251-14-015	NEW-P	03-19-129	260-72-010	REP-P	03-09-134	284-30-3914	NEW	03-14-092
251-17-150	AMD-P	03-16-107	260-72-010	REP	03-13-073	284-30-3915	NEW-P	03-03-132
251-17-150	AMD	03-20-010	260-72-010	REP-W	03-18-085	284-30-3915	NEW-S	03-09-143
251-22-250	AMD-P	03-16-108	260-72-040	NEW-P	03-04-090	284-30-3915	NEW	03-14-092
251-22-250	AMD	03-20-011	260-72-040	NEW	03-07-058	284-30-3916	NEW-S	03-09-143
251-22-260	AMD-P	03-16-108	260-80	PREP	03-21-080	284-30-3916	NEW	03-14-092
251-22-260	AMD	03-20-011	260-88-010	PREP	03-21-057	284-30-505	NEW-W	03-08-071
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251-22-270	AMD	03-20-011	284-07-010	AMD	03-03-133	284-43-220	AMD-X	03-03-134
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296-23-362	NEW-P	03-21-070	296-24-24513	REP-P	03-14-075	296-402A	PREP	03-04-098
296-23-367	NEW-P	03-21-070	296-24-24515	REP-P	03-14-075	296-45	PREP	03-07-072
296-23-372	NEW-P	03-21-070	296-24-24517	REP-P	03-14-075	296-45	PREP	03-10-064
296-23-377	NEW-P	03-21-070	296-24-24519	REP-P	03-14-075	296-45	PREP	03-21-126
296-23-382	NEW-P	03-21-070	296-24-56527	AMD-X	03-24-086	296-45-045	AMD-P	03-10-067
296-23-387	NEW-P	03-21-070	296-24-61703	AMD-X	03-24-086	296-45-045	AMD	03-17-071
296-23-392	NEW-P	03-21-070	296-24-63399	AMD-X	03-24-086	296-45-255	AMD-P	03-10-067
296-23A-0710	AMD-X	03-14-127	296-24-650	REP	03-09-009	296-45-255	AMD	03-17-071
296-23A-0710	AMD	03-21-069	296-24-65003	REP	03-09-009	296-45-325	AMD-P	03-10-067
296-24	PREP	03-03-110	296-24-65005	REP	03-09-009	296-45-325	AMD	03-17-071
296-24	PREP	03-10-064	296-24-65007	REP	03-09-009	296-45-48535	AMD-X	03-12-072
296-24	PREP	03-10-066	296-24-655	REP	03-09-009	296-45-48535	AMD	03-18-090
296-24	PREP	03-20-080	296-24-65501	REP	03-09-009	296-46A	PREP	03-04-098
296-24-012	AMD-X	03-24-086	296-24-657	REP	03-09-009	296-46A-090	REP-P	03-05-074
296-24-120	AMD-X	03-12-072	296-24-65701	REP	03-09-009	296-46A-090	REP	03-09-111
296-24-120	AMD	03-18-090	296-24-65703	REP	03-09-009	296-46A-092	REP-P	03-05-074
296-24-120	REP-X	03-24-086	296-24-660	REP	03-09-009	296-46A-092	REP	03-09-111
296-24-12001	REP-X	03-12-072	296-24-66001	REP	03-09-009	296-46A-095	REP-P	03-05-074
296-24-12001	REP	03-18-090	296-24-66003	REP	03-09-009	296-46A-095	REP	03-09-111
296-24-12002	REP-X	03-12-072	296-24-66005	REP	03-09-009	296-46A-100	REP-P	03-05-074
296-24-12002	REP	03-18-090	296-24-66007	REP	03-09-009	296-46A-100	REP	03-09-111
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296-24-12010	REP	03-18-090	296-24-66011	REP	03-09-009	296-46A-102	REP	03-09-111
296-24-12011	REP-X	03-12-072	296-24-663	REP	03-09-009	296-46A-104	REP-P	03-05-074
296-24-12011	REP	03-18-090	296-24-66301	REP	03-09-009	296-46A-104	REP	03-09-111
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296-24-12017	REP	03-18-090	296-24-66305	REP	03-09-009	296-46A-110	REP	03-09-111
296-24-235	REP-P	03-14-075	296-24-66307	REP	03-09-009	296-46A-130	REP-P	03-05-074
296-24-23501	REP-P	03-14-075	296-24-66309	REP	03-09-009	296-46A-130	REP	03-09-111
296-24-23503	REP-P	03-14-075	296-24-66311	REP	03-09-009	296-46A-140	REP-P	03-05-074
296-24-23505	REP-P	03-14-075	296-24-66313	REP	03-09-009	296-46A-140	REP	03-09-111
296-24-23507	REP-P	03-14-075	296-24-66315	REP	03-09-009	296-46A-155	REP-P	03-05-074
296-24-23509	REP-P	03-14-075	296-24-66317	REP	03-09-009	296-46A-155	REP	03-09-111
296-24-23511	REP-P	03-14-075	296-24-66319	REP	03-09-009	296-46A-21052	REP-P	03-05-074
296-24-23513	REP-P	03-14-075	296-24-66321	REP	03-09-009	296-46A-21052	REP	03-09-111
296-24-23515	REP-P	03-14-075	296-24-665	REP	03-09-009	296-46A-215	REP-P	03-05-074
296-24-23517	REP-P	03-14-075	296-24-66501	REP	03-09-009	296-46A-215	REP	03-09-111
296-24-23519	REP-P	03-14-075	296-24-66503	REP	03-09-009	296-46A-220	REP-P	03-05-074
296-24-23521	REP-P	03-14-075	296-24-66505	REP	03-09-009	296-46A-220	REP	03-09-111
296-24-23523	REP-P	03-14-075	296-24-66507	REP	03-09-009	296-46A-22530	REP-P	03-05-074

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296-46A-23040	REP	03-09-111	296-46A-935	REP	03-09-111	296-46B-550	NEW	03-09-111
296-46A-23062	REP-P	03-05-074	296-46A-940	REP-P	03-05-074	296-46B-553	NEW-P	03-05-074
296-46A-23062	REP	03-09-111	296-46A-940	REP	03-09-111	296-46B-553	NEW	03-09-111
296-46A-250	REP-P	03-05-074	296-46A-950	REP-P	03-05-074	296-46B-555	NEW-P	03-05-074
296-46A-250	REP	03-09-111	296-46A-950	REP	03-09-111	296-46B-555	NEW	03-09-111
296-46A-300	REP-P	03-05-074	296-46A-960	REP-P	03-05-074	296-46B-600	NEW-P	03-05-074
296-46A-300	REP	03-09-111	296-46A-960	REP	03-09-111	296-46B-600	NEW	03-09-111
296-46A-30011	REP-P	03-05-074	296-46B	PREP	03-10-065	296-46B-680	NEW-P	03-05-074
296-46A-30011	REP	03-09-111	296-46B	PREP	03-15-116	296-46B-680	NEW	03-09-111
296-46A-324	REP-P	03-05-074	296-46B-005	NEW-P	03-05-074	296-46B-700	NEW-P	03-05-074
296-46A-324	REP	03-09-111	296-46B-005	NEW	03-09-111	296-46B-700	NEW	03-09-111
296-46A-348	REP-P	03-05-074	296-46B-010	NEW-P	03-05-074	296-46B-800	NEW-P	03-05-074
296-46A-348	REP	03-09-111	296-46B-010	NEW	03-09-111	296-46B-800	NEW	03-09-111
296-46A-365	REP-P	03-05-074	296-46B-020	NEW-P	03-05-074	296-46B-900	NEW-P	03-05-074
296-46A-365	REP	03-09-111	296-46B-020	NEW	03-09-111	296-46B-900	NEW	03-09-111
296-46A-370	REP-P	03-05-074	296-46B-030	NEW-P	03-05-074	296-46B-905	NEW-P	03-05-074
296-46A-370	REP	03-09-111	296-46B-030	NEW	03-09-111	296-46B-905	NEW	03-09-111
296-46A-41004	REP-P	03-05-074	296-46B-040	NEW-P	03-05-074	296-46B-905	AMD-X	03-13-100
296-46A-41004	REP	03-09-111	296-46B-040	NEW	03-09-111	296-46B-905	AMD	03-18-089
296-46A-41030	REP-P	03-05-074	296-46B-110	NEW-P	03-05-074	296-46B-910	NEW-P	03-05-074
296-46A-41030	REP	03-09-111	296-46B-110	NEW	03-09-111	296-46B-910	NEW	03-09-111
296-46A-422	REP-P	03-05-074	296-46B-210	NEW-P	03-05-074	296-46B-911	NEW-P	03-05-074
296-46A-422	REP	03-09-111	296-46B-210	NEW	03-09-111	296-46B-911	NEW	03-09-111
296-46A-450	REP-P	03-05-074	296-46B-215	NEW-P	03-05-074	296-46B-915	NEW-P	03-05-074
296-46A-450	REP	03-09-111	296-46B-215	NEW	03-09-111	296-46B-915	NEW	03-09-111
296-46A-500	REP-P	03-05-074	296-46B-220	NEW-P	03-05-074	296-46B-920	NEW-P	03-05-074
296-46A-500	REP	03-09-111	296-46B-220	NEW	03-09-111	296-46B-920	NEW	03-09-111
296-46A-514	REP-P	03-05-074	296-46B-225	NEW-P	03-05-074	296-46B-925	NEW-P	03-05-074
296-46A-514	REP	03-09-111	296-46B-225	NEW	03-09-111	296-46B-925	NEW	03-09-111
296-46A-517	REP-P	03-05-074	296-46B-230	NEW-P	03-05-074	296-46B-930	NEW-P	03-05-074
296-46A-517	REP	03-09-111	296-46B-230	NEW	03-09-111	296-46B-930	NEW	03-09-111
296-46A-550	REP-P	03-05-074	296-46B-250	NEW-P	03-05-074	296-46B-930	AMD-X	03-13-100
296-46A-550	REP	03-09-111	296-46B-250	NEW	03-09-111	296-46B-930	AMD	03-18-089
296-46A-553	REP-P	03-05-074	296-46B-300	NEW-P	03-05-074	296-46B-935	NEW-P	03-05-074
296-46A-553	REP	03-09-111	296-46B-300	NEW	03-09-111	296-46B-935	NEW	03-09-111
296-46A-600	REP-P	03-05-074	296-46B-314	NEW-P	03-05-074	296-46B-940	NEW-P	03-05-074
296-46A-600	REP	03-09-111	296-46B-314	NEW	03-09-111	296-46B-940	NEW	03-09-111
296-46A-680	REP-P	03-05-074	296-46B-334	NEW-P	03-05-074	296-46B-945	NEW-P	03-05-074
296-46A-680	REP	03-09-111	296-46B-334	NEW	03-09-111	296-46B-945	NEW	03-09-111
296-46A-700	REP-P	03-05-074	296-46B-358	NEW-P	03-05-074	296-46B-950	NEW-P	03-05-074
296-46A-700	REP	03-09-111	296-46B-358	NEW	03-09-111	296-46B-950	NEW	03-09-111
296-46A-702	REP-P	03-05-074	296-46B-394	NEW-P	03-05-074	296-46B-950	AMD-X	03-13-100
296-46A-702	REP	03-09-111	296-46B-394	NEW	03-09-111	296-46B-950	AMD	03-18-089
296-46A-900	REP-P	03-05-074	296-46B-410	NEW-P	03-05-074	296-46B-951	NEW-P	03-05-074
296-46A-900	REP	03-09-111	296-46B-410	NEW	03-09-111	296-46B-951	NEW	03-09-111
296-46A-910	REP-P	03-05-074	296-46B-422	NEW-P	03-05-074	296-46B-955	NEW-P	03-05-074
296-46A-910	REP	03-09-111	296-46B-422	NEW	03-09-111	296-46B-955	NEW	03-09-111
296-46A-915	REP-P	03-05-074	296-46B-430	NEW-P	03-05-074	296-46B-960	NEW-P	03-05-074
296-46A-915	REP	03-09-111	296-46B-430	NEW	03-09-111	296-46B-960	NEW	03-09-111
296-46A-920	REP-P	03-05-074	296-46B-450	NEW-P	03-05-074	296-46B-965	NEW-P	03-05-074
296-46A-920	REP	03-09-111	296-46B-450	NEW	03-09-111	296-46B-965	NEW	03-09-111
296-46A-930	REP-P	03-05-074	296-46B-501	NEW-P	03-05-074	296-46B-970	NEW-P	03-05-074
296-46A-930	REP	03-09-111	296-46B-501	NEW	03-09-111	296-46B-970	NEW	03-09-111
296-46A-931	REP-P	03-05-074	296-46B-514	NEW-P	03-05-074	296-46B-971	NEW-P	03-05-074
296-46A-931	REP	03-09-111	296-46B-514	NEW	03-09-111	296-46B-971	NEW	03-09-111
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296-46B-980	NEW	03-09-111	296-62-054	REP	03-10-068	296-62-141	AMD-P	03-19-106
296-46B-985	NEW-P	03-05-074	296-62-05402	REP-X	03-04-100	296-62-14533	AMD-P	03-23-101
296-46B-985	NEW	03-09-111	296-62-05402	REP	03-10-068	296-62-20015	AMD-X	03-12-072
296-46B-990	NEW-P	03-05-074	296-62-05404	REP-X	03-04-100	296-62-20015	AMD	03-18-090
296-46B-990	NEW	03-09-111	296-62-05404	REP	03-10-068	296-62-20023	AMD-P	03-23-101
296-46B-995	NEW-P	03-05-074	296-62-05406	REP-X	03-04-100	296-62-300	AMD-P	03-14-074
296-46B-995	NEW	03-09-111	296-62-05406	REP	03-10-068	296-62-31020	AMD-X	03-12-072
296-46B-998	NEW-P	03-05-074	296-62-05408	REP-X	03-04-100	296-62-31020	AMD	03-18-090
296-46B-998	NEW	03-09-111	296-62-05408	REP	03-10-068	296-62-31335	AMD-X	03-12-072
296-46B-999	NEW-P	03-05-074	296-62-05410	REP-X	03-04-100	296-62-31335	AMD	03-18-090
296-46B-999	NEW	03-09-111	296-62-05410	REP	03-10-068	296-62-40019	AMD-P	03-23-101
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296-52-60130	AMD	03-06-073	296-62-05412	REP	03-10-068	296-78	PREP	03-10-066
296-52-61040	AMD-X	03-05-073	296-62-070	REP-X	03-04-100	296-78	PREP	03-20-080
296-52-61040	AMD	03-10-037	296-62-070	REP	03-10-068	296-78	PREP	03-21-126
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296-52-65005	AMD-X	03-05-073	296-62-07005	REP-X	03-04-100	296-79	PREP	03-03-110
296-52-65005	AMD	03-10-037	296-62-07005	REP	03-10-068	296-79	PREP	03-10-064
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296-52-68060	AMD	03-06-073	296-62-07314	AMD-P	03-23-101	296-96-01005	AMD-P	03-09-108
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296-62-05205	REP-P	03-23-101	296-62-07727	AMD-P	03-23-101	296-104-515	AMD-P	03-20-120
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296-62-05209	REP-P	03-23-101	296-62-080	REP	03-10-068	296-104-530	REP-P	03-20-120
296-62-05213	REP-P	03-23-101	296-62-08001	AMD	03-09-110	296-104-700	AMD-P	03-08-076
296-62-05215	REP-P	03-23-101	296-62-09015	AMD	03-11-060	296-104-700	AMD	03-12-051
296-62-05217	REP-P	03-23-101	296-62-09041	AMD-P	03-23-101	296-104-700	AMD-P	03-20-120
296-62-05219	REP-P	03-23-101	296-62-11021	REP-X	03-04-100	296-115-050	AMD-X	03-12-072
296-62-05221	REP-P	03-23-101	296-62-11021	REP	03-10-068	296-115-050	AMD	03-18-090

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-126-025	PREP	03-20-095	296-150M-0830	NEW	03-12-044	296-200A-015	AMD	03-20-097
296-127-018	PREP	03-20-096	296-150M-0835	NEW-P	03-09-109	296-200A-025	AMD-P	03-15-117
296-128-500	AMD	03-03-109	296-150M-0835	NEW	03-12-044	296-200A-025	AMD	03-20-097
296-128-532	NEW	03-03-109	296-150M-0840	NEW-P	03-09-109	296-200A-030	NEW-P	03-15-117
296-128-533	NEW	03-03-109	296-150M-0840	NEW	03-12-044	296-200A-030	NEW	03-20-097
296-130-010	AMD	03-03-010	296-150M-0845	NEW-P	03-09-109	296-200A-035	AMD-P	03-15-117
296-130-020	AMD	03-03-010	296-150M-0845	NEW	03-12-044	296-200A-035	AMD	03-20-097
296-130-030	AMD	03-03-010	296-150M-0855	NEW-P	03-09-109	296-200A-040	AMD-P	03-15-117
296-130-035	AMD	03-03-010	296-150M-0855	NEW	03-12-044	296-200A-040	AMD	03-20-097
296-130-040	AMD	03-03-010	296-150M-0860	NEW-P	03-09-109	296-200A-060	AMD-P	03-15-117
296-130-050	AMD	03-03-010	296-150M-0860	NEW	03-12-044	296-200A-060	AMD	03-20-097
296-130-060	AMD	03-03-010	296-150M-0865	NEW-P	03-09-109	296-200A-065	NEW-P	03-15-117
296-130-065	AMD	03-03-010	296-150M-0865	NEW	03-12-044	296-200A-065	NEW	03-20-097
296-130-070	AMD	03-03-010	296-150M-3000	AMD-P	03-09-109	296-200A-070	AMD-P	03-15-117
296-130-080	AMD	03-03-010	296-150M-3000	AMD	03-12-044	296-200A-070	AMD	03-20-097
296-130-100	NEW	03-03-010	296-150P	PREP	03-10-065	296-200A-080	AMD-P	03-15-117
296-130-500	REP	03-03-010	296-150P	PREP	03-15-115	296-200A-080	AMD	03-20-097
296-150C	PREP	03-10-065	296-150P-0020	AMD-P	03-09-109	296-200A-090	AMD-P	03-15-117
296-150C-0150	NEW-P	03-09-109	296-150P-0020	AMD	03-12-044	296-200A-090	AMD	03-20-097
296-150C-0150	NEW	03-12-044	296-150P-3000	AMD-P	03-09-108	296-200A-111	AMD-P	03-15-117
296-150C-3000	AMD-P	03-09-108	296-150P-3000	AMD	03-12-045	296-200A-111	AMD	03-20-097
296-150C-3000	AMD	03-12-045	296-150R	PREP	03-10-065	296-200A-112	AMD-P	03-15-117
296-150F	PREP	03-10-065	296-150R	PREP	03-15-115	296-200A-112	AMD	03-20-097
296-150F	PREP	03-15-115	296-150R-0020	AMD-P	03-09-109	296-200A-300	AMD-P	03-15-117
296-150F-3000	AMD-P	03-09-109	296-150R-0020	AMD	03-12-044	296-200A-300	AMD	03-20-097
296-150F-3000	AMD	03-12-044	296-150R-3000	AMD-P	03-09-108	296-200A-305	AMD-P	03-15-117
296-150M	PREP	03-10-065	296-150R-3000	AMD	03-12-045	296-200A-305	AMD	03-20-097
296-150M	PREP	03-15-115	296-150T	PREP	03-10-065	296-200A-310	AMD-P	03-15-117
296-150M-0020	AMD-P	03-09-109	296-150T	PREP	03-15-115	296-200A-310	AMD	03-20-097
296-150M-0020	AMD	03-12-044	296-150T-3000	AMD-P	03-09-108	296-200A-320	AMD-P	03-15-117
296-150M-0049	AMD-P	03-09-109	296-150T-3000	AMD	03-12-045	296-200A-320	AMD	03-20-097
296-150M-0049	AMD	03-12-044	296-150V	PREP	03-10-065	296-200A-330	AMD-P	03-15-117
296-150M-0050	AMD-P	03-09-109	296-150V	PREP	03-15-115	296-200A-330	AMD	03-20-097
296-150M-0050	AMD	03-12-044	296-150V-0020	AMD-P	03-09-109	296-200A-340	AMD-P	03-15-117
296-150M-0051	NEW-P	03-09-109	296-150V-0020	AMD	03-12-044	296-200A-340	AMD	03-20-097
296-150M-0051	NEW	03-12-044	296-150V-0800	AMD-P	03-09-109	296-200A-360	AMD-P	03-15-117
296-150M-0302	AMD-P	03-09-109	296-150V-0800	AMD	03-12-044	296-200A-360	AMD	03-20-097
296-150M-0302	AMD	03-12-044	296-150V-1090	AMD-P	03-09-109	296-200A-370	AMD-P	03-15-117
296-150M-0320	AMD-P	03-09-109	296-150V-1090	AMD	03-12-044	296-200A-370	AMD	03-20-097
296-150M-0320	AMD	03-12-044	296-150V-1220	REP-P	03-09-109	296-200A-380	AMD-P	03-15-117
296-150M-0322	NEW-P	03-09-109	296-150V-1220	REP	03-12-044	296-200A-380	AMD	03-20-097
296-150M-0322	NEW	03-12-044	296-150V-1530	AMD-P	03-09-109	296-200A-390	AMD-P	03-15-117
296-150M-0360	AMD-P	03-09-109	296-150V-1530	AMD	03-12-044	296-200A-390	AMD	03-20-097
296-150M-0360	AMD	03-12-044	296-150V-1600	NEW-P	03-09-109	296-200A-400	AMD-P	03-15-117
296-150M-0705	NEW-P	03-09-109	296-150V-1600	NEW	03-12-044	296-200A-400	AMD	03-20-097
296-150M-0705	NEW	03-12-044	296-150V-3000	AMD-P	03-09-108	296-200A-405	AMD-P	03-15-117
296-150M-0715	NEW-P	03-09-109	296-150V-3000	AMD	03-12-045	296-200A-405	AMD	03-20-097
296-150M-0715	NEW	03-12-044	296-155	PREP	03-04-097	296-200A-500	REP-P	03-15-117
296-150M-0725	NEW-P	03-09-109	296-155	PREP	03-10-064	296-200A-500	REP	03-20-097
296-150M-0725	NEW	03-12-044	296-155	PREP	03-10-066	296-200A-510	REP-P	03-15-117
296-150M-0800	NEW-P	03-09-109	296-155	PREP	03-20-080	296-200A-510	REP	03-20-097
296-150M-0800	NEW	03-12-044	296-155	PREP	03-21-126	296-200A-900	AMD-P	03-15-117
296-150M-0805	NEW-P	03-09-109	296-155-145	AMD	03-11-060	296-200A-900	AMD	03-20-097
296-150M-0805	NEW	03-12-044	296-155-17331	AMD-P	03-23-101	296-304-01001	AMD	03-04-099
296-150M-0810	NEW-P	03-09-109	296-155-174	AMD-P	03-23-101	296-304-01003	AMD	03-04-099
296-150M-0810	NEW	03-12-044	296-155-210	AMD	03-11-060	296-304-02007	AMD	03-04-099
296-150M-0815	NEW-P	03-09-109	296-155-300	AMD	03-06-075	296-304-02009	AMD	03-04-099
296-150M-0815	NEW	03-12-044	296-155-305	AMD	03-06-075	296-304-03007	AMD	03-04-099
296-150M-0820	NEW-P	03-09-109	296-155-310	AMD	03-06-075	296-304-04001	AMD	03-04-099
296-150M-0820	NEW	03-12-044	296-155-315	AMD	03-06-075	296-304-05001	AMD	03-04-099
296-150M-0830	NEW-P	03-09-109	296-200A	PREP	03-10-065	296-304-05003	AMD	03-04-099
			296-200A-015	AMD-P	03-15-117	296-304-05005	AMD	03-04-099

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-304-05009	AMD	03-04-099	296-307-14835	NEW-S	03-20-113	296-307-45505	NEW-X	03-04-100
296-304-05013	AMD	03-04-099	296-307-14835	NEW	03-24-105	296-307-45505	NEW	03-10-068
296-304-06003	AMD	03-04-099	296-307-14840	NEW-P	03-15-032	296-307-45510	NEW-X	03-04-100
296-304-07009	AMD	03-04-099	296-307-14840	NEW-S	03-20-113	296-307-45510	NEW	03-10-068
296-304-07011	AMD	03-04-099	296-307-14840	NEW	03-24-105	296-307-45515	NEW-X	03-04-100
296-304-07013	AMD	03-04-099	296-307-14845	NEW-P	03-15-032	296-307-45515	NEW	03-10-068
296-304-08001	AMD	03-04-099	296-307-14845	NEW-S	03-20-113	296-307-45520	NEW-X	03-04-100
296-304-08009	AMD	03-11-060	296-307-14845	NEW	03-24-105	296-307-45520	NEW	03-10-068
296-304-09009	AMD	03-11-060	296-307-40013	AMD-X	03-04-100	296-307-45525	NEW-X	03-04-100
296-304-09017	AMD	03-04-099	296-307-40013	AMD	03-10-068	296-307-45525	NEW	03-10-068
296-304-09021	AMD	03-04-099	296-307-40015	AMD-X	03-04-100	296-307-45535	NEW-X	03-04-100
296-304-09023	AMD	03-04-099	296-307-40015	AMD	03-10-068	296-307-45535	NEW	03-10-068
296-304-10003	AMD	03-04-099	296-307-40027	AMD-X	03-04-100	296-307-45540	NEW-X	03-04-100
296-304-10007	AMD	03-04-099	296-307-40027	AMD	03-10-068	296-307-45540	NEW	03-10-068
296-305	PREP	03-10-097	296-307-445	NEW-X	03-04-100	296-307-45545	NEW-X	03-04-100
296-305	PREP	03-10-066	296-307-445	NEW	03-10-068	296-307-45545	NEW	03-10-068
296-305	PREP	03-21-126	296-307-450	AMD-X	03-04-100	296-307-45550	NEW-X	03-04-100
296-305-01515	AMD	03-09-110	296-307-450	AMD	03-10-068	296-307-45550	NEW	03-10-068
296-305-02005	AMD	03-11-060	296-307-45001	REP-X	03-04-100	296-307-45555	NEW-X	03-04-100
296-305-02501	AMD	03-09-110	296-307-45001	REP	03-10-068	296-307-45555	NEW	03-10-068
296-305-02501	AMD-P	03-23-101	296-307-45003	REP-X	03-04-100	296-307-45560	NEW-X	03-04-100
296-305-05503	AMD	03-11-060	296-307-45003	REP	03-10-068	296-307-45560	NEW	03-10-068
296-307	PREP	03-10-064	296-307-45003	AMD-X	03-04-100	296-307-45565	NEW-X	03-04-100
296-307	PREP	03-10-066	296-307-45005	AMD	03-10-068	296-307-45565	NEW	03-10-068
296-307	AMD-S	03-18-046	296-307-45007	REP-X	03-04-100	296-307-460	NEW-X	03-04-100
296-307	PREP	03-21-126	296-307-45007	REP	03-10-068	296-307-460	NEW	03-10-068
296-307-009	AMD-X	03-04-100	296-307-45009	REP-X	03-04-100	296-307-46005	NEW-X	03-04-100
296-307-009	AMD	03-10-068	296-307-45009	REP	03-10-068	296-307-46005	NEW	03-10-068
296-307-018	AMD-X	03-04-100	296-307-45010	NEW-X	03-04-100	296-307-46025	NEW-X	03-04-100
296-307-018	AMD	03-10-068	296-307-45010	NEW	03-10-068	296-307-46025	NEW	03-10-068
296-307-03930	NEW-X	03-04-100	296-307-45011	REP-X	03-04-100	296-307-46030	NEW-X	03-04-100
296-307-03930	NEW	03-10-068	296-307-45011	REP	03-10-068	296-307-46030	NEW	03-10-068
296-307-03935	NEW-X	03-04-100	296-307-45013	REP-X	03-04-100	296-307-465	NEW-X	03-04-100
296-307-03935	NEW	03-10-068	296-307-45013	REP	03-10-068	296-307-465	NEW	03-10-068
296-307-03940	NEW-X	03-04-100	296-307-45015	AMD-X	03-04-100	296-307-55030	AMD-X	03-04-100
296-307-03940	NEW	03-10-068	296-307-45015	AMD	03-10-068	296-307-55030	AMD	03-10-068
296-307-03945	NEW-X	03-04-100	296-307-45017	REP-X	03-04-100	296-307-560	NEW-X	03-04-100
296-307-03945	NEW	03-10-068	296-307-45017	REP	03-10-068	296-307-560	NEW	03-10-068
296-307-14520	REP-P	03-15-032	296-307-45019	REP-X	03-04-100	296-307-56005	NEW-X	03-04-100
296-307-14520	REP	03-24-105	296-307-45019	REP	03-10-068	296-307-56005	NEW	03-10-068
296-307-148	NEW-P	03-15-032	296-307-45020	NEW-X	03-04-100	296-307-56010	NEW-X	03-04-100
296-307-148	NEW-S	03-20-113	296-307-45020	NEW	03-10-068	296-307-56010	NEW	03-10-068
296-307-148	NEW	03-24-105	296-307-45021	REP-X	03-04-100	296-307-56015	NEW-X	03-04-100
296-307-14805	NEW-P	03-15-032	296-307-45021	REP	03-10-068	296-307-56015	NEW	03-10-068
296-307-14805	NEW-S	03-20-113	296-307-45023	REP-X	03-04-100	296-307-56020	NEW-X	03-04-100
296-307-14805	NEW	03-24-105	296-307-45023	REP	03-10-068	296-307-56020	NEW	03-10-068
296-307-14810	NEW-P	03-15-032	296-307-45025	AMD-X	03-04-100	296-307-56025	NEW-X	03-04-100
296-307-14810	NEW-S	03-20-113	296-307-45025	AMD	03-10-068	296-307-56025	NEW	03-10-068
296-307-14810	NEW	03-24-105	296-307-45027	REP-X	03-04-100	296-307-56030	NEW-X	03-04-100
296-307-14815	NEW-P	03-15-032	296-307-45027	REP	03-10-068	296-307-56030	NEW	03-10-068
296-307-14815	NEW-S	03-20-113	296-307-45029	REP-X	03-04-100	296-307-56035	NEW-X	03-04-100
296-307-14815	NEW	03-24-105	296-307-45029	REP	03-10-068	296-307-56035	NEW	03-10-068
296-307-14820	NEW-P	03-15-032	296-307-45030	NEW-X	03-04-100	296-307-56040	NEW-X	03-04-100
296-307-14820	NEW-S	03-20-113	296-307-45030	NEW	03-10-068	296-307-56040	NEW	03-10-068
296-307-14820	NEW	03-24-105	296-307-45035	NEW-X	03-04-100	296-307-56045	NEW-X	03-04-100
296-307-14825	NEW-P	03-15-032	296-307-45035	NEW	03-10-068	296-307-56045	NEW	03-10-068
296-307-14825	NEW-S	03-20-113	296-307-45045	NEW-X	03-04-100	296-307-56050	NEW-X	03-04-100
296-307-14825	NEW	03-24-105	296-307-45045	NEW	03-10-068	296-307-56050	NEW	03-10-068
296-307-14830	NEW-P	03-15-032	296-307-45050	NEW-X	03-04-100	296-400A	PREP	03-10-065
296-307-14830	NEW-S	03-20-113	296-307-45050	NEW	03-10-068	296-400A	PREP	03-15-114
296-307-14830	NEW	03-24-105	296-307-455	NEW-X	03-04-100	296-400A-045	AMD-P	03-09-108
296-307-14835	NEW-P	03-15-032	296-307-455	NEW	03-10-068	296-400A-045	AMD	03-12-045

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296-402A-470	REP-P	03-05-074	296-800-17015	AMD-X	03-12-072	296-802-40005	NEW-P	03-23-101
296-402A-470	REP	03-09-111	296-800-17015	AMD	03-18-090	296-802-40010	NEW-P	03-23-101
296-402A-480	REP-P	03-05-074	296-800-17020	AMD-X	03-12-072	296-802-40015	NEW-P	03-23-101
296-402A-480	REP	03-09-111	296-800-17020	AMD	03-18-090	296-802-500	NEW-P	03-23-101
296-402A-490	REP-P	03-05-074	296-800-180	AMD-P	03-23-101	296-802-50005	NEW-P	03-23-101
296-402A-490	REP	03-09-111	296-800-230	AMD-X	03-12-072	296-802-50010	NEW-P	03-23-101
296-402A-500	REP-P	03-05-074	296-800-230	AMD	03-18-090	296-802-600	NEW-P	03-23-101
296-402A-500	REP	03-09-111	296-800-23005	AMD-X	03-12-072	296-802-60005	NEW-P	03-23-101
296-402A-510	REP-P	03-05-074	296-800-23005	AMD	03-18-090	296-802-900	NEW-P	03-23-101
296-402A-510	REP	03-09-111	296-800-23010	AMD-X	03-12-072	296-807-100	NEW	03-09-009
296-402A-520	REP-P	03-05-074	296-800-23010	AMD	03-18-090	296-807-110	NEW	03-09-009
296-402A-520	REP	03-09-111	296-800-23020	AMD-X	03-12-072	296-807-11005	NEW	03-09-009
296-402A-530	REP-P	03-05-074	296-800-23020	AMD	03-18-090	296-807-120	NEW	03-09-009
296-402A-530	REP	03-09-111	296-800-23025	AMD-X	03-12-072	296-807-12005	NEW	03-09-009
296-402A-540	REP-P	03-05-074	296-800-23025	AMD	03-18-090	296-807-130	NEW	03-09-009
296-402A-540	REP	03-09-111	296-800-23030	REP-X	03-12-072	296-807-13005	NEW	03-09-009
296-402A-550	REP-P	03-05-074	296-800-23030	REP	03-18-090	296-807-140	NEW	03-09-009
296-402A-550	REP	03-09-111	296-800-23035	REP-X	03-12-072	296-807-14005	NEW	03-09-009
296-402A-560	REP-P	03-05-074	296-800-23035	REP	03-18-090	296-807-14010	NEW	03-09-009
296-402A-560	REP	03-09-111	296-800-23040	NEW-X	03-12-072	296-807-14015	NEW	03-09-009
296-402A-570	REP-P	03-05-074	296-800-23040	NEW	03-18-090	296-807-14020	NEW	03-09-009
296-402A-570	REP	03-09-111	296-800-23045	NEW-X	03-12-072	296-807-14025	NEW	03-09-009
296-402A-580	REP-P	03-05-074	296-800-23045	NEW	03-18-090	296-807-14030	NEW	03-09-009
296-402A-580	REP	03-09-111	296-800-23050	NEW-X	03-12-072	296-807-14035	NEW	03-09-009
296-402A-590	REP-P	03-05-074	296-800-23050	NEW	03-18-090	296-807-14040	NEW	03-09-009
296-402A-590	REP	03-09-111	296-800-23055	NEW-X	03-12-072	296-807-150	NEW	03-09-009
296-402A-600	REP-P	03-05-074	296-800-23055	NEW	03-18-090	296-807-15005	NEW	03-09-009
296-402A-600	REP	03-09-111	296-800-23060	NEW-X	03-12-072	296-807-15010	NEW	03-09-009
296-402A-610	REP-P	03-05-074	296-800-23060	NEW	03-18-090	296-807-15015	NEW	03-09-009
296-402A-610	REP	03-09-111	296-800-23065	NEW-X	03-12-072	296-807-15020	NEW	03-09-009
296-402A-620	REP-P	03-05-074	296-800-23065	NEW	03-18-090	296-807-15025	NEW	03-09-009
296-402A-620	REP	03-09-111	296-800-23070	NEW-X	03-12-072	296-807-15030	NEW	03-09-009
296-402A-630	REP-P	03-05-074	296-800-23070	NEW	03-18-090	296-807-15035	NEW	03-09-009
296-402A-630	REP	03-09-111	296-800-23075	NEW-X	03-12-072	296-807-15040	NEW	03-09-009
296-402A-640	REP-P	03-05-074	296-800-23075	NEW	03-18-090	296-807-15045	NEW	03-09-009
296-402A-640	REP	03-09-111	296-800-310	AMD-X	03-22-069	296-807-15050	NEW	03-09-009
296-402A-650	REP-P	03-05-074	296-800-31010	AMD-X	03-22-069	296-807-15055	NEW	03-09-009
296-402A-650	REP	03-09-111	296-800-31020	AMD-X	03-22-069	296-807-160	NEW	03-09-009
296-402A-660	REP-P	03-05-074	296-800-31050	AMD-X	03-12-072	296-807-16005	NEW	03-09-009
296-402A-660	REP	03-09-111	296-800-31050	AMD	03-18-090	296-807-16010	NEW	03-09-009
296-402A-670	REP-P	03-05-074	296-800-31070	AMD-X	03-22-069	296-807-16015	NEW	03-09-009
296-402A-670	REP	03-09-111	296-800-350	AMD-X	03-12-072	296-807-16020	NEW	03-09-009
296-402A-675	REP-P	03-05-074	296-800-350	AMD	03-18-090	296-807-16025	NEW	03-09-009
296-402A-675	REP	03-09-111	296-800-35038	AMD-X	03-12-072	296-807-16030	NEW	03-09-009
296-402A-680	REP-P	03-05-074	296-800-35038	AMD	03-18-090	296-807-16035	NEW	03-09-009
296-402A-680	REP	03-09-111	296-800-35040	AMD-X	03-12-072	296-807-170	NEW	03-09-009
296-402A-690	REP-P	03-05-074	296-800-35040	AMD	03-18-090	296-807-17005	NEW	03-09-009
296-402A-690	REP	03-09-111	296-800-35062	AMD-X	03-12-072	296-807-17010	NEW	03-09-009
296-800	PREP	03-04-097	296-800-35062	AMD	03-18-090	296-807-17015	NEW	03-09-009
296-800	PREP	03-21-126	296-800-35064	AMD-X	03-12-072	296-807-17020	NEW	03-09-009
296-800-110	AMD-X	03-12-072	296-800-35064	AMD	03-18-090	296-807-180	NEW	03-09-009
296-800-110	AMD	03-18-090	296-800-370	AMD-X	03-12-072	296-807-18005	NEW	03-09-009
296-800-11030	AMD-X	03-12-072	296-800-370	AMD	03-18-090	296-807-18010	NEW	03-09-009
296-800-11030	AMD	03-18-090	296-800-370	AMD-X	03-22-069	296-807-18015	NEW	03-09-009
296-800-15005	AMD	03-09-110	296-802-100	NEW-P	03-23-101	296-807-18020	NEW	03-09-009
296-800-170	AMD-X	03-12-072	296-802-200	NEW-P	03-23-101	296-807-18025	NEW	03-09-009
296-800-170	AMD	03-18-090	296-802-20005	NEW-P	03-23-101	296-807-18030	NEW	03-09-009
296-800-17005	AMD-X	03-12-072	296-802-20010	NEW-P	03-23-101	296-807-18035	NEW	03-09-009
296-800-17005	AMD	03-18-090	296-802-20015	NEW-P	03-23-101	296-807-18040	NEW	03-09-009
296-800-17005	AMD-P	03-23-101	296-802-300	NEW-P	03-23-101	296-807-18045	NEW	03-09-009
296-800-17007	NEW-X	03-12-072	296-802-30005	NEW-P	03-23-101	296-807-18050	NEW	03-09-009
296-800-17007	NEW	03-18-090	296-802-400	NEW-P	03-23-101	296-807-18055	NEW	03-09-009

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-807-18060	NEW	03-09-009	296-817-04015	NEW-W	03-13-096	296-823-150	NEW	03-09-110
296-807-18065	NEW	03-09-009	296-817-04020	NEW-W	03-13-096	296-823-15005	NEW	03-09-110
296-807-18070	NEW	03-09-009	296-817-04025	NEW-W	03-13-096	296-823-15010	NEW	03-09-110
296-807-18075	NEW	03-09-009	296-817-050	NEW-W	03-13-096	296-823-15015	NEW	03-09-110
296-807-18080	NEW	03-09-009	296-817-100	NEW	03-11-060	296-823-15020	NEW	03-09-110
296-807-18085	NEW	03-09-009	296-817-200	NEW	03-11-060	296-823-15025	NEW	03-09-110
296-807-190	NEW	03-09-009	296-817-20005	NEW	03-11-060	296-823-15030	NEW	03-09-110
296-809-100	NEW-P	03-19-106	296-817-20010	NEW	03-11-060	296-823-160	NEW	03-09-110
296-809-200	NEW-P	03-19-106	296-817-20015	NEW	03-11-060	296-823-16005	NEW	03-09-110
296-809-20002	NEW-P	03-19-106	296-817-20020	NEW	03-11-060	296-823-16010	NEW	03-09-110
296-809-20004	NEW-P	03-19-106	296-817-20025	NEW	03-11-060	296-823-16015	NEW	03-09-110
296-809-20006	NEW-P	03-19-106	296-817-20030	NEW	03-11-060	296-823-16020	NEW	03-09-110
296-809-300	NEW-P	03-19-106	296-817-20035	NEW	03-11-060	296-823-16025	NEW	03-09-110
296-809-30002	NEW-P	03-19-106	296-817-20040	NEW	03-11-060	296-823-16030	NEW	03-09-110
296-809-30004	NEW-P	03-19-106	296-817-300	NEW	03-11-060	296-823-16035	NEW-W	03-14-136
296-809-400	NEW-P	03-19-106	296-817-30005	NEW	03-11-060	296-823-16040	NEW-W	03-14-136
296-809-40002	NEW-P	03-19-106	296-817-30010	NEW	03-11-060	296-823-16045	NEW-W	03-14-136
296-809-40004	NEW-P	03-19-106	296-817-30015	NEW	03-11-060	296-823-170	NEW	03-09-110
296-809-500	NEW-P	03-19-106	296-817-400	NEW	03-11-060	296-823-17005	NEW	03-09-110
296-809-50002	NEW-P	03-19-106	296-817-40005	NEW	03-11-060	296-823-17010	NEW	03-09-110
296-809-50004	NEW-P	03-19-106	296-817-40010	NEW	03-11-060	296-823-17015	NEW-W	03-14-136
296-809-50006	NEW-P	03-19-106	296-817-40015	NEW	03-11-060	296-823-17020	NEW-W	03-14-136
296-809-50008	NEW-P	03-19-106	296-817-40020	NEW	03-11-060	296-823-17025	NEW-W	03-14-136
296-809-50010	NEW-P	03-19-106	296-817-40025	NEW	03-11-060	296-823-17030	NEW-W	03-14-136
296-809-50012	NEW-P	03-19-106	296-817-40030	NEW	03-11-060	296-823-180	NEW	03-09-110
296-809-50014	NEW-P	03-19-106	296-817-40035	NEW	03-11-060	296-823-18005	NEW	03-09-110
296-809-50016	NEW-P	03-19-106	296-817-500	NEW	03-11-060	296-823-18010	NEW	03-09-110
296-809-50018	NEW-P	03-19-106	296-817-50005	NEW	03-11-060	296-823-18015	NEW	03-09-110
296-809-50020	NEW-P	03-19-106	296-817-50010	NEW	03-11-060	296-823-18020	NEW	03-09-110
296-809-50022	NEW-P	03-19-106	296-817-50015	NEW	03-11-060	296-823-18025	NEW	03-09-110
296-809-50024	NEW-P	03-19-106	296-817-50020	NEW	03-11-060	296-823-18030	NEW	03-09-110
296-809-600	NEW-P	03-19-106	296-817-50025	NEW	03-11-060	296-823-18035	NEW	03-09-110
296-809-60002	NEW-P	03-19-106	296-817-600	NEW	03-11-060	296-823-18040	NEW	03-09-110
296-809-60004	NEW-P	03-19-106	296-823-100	NEW	03-09-110	296-823-18045	NEW	03-09-110
296-809-700	NEW-P	03-19-106	296-823-110	NEW	03-09-110	296-823-18050	NEW	03-09-110
296-809-70002	NEW-P	03-19-106	296-823-11005	NEW	03-09-110	296-823-18055	NEW	03-09-110
296-809-70004	NEW-P	03-19-106	296-823-11010	NEW	03-09-110	296-823-190	NEW-W	03-14-136
296-809-800	NEW-P	03-19-106	296-823-120	NEW	03-09-110	296-823-19005	NEW-W	03-14-136
296-817-010	NEW-W	03-13-096	296-823-12005	NEW	03-09-110	296-823-19010	NEW-W	03-14-136
296-817-01005	NEW-W	03-13-096	296-823-12010	NEW	03-09-110	296-823-19015	NEW-W	03-14-136
296-817-01010	NEW-W	03-13-096	296-823-12015	NEW	03-09-110	296-823-19020	NEW-W	03-14-136
296-817-01015	NEW-W	03-13-096	296-823-130	NEW	03-09-110	296-823-19025	NEW-W	03-14-136
296-817-01020	NEW-W	03-13-096	296-823-13005	NEW	03-09-110	296-823-19030	NEW-W	03-14-136
296-817-01025	NEW-W	03-13-096	296-823-13010	NEW	03-09-110	296-823-19035	NEW-W	03-14-136
296-817-01030	NEW-W	03-13-096	296-823-13015	NEW-W	03-14-136	296-823-19040	NEW-W	03-14-136
296-817-01035	NEW-W	03-13-096	296-823-13020	NEW-W	03-14-136	296-823-19045	NEW-W	03-14-136
296-817-01040	NEW-W	03-13-096	296-823-13025	NEW-W	03-14-136	296-823-19050	NEW-W	03-14-136
296-817-020	NEW-W	03-13-096	296-823-13030	NEW-W	03-14-136	296-823-19055	NEW-W	03-14-136
296-817-02005	NEW-W	03-13-096	296-823-140	NEW	03-09-110	296-823-200	NEW	03-09-110
296-817-02010	NEW-W	03-13-096	296-823-14005	NEW	03-09-110	296-824-50030	AMD	03-09-110
296-817-02015	NEW-W	03-13-096	296-823-14010	NEW	03-09-110	296-831	PREP	03-20-080
296-817-030	NEW-W	03-13-096	296-823-14015	NEW	03-09-110	296-831-100	NEW-P	03-14-075
296-817-03005	NEW-W	03-13-096	296-823-14020	NEW	03-09-110	296-831-200	NEW-P	03-14-075
296-817-03010	NEW-W	03-13-096	296-823-14025	NEW	03-09-110	296-831-210	NEW-P	03-14-075
296-817-03015	NEW-W	03-13-096	296-823-14030	NEW	03-09-110	296-831-21005	NEW-P	03-14-075
296-817-03020	NEW-W	03-13-096	296-823-14035	NEW	03-09-110	296-831-21010	NEW-P	03-14-075
296-817-03025	NEW-W	03-13-096	296-823-14040	NEW	03-09-110	296-831-21015	NEW-P	03-14-075
296-817-03030	NEW-W	03-13-096	296-823-14045	NEW	03-09-110	296-831-21020	NEW-P	03-14-075
296-817-03035	NEW-W	03-13-096	296-823-14050	NEW	03-09-110	296-831-21025	NEW-P	03-14-075
296-817-040	NEW-W	03-13-096	296-823-14055	NEW	03-09-110	296-831-21030	NEW-P	03-14-075
296-817-04005	NEW-W	03-13-096	296-823-14060	NEW	03-09-110	296-831-21035	NEW-P	03-14-075
296-817-04010	NEW-W	03-13-096	296-823-14065	NEW	03-09-110	296-831-21040	NEW-P	03-14-075

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-831-21045	NEW-P	03-14-075	296-831-41010	NEW-P	03-14-075	296-831-54015	NEW-P	03-14-075
296-831-21050	NEW-P	03-14-075	296-831-41015	NEW-P	03-14-075	296-831-54020	NEW-P	03-14-075
296-831-21055	NEW-P	03-14-075	296-831-41020	NEW-P	03-14-075	296-831-900	NEW-P	03-14-075
296-831-21060	NEW-P	03-14-075	296-831-41025	NEW-P	03-14-075	296-841	PREP	03-08-073
296-831-21065	NEW-P	03-14-075	296-831-41030	NEW-P	03-14-075	296-841-100	NEW-P	03-11-059
296-831-21070	NEW-P	03-14-075	296-831-41035	NEW-P	03-14-075	296-841-100	NEW	03-20-115
296-831-220	NEW-P	03-14-075	296-831-41040	NEW-P	03-14-075	296-841-200	NEW-P	03-11-059
296-831-22005	NEW-P	03-14-075	296-831-41045	NEW-P	03-14-075	296-841-200	NEW	03-20-115
296-831-22010	NEW-P	03-14-075	296-831-41050	NEW-P	03-14-075	296-841-20005	NEW-P	03-11-059
296-831-22015	NEW-P	03-14-075	296-831-41055	NEW-P	03-14-075	296-841-20005	NEW	03-20-115
296-831-22020	NEW-P	03-14-075	296-831-41060	NEW-P	03-14-075	296-841-20010	NEW-P	03-11-059
296-831-230	NEW-P	03-14-075	296-831-41065	NEW-P	03-14-075	296-841-20010	NEW	03-20-115
296-831-23001	NEW-P	03-14-075	296-831-420	NEW-P	03-14-075	296-841-20015	NEW-P	03-11-059
296-831-23005	NEW-P	03-14-075	296-831-42005	NEW-P	03-14-075	296-841-20015	NEW	03-20-115
296-831-23010	NEW-P	03-14-075	296-831-42010	NEW-P	03-14-075	296-841-20020	NEW-P	03-11-059
296-831-23015	NEW-P	03-14-075	296-831-42015	NEW-P	03-14-075	296-841-20020	NEW	03-20-115
296-831-23025	NEW-P	03-14-075	296-831-42020	NEW-P	03-14-075	296-841-300	NEW-P	03-11-059
296-831-23030	NEW-P	03-14-075	296-831-430	NEW-P	03-14-075	296-841-300	NEW	03-20-115
296-831-23035	NEW-P	03-14-075	296-831-43005	NEW-P	03-14-075	296-842-100	NEW-P	03-08-044
296-831-23040	NEW-P	03-14-075	296-831-43010	NEW-P	03-14-075	296-842-100	NEW	03-20-114
296-831-23045	NEW-P	03-14-075	296-831-43015	NEW-P	03-14-075	296-842-105	NEW-P	03-08-044
296-831-23050	NEW-P	03-14-075	296-831-43020	NEW-P	03-14-075	296-842-105	NEW	03-20-114
296-831-23055	NEW-P	03-14-075	296-831-43025	NEW-P	03-14-075	296-842-10505	NEW-P	03-08-044
296-831-23060	NEW-P	03-14-075	296-831-43030	NEW-P	03-14-075	296-842-10505	NEW	03-20-114
296-831-240	NEW-P	03-14-075	296-831-43035	NEW-P	03-14-075	296-842-110	NEW-P	03-08-044
296-831-24005	NEW-P	03-14-075	296-831-43040	NEW-P	03-14-075	296-842-110	NEW	03-20-114
296-831-24010	NEW-P	03-14-075	296-831-43045	NEW-P	03-14-075	296-842-11005	NEW-P	03-08-044
296-831-24020	NEW-P	03-14-075	296-831-43050	NEW-P	03-14-075	296-842-11005	NEW	03-20-114
296-831-24025	NEW-P	03-14-075	296-831-43055	NEW-P	03-14-075	296-842-11010	NEW-P	03-08-044
296-831-300	NEW-P	03-14-075	296-831-43060	NEW-P	03-14-075	296-842-11010	NEW	03-20-114
296-831-310	NEW-P	03-14-075	296-831-440	NEW-P	03-14-075	296-842-120	NEW-P	03-08-044
296-831-31005	NEW-P	03-14-075	296-831-44005	NEW-P	03-14-075	296-842-120	NEW	03-20-114
296-831-31010	NEW-P	03-14-075	296-831-44010	NEW-P	03-14-075	296-842-12005	NEW-P	03-08-044
296-831-31015	NEW-P	03-14-075	296-831-44015	NEW-P	03-14-075	296-842-12005	NEW	03-20-114
296-831-31020	NEW-P	03-14-075	296-831-500	NEW-P	03-14-075	296-842-12010	NEW-P	03-08-044
296-831-31025	NEW-P	03-14-075	296-831-510	NEW-P	03-14-075	296-842-12010	NEW	03-20-114
296-831-31030	NEW-P	03-14-075	296-831-51005	NEW-P	03-14-075	296-842-130	NEW-P	03-08-044
296-831-320	NEW-P	03-14-075	296-831-51010	NEW-P	03-14-075	296-842-130	NEW	03-20-114
296-831-32005	NEW-P	03-14-075	296-831-51015	NEW-P	03-14-075	296-842-13005	NEW-P	03-08-044
296-831-32010	NEW-P	03-14-075	296-831-51020	NEW-P	03-14-075	296-842-13005	NEW	03-20-114
296-831-32015	NEW-P	03-14-075	296-831-51025	NEW-P	03-14-075	296-842-140	NEW-P	03-08-044
296-831-32020	NEW-P	03-14-075	296-831-51030	NEW-P	03-14-075	296-842-140	NEW	03-20-114
296-831-330	NEW-P	03-14-075	296-831-520	NEW-P	03-14-075	296-842-14005	NEW-P	03-08-044
296-831-33005	NEW-P	03-14-075	296-831-52005	NEW-P	03-14-075	296-842-14005	NEW	03-20-114
296-831-33010	NEW-P	03-14-075	296-831-52010	NEW-P	03-14-075	296-842-150	NEW-P	03-08-044
296-831-33015	NEW-P	03-14-075	296-831-52015	NEW-P	03-14-075	296-842-150	NEW	03-20-114
296-831-33020	NEW-P	03-14-075	296-831-52020	NEW-P	03-14-075	296-842-15005	NEW-P	03-08-044
296-831-33025	NEW-P	03-14-075	296-831-530	NEW-P	03-14-075	296-842-15005	NEW	03-20-114
296-831-33030	NEW-P	03-14-075	296-831-53005	NEW-P	03-14-075	296-842-160	NEW-P	03-08-044
296-831-33035	NEW-P	03-14-075	296-831-53010	NEW-P	03-14-075	296-842-160	NEW	03-20-114
296-831-33040	NEW-P	03-14-075	296-831-53015	NEW-P	03-14-075	296-842-16005	NEW-P	03-08-044
296-831-33045	NEW-P	03-14-075	296-831-53020	NEW-P	03-14-075	296-842-16005	NEW	03-20-114
296-831-33050	NEW-P	03-14-075	296-831-53025	NEW-P	03-14-075	296-842-170	NEW-P	03-08-044
296-831-340	NEW-P	03-14-075	296-831-53030	NEW-P	03-14-075	296-842-170	NEW	03-20-114
296-831-34005	NEW-P	03-14-075	296-831-53035	NEW-P	03-14-075	296-842-17005	NEW-P	03-08-044
296-831-34015	NEW-P	03-14-075	296-831-53040	NEW-P	03-14-075	296-842-17005	NEW	03-20-114
296-831-34016	NEW-P	03-14-075	296-831-53045	NEW-P	03-14-075	296-842-17010	NEW-P	03-08-044
296-831-34020	NEW-P	03-14-075	296-831-53050	NEW-P	03-14-075	296-842-17010	NEW	03-20-114
296-831-34025	NEW-P	03-14-075	296-831-53055	NEW-P	03-14-075	296-842-17015	NEW-P	03-08-044
296-831-400	NEW-P	03-14-075	296-831-540	NEW-P	03-14-075	296-842-17015	NEW	03-20-114
296-831-410	NEW-P	03-14-075	296-831-54005	NEW-P	03-14-075	296-842-180	NEW-P	03-08-044
296-831-41005	NEW-P	03-14-075	296-831-54010	NEW-P	03-14-075	296-842-180	NEW	03-20-114

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-842-18005	NEW-P	03-08-044	296-843-20020	NEW-P	03-14-074	308-20-575	NEW	03-14-046
296-842-18005	NEW	03-20-114	296-843-20025	NEW-P	03-14-074	308-20-600	AMD-P	03-10-085
296-842-18010	NEW-P	03-08-044	296-843-20030	NEW-P	03-14-074	308-20-600	AMD	03-14-046
296-842-18010	NEW	03-20-114	296-843-20035	NEW-P	03-14-074	308-20-710	AMD-P	03-10-085
296-842-190	NEW-P	03-08-044	296-843-210	NEW-P	03-14-074	308-20-710	AMD	03-14-046
296-842-190	NEW	03-20-114	296-843-21005	NEW-P	03-14-074	308-30-100	PREP	03-15-108
296-842-19005	NEW-P	03-08-044	296-843-220	NEW-P	03-14-074	308-48-800	PREP	03-04-076
296-842-19005	NEW	03-20-114	296-843-22005	NEW-P	03-14-074	308-48-800	AMD-P	03-08-010
296-842-200	NEW-P	03-08-044	296-843-22010	NEW-P	03-14-074	308-48-800	AMD	03-11-021
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388-14A-3133	AMD-P	03-13-092	388-14A-4525	PREP	03-09-090	388-27-0160	AMD-E	03-19-097
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388-14A-3135	AMD	03-20-072	388-14A-4530	PREP	03-09-090	388-27-0165	AMD-E	03-19-097
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388-14A-3140	AMD	03-20-072	388-14A-4530	AMD	03-18-114	388-27-0175	PREP	03-11-090
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388-14A-3300	AMD	03-20-072	388-14A-5000	AMD	03-20-072	388-27-0190	AMD-E	03-19-097
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388-14A-3350	AMD	03-20-072	388-14A-6110	NEW-E	03-15-028	388-27-0210	AMD-E	03-19-097
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388-14A-3901	PREP	03-22-054	388-15-655	REP	03-06-024	388-27-0245	REP-E	03-19-097
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388- 71-0203	AMD-E	03-05-098	388- 71-0460	AMD-E	03-05-044	388- 71-05770	RECOD-P	03-22-091
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388- 71-0415	AMD-P	03-19-073	388- 71-0480	AMD	03-13-052	388- 71-05880	RECOD-P	03-22-091
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388-71-05914	DECOD-P	03-22-091	388-71-05940	PREP	03-17-065	388-71-0610	AMD-E	03-05-044
388-71-05915	PREP	03-17-065	388-71-05940	PREP	03-19-117	388-71-0610	AMD-E	03-05-098
388-71-05915	DECOD-P	03-22-091	388-71-05940	DECOD-P	03-22-091	388-71-0610	AMD-P	03-09-042
388-71-05916	PREP	03-17-065	388-71-05941	PREP	03-17-065	388-71-0610	AMD-E	03-13-007
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388-71-05917	DECOD-P	03-22-091	388-71-05941	DECOD-P	03-22-091	388-71-0704	NEW	03-06-024
388-71-05918	PREP	03-17-065	388-71-05942	PREP	03-17-065	388-71-0706	NEW	03-06-024
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388-71-05922	PREP	03-17-065	388-71-05945	PREP	03-19-117	388-71-0728	NEW	03-06-024
388-71-05922	DECOD-P	03-22-091	388-71-05945	DECOD-P	03-22-091	388-71-0730	NEW	03-06-024
388-71-05923	PREP	03-09-089	388-71-05946	PREP	03-17-065	388-71-0732	NEW	03-06-024
388-71-05923	AMD-P	03-15-126	388-71-05946	PREP	03-19-117	388-71-0734	NEW	03-06-024
388-71-05923	PREP	03-17-065	388-71-05946	AMD-P	03-22-091	388-71-0736	NEW	03-06-024
388-71-05923	AMD	03-19-076	388-71-05946	DECOD-P	03-22-091	388-71-0738	NEW	03-06-024
388-71-05923	DECOD-P	03-22-091	388-71-05947	PREP	03-17-065	388-71-0740	NEW	03-06-024
388-71-05924	PREP	03-17-065	388-71-05947	PREP	03-19-117	388-71-0742	NEW	03-06-024
388-71-05924	AMD-P	03-22-091	388-71-05947	AMD-P	03-22-091	388-71-0744	NEW	03-06-024
388-71-05924	DECOD-P	03-22-091	388-71-05947	DECOD-P	03-22-091	388-71-0746	NEW	03-06-024
388-71-05925	PREP	03-17-065	388-71-05948	PREP	03-17-065	388-71-0748	NEW	03-06-024
388-71-05925	AMD-P	03-22-091	388-71-05948	PREP	03-19-117	388-71-0750	NEW	03-06-024
388-71-05925	DECOD-P	03-22-091	388-71-05948	DECOD-P	03-22-091	388-71-0752	NEW	03-06-024
388-71-05926	PREP	03-17-065	388-71-05949	PREP	03-17-065	388-71-0754	NEW	03-06-024
388-71-05926	AMD-P	03-22-091	388-71-05949	PREP	03-19-117	388-71-0756	NEW	03-06-024
388-71-05926	DECOD-P	03-22-091	388-71-05949	AMD-P	03-22-091	388-71-0758	NEW	03-06-024
388-71-05927	PREP	03-17-065	388-71-05949	DECOD-P	03-22-091	388-71-0760	NEW	03-06-024
388-71-05927	DECOD-P	03-22-091	388-71-05950	PREP	03-17-065	388-71-0762	NEW	03-06-024
388-71-05928	PREP	03-17-065	388-71-05950	PREP	03-19-117	388-71-0764	NEW	03-06-024
388-71-05928	DECOD-P	03-22-091	388-71-05950	DECOD-P	03-22-091	388-71-0766	NEW	03-06-024
388-71-05929	PREP	03-17-065	388-71-05951	PREP	03-17-065	388-71-0768	NEW	03-06-024
388-71-05929	DECOD-P	03-22-091	388-71-05951	PREP	03-19-117	388-71-0770	NEW	03-06-024
388-71-05930	PREP	03-17-065	388-71-05951	AMD-P	03-22-091	388-71-0772	NEW	03-06-024
388-71-05930	DECOD-P	03-22-091	388-71-05951	DECOD-P	03-22-091	388-71-0774	NEW	03-06-024
388-71-05931	PREP	03-17-065	388-71-05952	PREP	03-17-065	388-71-0776	NEW	03-06-024
388-71-05931	DECOD-P	03-22-091	388-71-05952	PREP	03-19-117	388-71-0800	AMD-P	03-09-091
388-71-05932	PREP	03-17-065	388-71-05952	AMD-P	03-22-091	388-71-0800	AMD	03-13-091
388-71-05932	DECOD-P	03-22-091	388-71-05952	DECOD-P	03-22-091	388-71-0805	AMD-P	03-09-091
388-71-05933	PREP	03-17-065	388-71-05953	NEW-E	03-20-105	388-71-0805	AMD	03-13-091
388-71-05933	DECOD-P	03-22-091	388-71-05954	NEW-E	03-20-105	388-71-0810	AMD-P	03-09-091
388-71-05934	PREP	03-17-065	388-71-05955	NEW-E	03-20-105	388-71-0810	AMD	03-13-091
388-71-05934	DECOD-P	03-22-091	388-71-05956	NEW-E	03-20-105	388-71-0815	AMD-P	03-09-091
388-71-05935	PREP	03-17-065	388-71-05957	NEW-E	03-20-105	388-71-0815	AMD	03-13-091
388-71-05935	DECOD-P	03-22-091	388-71-05958	NEW-E	03-20-105	388-71-0820	AMD-P	03-09-091
388-71-05936	PREP	03-17-065	388-71-0600	AMD-E	03-05-044	388-71-0820	AMD	03-13-091
388-71-05936	DECOD-P	03-22-091	388-71-0600	AMD-E	03-05-098	388-71-0825	AMD-P	03-09-091
388-71-05937	PREP	03-17-065	388-71-0600	AMD-P	03-09-042	388-71-0825	AMD	03-13-091
388-71-05937	DECOD-P	03-22-091	388-71-0600	AMD-E	03-13-007	388-71-0835	AMD-P	03-09-091
388-71-05938	PREP	03-17-065	388-71-0600	AMD	03-13-052	388-71-0835	AMD	03-13-091
388-71-05938	PREP	03-19-117	388-71-0605	AMD-E	03-05-044	388-71-0840	AMD-P	03-09-091
388-71-05938	DECOD-P	03-22-091	388-71-0605	AMD-E	03-05-098	388-71-0840	AMD	03-13-091
388-71-05939	PREP	03-17-065	388-71-0605	AMD-P	03-09-042	388-71-0845	AMD-P	03-09-091

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 71-0845	AMD	03-13-091	388- 78A-0120	NEW	03-16-047	388- 78A-0400	NEW	03-16-047
388- 72A	PREP	03-21-148	388- 78A-0130	NEW-P	03-03-018	388- 78A-0410	NEW-P	03-03-018
388- 72A-0005	NEW	03-05-097	388- 78A-0130	NEW	03-16-047	388- 78A-0410	NEW	03-16-047
388- 72A-0010	NEW	03-05-097	388- 78A-0140	NEW-P	03-03-018	388- 78A-0420	NEW-P	03-03-018
388- 72A-0015	NEW	03-05-097	388- 78A-0140	NEW	03-16-047	388- 78A-0420	NEW	03-16-047
388- 72A-0020	NEW	03-05-097	388- 78A-0150	NEW-P	03-03-018	388- 78A-0430	NEW-P	03-03-018
388- 72A-0025	NEW	03-05-097	388- 78A-0150	NEW	03-16-047	388- 78A-0430	NEW	03-16-047
388- 72A-0030	NEW	03-05-097	388- 78A-0160	NEW-P	03-03-018	388- 78A-0440	NEW-P	03-03-018
388- 72A-0035	NEW	03-05-097	388- 78A-0160	NEW	03-16-047	388- 78A-0440	NEW	03-16-047
388- 72A-0040	NEW	03-05-097	388- 78A-0170	NEW-P	03-03-018	388- 78A-045	REP-P	03-03-018
388- 72A-0045	NEW	03-05-097	388- 78A-0170	NEW	03-16-047	388- 78A-045	REP	03-16-047
388- 72A-0050	NEW	03-05-097	388- 78A-0180	NEW-P	03-03-018	388- 78A-0450	NEW-P	03-03-018
388- 72A-0055	NEW	03-05-097	388- 78A-0180	NEW	03-16-047	388- 78A-0450	NEW	03-16-047
388- 72A-0060	NEW	03-05-097	388- 78A-0190	NEW-P	03-03-018	388- 78A-0460	NEW-P	03-03-018
388- 72A-0060	PREP	03-14-099	388- 78A-0190	NEW	03-16-047	388- 78A-0460	NEW	03-16-047
388- 72A-0060	AMD-E	03-15-133	388- 78A-020	REP-P	03-03-018	388- 78A-0470	NEW-P	03-03-018
388- 72A-0060	AMD-P	03-19-073	388- 78A-020	REP	03-16-047	388- 78A-0470	NEW	03-16-047
388- 72A-0060	AMD-E	03-23-114	388- 78A-0200	NEW-P	03-03-018	388- 78A-0480	NEW-P	03-03-018
388- 72A-0060	AMD	03-24-001	388- 78A-0200	NEW	03-16-047	388- 78A-0480	NEW	03-16-047
388- 72A-0065	NEW	03-05-097	388- 78A-0210	NEW-P	03-03-018	388- 78A-0490	NEW-P	03-03-018
388- 72A-0070	NEW	03-05-097	388- 78A-0210	NEW	03-16-047	388- 78A-0490	NEW	03-16-047
388- 72A-0075	NEW	03-05-097	388- 78A-0220	NEW-P	03-03-018	388- 78A-050	REP-P	03-03-018
388- 72A-0080	NEW	03-05-097	388- 78A-0220	NEW	03-16-047	388- 78A-050	REP	03-16-047
388- 72A-0085	NEW	03-05-097	388- 78A-0230	NEW-P	03-03-018	388- 78A-0500	NEW-P	03-03-018
388- 72A-0090	NEW	03-05-097	388- 78A-0230	NEW	03-16-047	388- 78A-0500	NEW	03-16-047
388- 72A-0095	NEW	03-05-097	388- 78A-0240	NEW-P	03-03-018	388- 78A-0510	NEW-P	03-03-018
388- 72A-0095	PREP	03-17-065	388- 78A-0240	NEW	03-16-047	388- 78A-0510	NEW	03-16-047
388- 72A-0100	NEW	03-05-097	388- 78A-0250	NEW-P	03-03-018	388- 78A-0520	NEW-P	03-03-018
388- 72A-0105	NEW	03-05-097	388- 78A-0250	NEW	03-16-047	388- 78A-0520	NEW	03-16-047
388- 72A-0110	NEW	03-05-097	388- 78A-0260	NEW-P	03-03-018	388- 78A-0530	NEW-P	03-03-018
388- 76-655	AMD-P	03-10-090	388- 78A-0260	NEW	03-16-047	388- 78A-0530	NEW	03-16-047
388- 76-655	AMD	03-14-018	388- 78A-0270	NEW-P	03-03-018	388- 78A-0540	NEW-P	03-03-018
388- 76-675	PREP	03-12-055	388- 78A-0270	NEW	03-16-047	388- 78A-0540	NEW	03-16-047
388- 76-675	AMD-P	03-21-123	388- 78A-0280	NEW-P	03-03-018	388- 78A-055	REP-P	03-03-018
388- 78A	AMD-P	03-03-018	388- 78A-0280	NEW	03-16-047	388- 78A-055	REP	03-16-047
388- 78A	AMD-C	03-07-088	388- 78A-0290	NEW-P	03-03-018	388- 78A-0550	NEW-P	03-03-018
388- 78A	AMD	03-16-047	388- 78A-0290	NEW	03-16-047	388- 78A-0550	NEW	03-16-047
388- 78A-0010	NEW-P	03-03-018	388- 78A-030	REP-P	03-03-018	388- 78A-0560	NEW-P	03-03-018
388- 78A-0010	NEW	03-16-047	388- 78A-030	REP	03-16-047	388- 78A-0560	NEW	03-16-047
388- 78A-0020	NEW-P	03-03-018	388- 78A-0300	NEW-P	03-03-018	388- 78A-0570	NEW-P	03-03-018
388- 78A-0020	NEW	03-16-047	388- 78A-0300	NEW	03-16-047	388- 78A-0570	NEW	03-16-047
388- 78A-0030	NEW-P	03-03-018	388- 78A-0310	NEW-P	03-03-018	388- 78A-0580	NEW-P	03-03-018
388- 78A-0030	NEW	03-16-047	388- 78A-0310	NEW	03-16-047	388- 78A-0580	NEW	03-16-047
388- 78A-0040	NEW-P	03-03-018	388- 78A-0320	NEW-P	03-03-018	388- 78A-0590	NEW-P	03-03-018
388- 78A-0040	NEW	03-16-047	388- 78A-0320	NEW	03-16-047	388- 78A-0590	NEW	03-16-047
388- 78A-0050	NEW-P	03-03-018	388- 78A-0330	NEW-P	03-03-018	388- 78A-060	REP-P	03-03-018
388- 78A-0050	NEW	03-16-047	388- 78A-0330	NEW	03-16-047	388- 78A-060	REP	03-16-047
388- 78A-0060	NEW-P	03-03-018	388- 78A-0340	NEW-P	03-03-018	388- 78A-0600	NEW-P	03-03-018
388- 78A-0060	NEW	03-16-047	388- 78A-0340	NEW	03-16-047	388- 78A-0600	NEW	03-16-047
388- 78A-0070	NEW-P	03-03-018	388- 78A-0350	NEW-P	03-03-018	388- 78A-0605	NEW-P	03-03-018
388- 78A-0070	NEW	03-16-047	388- 78A-0350	NEW	03-16-047	388- 78A-0605	NEW	03-16-047
388- 78A-0080	NEW-P	03-03-018	388- 78A-0360	NEW-P	03-03-018	388- 78A-0610	NEW-P	03-03-018
388- 78A-0080	NEW	03-16-047	388- 78A-0360	NEW	03-16-047	388- 78A-0610	NEW	03-16-047
388- 78A-0090	NEW-P	03-03-018	388- 78A-0370	NEW-P	03-03-018	388- 78A-0620	NEW-P	03-03-018
388- 78A-0090	NEW	03-16-047	388- 78A-0370	NEW	03-16-047	388- 78A-0620	NEW	03-16-047
388- 78A-010	REP-P	03-03-018	388- 78A-0380	NEW-P	03-03-018	388- 78A-0630	NEW-P	03-03-018
388- 78A-010	REP	03-16-047	388- 78A-0380	NEW	03-16-047	388- 78A-0630	NEW	03-16-047
388- 78A-0100	NEW-P	03-03-018	388- 78A-0390	NEW-P	03-03-018	388- 78A-0635	NEW-P	03-03-018
388- 78A-0100	NEW	03-16-047	388- 78A-0390	NEW	03-16-047	388- 78A-0635	NEW	03-16-047
388- 78A-0110	NEW-P	03-03-018	388- 78A-040	REP-P	03-03-018	388- 78A-0640	NEW-P	03-03-018
388- 78A-0110	NEW	03-16-047	388- 78A-040	REP	03-16-047	388- 78A-0640	NEW	03-16-047
388- 78A-0120	NEW-P	03-03-018	388- 78A-0400	NEW-P	03-03-018	388- 78A-0650	NEW-P	03-03-018

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 78A-0650	NEW	03-16-047	388- 78A-0930	NEW	03-16-047	388- 78A-1210	NEW	03-16-047
388- 78A-0660	NEW-P	03-03-018	388- 78A-0940	NEW-P	03-03-018	388- 78A-1220	NEW-P	03-03-018
388- 78A-0660	NEW	03-16-047	388- 78A-0940	NEW	03-16-047	388- 78A-1220	NEW	03-16-047
388- 78A-0670	NEW-P	03-03-018	388- 78A-0950	NEW-P	03-03-018	388- 78A-1230	NEW-P	03-03-018
388- 78A-0670	NEW	03-16-047	388- 78A-0950	NEW	03-16-047	388- 78A-1230	NEW	03-16-047
388- 78A-0680	NEW-P	03-03-018	388- 78A-0960	NEW-P	03-03-018	388- 78A-130	REP-P	03-03-018
388- 78A-0680	NEW	03-16-047	388- 78A-0960	NEW	03-16-047	388- 78A-130	REP	03-16-047
388- 78A-0690	NEW-P	03-03-018	388- 78A-0970	NEW-P	03-03-018	388- 78A-140	REP-P	03-03-018
388- 78A-0690	NEW	03-16-047	388- 78A-0970	NEW	03-16-047	388- 78A-140	REP	03-16-047
388- 78A-070	REP-P	03-03-018	388- 78A-0980	NEW-P	03-03-018	388- 78A-150	REP-P	03-03-018
388- 78A-070	REP	03-16-047	388- 78A-0980	NEW	03-16-047	388- 78A-150	REP	03-16-047
388- 78A-0700	NEW-P	03-03-018	388- 78A-0990	NEW-P	03-03-018	388- 78A-160	REP-P	03-03-018
388- 78A-0700	NEW	03-16-047	388- 78A-0990	NEW	03-16-047	388- 78A-160	REP	03-16-047
388- 78A-0710	NEW-P	03-03-018	388- 78A-100	REP-P	03-03-018	388- 78A-170	REP-P	03-03-018
388- 78A-0710	NEW	03-16-047	388- 78A-100	REP	03-16-047	388- 78A-170	REP	03-16-047
388- 78A-0720	NEW-P	03-03-018	388- 78A-1000	NEW-P	03-03-018	388- 78A-180	REP-P	03-03-018
388- 78A-0720	NEW	03-16-047	388- 78A-1000	NEW	03-16-047	388- 78A-180	REP	03-16-047
388- 78A-0730	NEW-P	03-03-018	388- 78A-1010	NEW-P	03-03-018	388- 78A-180	REP	03-16-047
388- 78A-0730	NEW	03-16-047	388- 78A-1010	NEW	03-16-047	388- 78A-190	REP-P	03-03-018
388- 78A-0740	NEW-P	03-03-018	388- 78A-1020	NEW-P	03-03-018	388- 78A-190	REP	03-16-047
388- 78A-0740	NEW	03-16-047	388- 78A-1020	NEW	03-16-047	388- 78A-200	REP-P	03-03-018
388- 78A-0750	NEW-P	03-03-018	388- 78A-1030	NEW-P	03-03-018	388- 78A-200	REP	03-16-047
388- 78A-0750	NEW	03-16-047	388- 78A-1030	NEW	03-16-047	388- 78A-210	REP-P	03-03-018
388- 78A-0760	NEW-P	03-03-018	388- 78A-1040	NEW-P	03-03-018	388- 78A-210	REP	03-16-047
388- 78A-0760	NEW	03-16-047	388- 78A-1040	NEW	03-16-047	388- 78A-220	REP-P	03-03-018
388- 78A-0770	NEW-P	03-03-018	388- 78A-1050	NEW-P	03-03-018	388- 78A-220	REP	03-16-047
388- 78A-0770	NEW	03-16-047	388- 78A-1050	NEW	03-16-047	388- 78A-230	REP-P	03-03-018
388- 78A-0780	NEW-P	03-03-018	388- 78A-1060	NEW-P	03-03-018	388- 78A-230	REP	03-16-047
388- 78A-0780	NEW	03-16-047	388- 78A-1060	NEW	03-16-047	388- 78A-240	REP-P	03-03-018
388- 78A-0790	NEW-P	03-03-018	388- 78A-1070	NEW-P	03-03-018	388- 78A-240	REP	03-16-047
388- 78A-0790	NEW	03-16-047	388- 78A-1070	NEW	03-16-047	388- 78A-250	REP-P	03-03-018
388- 78A-080	REP-P	03-03-018	388- 78A-1080	NEW-P	03-03-018	388- 78A-250	REP	03-16-047
388- 78A-080	REP	03-16-047	388- 78A-1080	NEW	03-16-047	388- 78A-260	REP-P	03-03-018
388- 78A-0800	NEW-P	03-03-018	388- 78A-1090	NEW-P	03-03-018	388- 78A-260	REP	03-16-047
388- 78A-0800	NEW	03-16-047	388- 78A-1090	NEW	03-16-047	388- 78A-265	REP-P	03-03-018
388- 78A-0810	NEW-P	03-03-018	388- 78A-110	REP-P	03-03-018	388- 78A-265	REP	03-16-047
388- 78A-0810	NEW	03-16-047	388- 78A-110	REP	03-16-047	388- 78A-268	REP-P	03-03-018
388- 78A-0820	NEW-P	03-03-018	388- 78A-1100	NEW-P	03-03-018	388- 78A-268	REP	03-16-047
388- 78A-0820	NEW	03-16-047	388- 78A-1100	NEW	03-16-047	388- 78A-280	REP-P	03-03-018
388- 78A-0830	NEW-P	03-03-018	388- 78A-1110	NEW-P	03-03-018	388- 78A-280	REP	03-16-047
388- 78A-0830	NEW	03-16-047	388- 78A-1110	NEW	03-16-047	388- 78A-290	REP-P	03-03-018
388- 78A-0840	NEW-P	03-03-018	388- 78A-1120	NEW-P	03-03-018	388- 78A-290	REP	03-16-047
388- 78A-0840	NEW	03-16-047	388- 78A-1120	NEW	03-16-047	388- 78A-300	REP-P	03-03-018
388- 78A-0850	NEW-P	03-03-018	388- 78A-1130	NEW-P	03-03-018	388- 78A-300	REP	03-16-047
388- 78A-0850	NEW	03-16-047	388- 78A-1130	NEW	03-16-047	388- 78A-310	REP-P	03-03-018
388- 78A-0860	NEW-P	03-03-018	388- 78A-1140	NEW-P	03-03-018	388- 78A-310	REP	03-16-047
388- 78A-0860	NEW	03-16-047	388- 78A-1140	NEW	03-16-047	388- 78A-320	REP-P	03-03-018
388- 78A-0870	NEW-P	03-03-018	388- 78A-1150	NEW-P	03-03-018	388- 78A-320	REP	03-16-047
388- 78A-0870	NEW	03-16-047	388- 78A-1150	NEW	03-16-047	388- 78A-330	REP-P	03-03-018
388- 78A-0880	NEW-P	03-03-018	388- 78A-1160	NEW-P	03-03-018	388- 78A-330	REP	03-16-047
388- 78A-0880	NEW	03-16-047	388- 78A-1160	NEW	03-16-047	388- 78A-335	REP-P	03-03-018
388- 78A-0890	NEW-P	03-03-018	388- 78A-1170	NEW-P	03-03-018	388- 78A-335	REP	03-16-047
388- 78A-0890	NEW	03-16-047	388- 78A-1170	NEW	03-16-047	388- 78A-340	REP-P	03-03-018
388- 78A-090	REP-P	03-03-018	388- 78A-1180	NEW-P	03-03-018	388- 78A-340	REP	03-16-047
388- 78A-090	REP	03-16-047	388- 78A-1180	NEW	03-16-047	388- 78A-990	REP-P	03-03-018
388- 78A-0900	NEW-P	03-03-018	388- 78A-1190	NEW-P	03-03-018	388- 78A-990	REP	03-16-047
388- 78A-0900	NEW	03-16-047	388- 78A-1190	NEW	03-16-047	388- 79-010	AMD-P	03-06-094
388- 78A-0910	NEW-P	03-03-018	388- 78A-120	REP-P	03-03-018	388- 79-010	AMD	03-16-022
388- 78A-0910	NEW	03-16-047	388- 78A-120	REP	03-16-047	388- 79-020	AMD-P	03-06-094
388- 78A-0920	NEW-P	03-03-018	388- 78A-1200	NEW-P	03-03-018	388- 79-020	AMD	03-16-022
388- 78A-0920	NEW	03-16-047	388- 78A-1200	NEW	03-16-047	388- 79-030	AMD-P	03-06-094
388- 78A-0930	NEW-P	03-03-018	388- 78A-1210	NEW-P	03-03-018	388- 79-030	AMD	03-16-022
						388- 79-040	AMD-P	03-06-094

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388- 79-040	AMD	03-16-022	388-140-0080	NEW-E	03-04-035	388-140-0180	NEW-E	03-19-074
388- 79-050	NEW-P	03-06-094	388-140-0080	NEW-E	03-12-004	388-140-0185	NEW-E	03-04-035
388- 79-050	NEW	03-16-022	388-140-0080	NEW-E	03-19-074	388-140-0185	NEW-E	03-12-004
388- 96	PREP	03-07-031	388-140-0085	NEW-E	03-04-035	388-140-0185	NEW-E	03-19-074
388- 97-027	PREP-W	03-16-018	388-140-0085	NEW-E	03-12-004	388-140-0190	NEW-E	03-04-035
388- 97-076	PREP	03-12-056	388-140-0085	NEW-E	03-19-074	388-140-0190	NEW-E	03-12-004
388- 97-076	AMD-P	03-20-040	388-140-0090	NEW-E	03-04-035	388-140-0190	NEW-E	03-19-074
388- 97-076	AMD	03-23-021	388-140-0090	NEW-E	03-12-004	388-140-0195	NEW-E	03-04-035
388-105	PREP	03-15-050	388-140-0090	NEW-E	03-19-074	388-140-0195	NEW-E	03-12-004
388-105-0005	AMD-E	03-15-011	388-140-0095	NEW-E	03-04-035	388-140-0195	NEW-E	03-19-074
388-105-0005	AMD-E	03-22-052	388-140-0095	NEW-E	03-12-004	388-140-0200	NEW-E	03-04-035
388-105-0030	AMD-E	03-15-011	388-140-0095	NEW-E	03-19-074	388-140-0200	NEW-E	03-12-004
388-105-0030	AMD-E	03-22-052	388-140-0100	NEW-E	03-04-035	388-140-0200	NEW-E	03-19-074
388-105-0040	AMD-E	03-15-011	388-140-0100	NEW-E	03-12-004	388-140-0205	NEW-E	03-04-035
388-105-0040	AMD-E	03-22-052	388-140-0100	NEW-E	03-19-074	388-140-0205	NEW-E	03-12-004
388-105-0045	NEW-E	03-15-011	388-140-0105	NEW-E	03-04-035	388-140-0205	NEW-E	03-19-074
388-105-0045	NEW-E	03-22-052	388-140-0105	NEW-E	03-12-004	388-140-0210	NEW-E	03-04-035
388-140-0005	NEW-E	03-04-035	388-140-0105	NEW-E	03-19-074	388-140-0210	NEW-E	03-12-004
388-140-0005	NEW-E	03-12-004	388-140-0110	NEW-E	03-04-035	388-140-0210	NEW-E	03-19-074
388-140-0005	NEW-E	03-19-074	388-140-0110	NEW-E	03-12-004	388-140-0215	NEW-E	03-04-035
388-140-0010	NEW-E	03-04-035	388-140-0110	NEW-E	03-19-074	388-140-0215	NEW-E	03-12-004
388-140-0010	NEW-E	03-12-004	388-140-0115	NEW-E	03-04-035	388-140-0215	NEW-E	03-19-074
388-140-0010	NEW-E	03-19-074	388-140-0115	NEW-E	03-12-004	388-140-0220	NEW-E	03-04-035
388-140-0015	NEW-E	03-04-035	388-140-0115	NEW-E	03-19-074	388-140-0220	NEW-E	03-12-004
388-140-0015	NEW-E	03-12-004	388-140-0120	NEW-E	03-04-035	388-140-0220	NEW-E	03-19-074
388-140-0015	NEW-E	03-19-074	388-140-0120	NEW-E	03-12-004	388-140-0225	NEW-E	03-04-035
388-140-0020	NEW-E	03-04-035	388-140-0120	NEW-E	03-19-074	388-140-0225	NEW-E	03-12-004
388-140-0020	NEW-E	03-12-004	388-140-0125	NEW-E	03-04-035	388-140-0225	NEW-E	03-19-074
388-140-0020	NEW-E	03-19-074	388-140-0125	NEW-E	03-12-004	388-140-0230	NEW-E	03-04-035
388-140-0025	NEW-E	03-04-035	388-140-0125	NEW-E	03-19-074	388-140-0230	NEW-E	03-12-004
388-140-0025	NEW-E	03-12-004	388-140-0130	NEW-E	03-04-035	388-140-0230	NEW-E	03-19-074
388-140-0025	NEW-E	03-19-074	388-140-0130	NEW-E	03-12-004	388-140-0235	NEW-E	03-04-035
388-140-0030	NEW-E	03-04-035	388-140-0130	NEW-E	03-19-074	388-140-0235	NEW-E	03-12-004
388-140-0030	NEW-E	03-12-004	388-140-0135	NEW-E	03-04-035	388-140-0235	NEW-E	03-19-074
388-140-0030	NEW-E	03-19-074	388-140-0135	NEW-E	03-12-004	388-140-0240	NEW-E	03-04-035
388-140-0035	NEW-E	03-04-035	388-140-0135	NEW-E	03-19-074	388-140-0240	NEW-E	03-12-004
388-140-0035	NEW-E	03-12-004	388-140-0140	NEW-E	03-04-035	388-140-0240	NEW-E	03-19-074
388-140-0035	NEW-E	03-19-074	388-140-0140	NEW-E	03-12-004	388-140-0245	NEW-E	03-04-035
388-140-0040	NEW-E	03-04-035	388-140-0140	NEW-E	03-19-074	388-140-0245	NEW-E	03-12-004
388-140-0040	NEW-E	03-12-004	388-140-0145	NEW-E	03-04-035	388-140-0245	NEW-E	03-19-074
388-140-0040	NEW-E	03-19-074	388-140-0145	NEW-E	03-12-004	388-140-0250	NEW-E	03-04-035
388-140-0045	NEW-E	03-04-035	388-140-0145	NEW-E	03-19-074	388-140-0250	NEW-E	03-12-004
388-140-0045	NEW-E	03-12-004	388-140-0150	NEW-E	03-04-035	388-140-0250	NEW-E	03-19-074
388-140-0045	NEW-E	03-19-074	388-140-0150	NEW-E	03-12-004	388-140-0255	NEW-E	03-04-035
388-140-0050	NEW-E	03-04-035	388-140-0150	NEW-E	03-19-074	388-140-0255	NEW-E	03-12-004
388-140-0050	NEW-E	03-12-004	388-140-0155	NEW-E	03-04-035	388-140-0255	NEW-E	03-19-074
388-140-0050	NEW-E	03-19-074	388-140-0155	NEW-E	03-12-004	388-140-0260	NEW-E	03-04-035
388-140-0055	NEW-E	03-04-035	388-140-0155	NEW-E	03-19-074	388-140-0260	NEW-E	03-12-004
388-140-0055	NEW-E	03-12-004	388-140-0160	NEW-E	03-04-035	388-140-0260	NEW-E	03-19-074
388-140-0055	NEW-E	03-19-074	388-140-0160	NEW-E	03-12-004	388-140-0265	NEW-E	03-04-035
388-140-0060	NEW-E	03-04-035	388-140-0160	NEW-E	03-19-074	388-140-0265	NEW-E	03-12-004
388-140-0060	NEW-E	03-12-004	388-140-0165	NEW-E	03-04-035	388-140-0265	NEW-E	03-19-074
388-140-0060	NEW-E	03-19-074	388-140-0165	NEW-E	03-12-004	388-140-0270	NEW-E	03-04-035
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388-140-0065	NEW-E	03-12-004	388-140-0170	NEW-E	03-04-035	388-140-0270	NEW-E	03-19-074
388-140-0065	NEW-E	03-19-074	388-140-0170	NEW-E	03-12-004	388-140-0275	NEW-E	03-04-035
388-140-0070	NEW-E	03-04-035	388-140-0170	NEW-E	03-19-074	388-140-0275	NEW-E	03-12-004
388-140-0070	NEW-E	03-12-004	388-140-0175	NEW-E	03-04-035	388-140-0275	NEW-E	03-19-074
388-140-0070	NEW-E	03-19-074	388-140-0175	NEW-E	03-12-004	388-140-0280	NEW-E	03-04-035
388-140-0075	NEW-E	03-04-035	388-140-0175	NEW-E	03-19-074	388-140-0280	NEW-E	03-12-004
388-140-0075	NEW-E	03-12-004	388-140-0180	NEW-E	03-04-035	388-140-0280	NEW-E	03-19-074
388-140-0075	NEW-E	03-19-074	388-140-0180	NEW-E	03-12-004	388-140-0285	NEW-E	03-04-035

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388-148-0270	AMD-E	03-21-074	388-148-0995	AMD-E	03-14-012	388-148-1275	NEW-E	03-06-091
388-148-0335	AMD-E	03-05-099	388-148-0995	AMD-E	03-21-074	388-148-1280	NEW-E	03-06-091
388-148-0335	AMD-E	03-14-012	388-148-1060	AMD-E	03-05-099	388-148-1285	NEW-E	03-06-091
388-148-0335	AMD-E	03-21-074	388-148-1060	AMD-E	03-14-012	388-148-1290	NEW-E	03-06-091
388-148-0345	AMD-E	03-05-099	388-148-1060	AMD-E	03-21-074	388-148-1295	NEW-E	03-06-091
388-148-0345	AMD-E	03-14-012	388-148-1070	AMD-E	03-05-099	388-148-1300	NEW-E	03-06-091
388-148-0345	AMD-E	03-21-074	388-148-1070	AMD-E	03-14-012	388-150-005	REP-P	03-09-005
388-148-0350	AMD-E	03-05-099	388-148-1070	AMD-E	03-21-074	388-150-005	REP	03-14-110
388-148-0350	AMD-E	03-14-012	388-148-1076	NEW-E	03-05-099	388-150-010	REP-P	03-09-005
388-148-0350	AMD-E	03-21-074	388-148-1076	NEW-E	03-14-012	388-150-010	REP	03-14-110
388-148-0395	AMD-E	03-05-099	388-148-1076	NEW-E	03-21-074	388-150-020	REP-P	03-09-005
388-148-0395	AMD-E	03-14-012	388-148-1077	NEW-E	03-05-099	388-150-020	REP	03-14-110
388-148-0395	AMD-E	03-21-074	388-148-1077	NEW-E	03-14-012	388-150-040	REP-P	03-09-005
388-148-0427	NEW-E	03-05-099	388-148-1077	NEW-E	03-21-074	388-150-040	REP	03-14-110
388-148-0427	NEW-E	03-14-012	388-148-1078	NEW-E	03-05-099	388-150-050	REP-P	03-09-005
388-148-0427	NEW-E	03-21-074	388-148-1078	NEW-E	03-14-012	388-150-050	REP	03-14-110
388-148-0460	AMD-E	03-05-099	388-148-1078	NEW-E	03-21-074	388-150-060	REP-P	03-09-005
388-148-0460	AMD-E	03-14-012	388-148-1079	NEW-E	03-05-099	388-150-060	REP	03-14-110
388-148-0460	AMD-E	03-21-074	388-148-1079	NEW-E	03-14-012	388-150-070	REP-P	03-09-005
388-148-0462	NEW-E	03-05-099	388-148-1079	NEW-E	03-21-074	388-150-070	REP	03-14-110
388-148-0462	NEW-E	03-14-012	388-148-1115	AMD-E	03-05-099	388-150-080	REP-P	03-09-005
388-148-0462	NEW-E	03-21-074	388-148-1115	AMD-E	03-14-012	388-150-080	REP	03-14-110
388-148-0520	AMD-E	03-05-099	388-148-1115	AMD-E	03-21-074	388-150-085	REP-P	03-09-005
388-148-0520	AMD-E	03-14-012	388-148-1120	AMD-E	03-05-099	388-150-085	REP	03-14-110
388-148-0520	AMD-E	03-21-074	388-148-1120	AMD-E	03-14-012	388-150-090	REP-P	03-09-005
388-148-0542	NEW-E	03-05-099	388-148-1120	AMD-E	03-21-074	388-150-090	REP	03-14-110
388-148-0542	NEW-E	03-14-012	388-148-1140	NEW-E	03-05-099	388-150-092	REP-P	03-09-005
388-148-0542	NEW-E	03-21-074	388-148-1140	NEW-E	03-14-012	388-150-092	REP	03-14-110
388-148-0560	AMD-E	03-05-099	388-148-1145	NEW-E	03-05-099	388-150-093	REP-P	03-09-005
388-148-0560	AMD-E	03-14-012	388-148-1145	NEW-E	03-14-012	388-150-093	REP	03-14-110
388-148-0560	AMD-E	03-21-074	388-148-1150	NEW-E	03-05-099	388-150-094	REP-P	03-09-005
388-148-0585	AMD-E	03-05-099	388-148-1150	NEW-E	03-14-012	388-150-094	REP	03-14-110
388-148-0585	AMD-E	03-14-012	388-148-1155	NEW-E	03-05-099	388-150-095	REP-P	03-09-005
388-148-0585	AMD-E	03-21-074	388-148-1155	NEW-E	03-14-012	388-150-095	REP	03-14-110
388-148-0630	AMD-E	03-05-099	388-148-1160	NEW-E	03-05-099	388-150-096	REP-P	03-09-005
388-148-0630	AMD-E	03-14-012	388-148-1160	NEW-E	03-14-012	388-150-096	REP	03-14-110
388-148-0630	AMD-E	03-21-074	388-148-1165	NEW-E	03-05-099	388-150-097	REP-P	03-09-005
388-148-0700	AMD-E	03-05-099	388-148-1165	NEW-E	03-14-012	388-150-097	REP	03-14-110
388-148-0700	AMD-E	03-14-012	388-148-1170	NEW-E	03-05-099	388-150-098	REP-P	03-09-005
388-148-0700	AMD-E	03-21-074	388-148-1170	NEW-E	03-14-012	388-150-098	REP	03-14-110
388-148-0720	AMD-E	03-05-099	388-148-1175	NEW-E	03-05-099	388-150-100	REP-P	03-09-005
388-148-0720	AMD-E	03-14-012	388-148-1175	NEW-E	03-14-012	388-150-100	REP	03-14-110
388-148-0720	AMD-E	03-21-074	388-148-1180	NEW-E	03-05-099	388-150-110	REP-P	03-09-005
388-148-0722	NEW-E	03-05-099	388-148-1180	NEW-E	03-14-012	388-150-110	REP	03-14-110
388-148-0722	NEW-E	03-14-012	388-148-1185	NEW-E	03-05-099	388-150-120	REP-P	03-09-005
388-148-0722	NEW-E	03-21-074	388-148-1185	NEW-E	03-14-012	388-150-120	REP	03-14-110
388-148-0725	AMD-E	03-05-099	388-148-1190	NEW-E	03-05-099	388-150-130	REP-P	03-09-005
388-148-0725	AMD-E	03-14-012	388-148-1190	NEW-E	03-14-012	388-150-130	REP	03-14-110
388-148-0725	AMD-E	03-21-074	388-148-1205	NEW-E	03-06-091	388-150-140	REP-P	03-09-005
388-148-0785	AMD-E	03-05-099	388-148-1210	NEW-E	03-06-091	388-150-140	REP	03-14-110
388-148-0785	AMD-E	03-14-012	388-148-1215	NEW-E	03-06-091	388-150-150	REP-P	03-09-005
388-148-0785	AMD-E	03-21-074	388-148-1220	NEW-E	03-06-091	388-150-150	REP	03-14-110
388-148-0880	AMD-E	03-05-099	388-148-1225	NEW-E	03-06-091	388-150-160	REP-P	03-09-005
388-148-0880	AMD-E	03-14-012	388-148-1230	NEW-E	03-06-091	388-150-160	REP	03-14-110
388-148-0880	AMD-E	03-21-074	388-148-1235	NEW-E	03-06-091	388-150-165	REP-P	03-09-005
388-148-0892	NEW-E	03-05-099	388-148-1240	NEW-E	03-06-091	388-150-165	REP	03-14-110
388-148-0892	NEW-E	03-14-012	388-148-1245	NEW-E	03-06-091	388-150-170	REP-P	03-09-005
388-148-0892	NEW-E	03-21-074	388-148-1250	NEW-E	03-06-091	388-150-170	REP	03-14-110
388-148-0915	AMD-E	03-05-099	388-148-1255	NEW-E	03-06-091	388-150-180	REP-P	03-09-005
388-148-0915	AMD-E	03-14-012	388-148-1260	NEW-E	03-06-091	388-150-180	REP	03-14-110
388-148-0915	AMD-E	03-21-074	388-148-1265	NEW-E	03-06-091	388-150-190	REP-P	03-09-005
388-148-0995	AMD-E	03-05-099	388-148-1270	NEW-E	03-06-091	388-150-190	REP	03-14-110

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388-150-200	REP	03-14-110	388-150-990	REP	03-14-110	388-292-0020	NEW	03-14-109
388-150-210	REP-P	03-09-005	388-150-991	REP-P	03-09-005	388-292-0025	NEW-P	03-09-033
388-150-210	REP	03-14-110	388-150-991	REP	03-14-110	388-292-0025	NEW	03-14-109
388-150-220	REP-P	03-09-005	388-150-992	REP-P	03-09-005	388-292-0030	NEW-P	03-09-033
388-150-220	REP	03-14-110	388-150-992	REP	03-14-110	388-292-0030	NEW	03-14-109
388-150-230	REP-P	03-09-005	388-150-993	REP-P	03-09-005	388-292-0035	NEW-P	03-09-033
388-150-230	REP	03-14-110	388-150-993	REP	03-14-110	388-292-0035	NEW	03-14-109
388-150-240	REP-P	03-09-005	388-151	PREP	03-20-025	388-292-0040	NEW-P	03-09-033
388-150-240	REP	03-14-110	388-155-070	AMD-P	03-06-092	388-292-0040	NEW	03-14-109
388-150-250	REP-P	03-09-005	388-155-070	AMD	03-09-074	388-292-0045	NEW-P	03-09-033
388-150-250	REP	03-14-110	388-155-090	AMD-P	03-06-092	388-292-0045	NEW	03-14-109
388-150-260	REP-P	03-09-005	388-155-090	AMD	03-09-074	388-292-0050	NEW-P	03-09-033
388-150-260	REP	03-14-110	388-165-130	REP-P	03-09-033	388-292-0050	NEW	03-14-109
388-150-270	REP-P	03-09-005	388-165-130	REP	03-14-109	388-292-0055	NEW-P	03-09-033
388-150-270	REP	03-14-110	388-180-0100	NEW	03-04-013	388-292-0055	NEW	03-14-109
388-150-280	REP-P	03-09-005	388-180-0110	NEW	03-04-013	388-292-0060	NEW-P	03-09-033
388-150-280	REP	03-14-110	388-180-0120	NEW	03-04-013	388-292-0060	NEW	03-14-109
388-150-290	REP-P	03-09-005	388-180-0130	NEW	03-04-013	388-292-0065	NEW-P	03-09-033
388-150-290	REP	03-14-110	388-180-0140	NEW	03-04-013	388-292-0065	NEW	03-14-109
388-150-295	REP-P	03-09-005	388-180-0150	NEW	03-04-013	388-292-0070	NEW-P	03-09-033
388-150-295	REP	03-14-110	388-180-0160	NEW	03-04-013	388-292-0070	NEW	03-14-109
388-150-310	REP-P	03-09-005	388-180-0170	NEW	03-04-013	388-292-0075	NEW-P	03-09-033
388-150-310	REP	03-14-110	388-180-0180	NEW	03-04-013	388-292-0075	NEW	03-14-109
388-150-320	REP-P	03-09-005	388-180-0190	NEW	03-04-013	388-292-0080	NEW-P	03-09-033
388-150-320	REP	03-14-110	388-180-0200	NEW	03-04-013	388-292-0080	NEW	03-14-109
388-150-330	REP-P	03-09-005	388-180-0210	NEW	03-04-013	388-292-0085	NEW-P	03-09-033
388-150-330	REP	03-14-110	388-180-0220	NEW	03-04-013	388-292-0085	NEW	03-14-109
388-150-340	REP-P	03-09-005	388-180-0230	NEW	03-04-013	388-292-0090	NEW-P	03-09-033
388-150-340	REP	03-14-110	388-273-0025	AMD-E	03-12-057	388-292-0090	NEW	03-14-109
388-150-350	REP-P	03-09-005	388-273-0025	PREP	03-13-044	388-292-0095	NEW-P	03-09-033
388-150-350	REP	03-14-110	388-273-0025	AMD-E	03-20-051	388-292-0095	NEW	03-14-109
388-150-360	REP-P	03-09-005	388-273-0030	AMD-E	03-12-057	388-292-0100	NEW-P	03-09-033
388-150-360	REP	03-14-110	388-273-0030	PREP	03-13-044	388-292-0100	NEW	03-14-109
388-150-370	REP-P	03-09-005	388-273-0030	AMD-E	03-20-051	388-292-0102	NEW-P	03-09-033
388-150-370	REP	03-14-110	388-273-0035	AMD-E	03-12-057	388-292-0102	NEW	03-14-109
388-150-380	REP-P	03-09-005	388-273-0035	PREP	03-13-044	388-292-0105	NEW-P	03-09-033
388-150-380	REP	03-14-110	388-273-0035	AMD-E	03-20-051	388-292-0105	NEW	03-14-109
388-150-390	REP-P	03-09-005	388-290-0075	AMD-E	03-06-045	388-292-0110	NEW-P	03-09-033
388-150-390	REP	03-14-110	388-290-0075	AMD-E	03-14-061	388-292-0110	NEW	03-14-109
388-150-400	REP-P	03-09-005	388-290-0075	AMD-E	03-22-005	388-292-0115	NEW-P	03-09-033
388-150-400	REP	03-14-110	388-290-0085	AMD-E	03-06-045	388-292-0115	NEW	03-14-109
388-150-410	REP-P	03-09-005	388-290-0085	AMD-E	03-14-061	388-292-0120	NEW-P	03-09-033
388-150-410	REP	03-14-110	388-290-0085	AMD-E	03-22-005	388-292-0120	NEW	03-14-109
388-150-420	REP-P	03-09-005	388-290-0130	AMD-E	03-12-026	388-292-0125	NEW-P	03-09-033
388-150-420	REP	03-14-110	388-290-0130	AMD-E	03-20-050	388-292-0125	NEW	03-14-109
388-150-430	REP-P	03-09-005	388-290-0190	AMD-E	03-06-045	388-292-0130	NEW-P	03-09-033
388-150-430	REP	03-14-110	388-290-0190	AMD-E	03-14-061	388-292-0130	NEW	03-14-109
388-150-440	REP-P	03-09-005	388-290-0190	AMD-E	03-22-005	388-292-0135	NEW-P	03-09-033
388-150-440	REP	03-14-110	388-290-0210	REP-E	03-06-045	388-292-0135	NEW	03-14-109
388-150-450	REP-P	03-09-005	388-290-0210	REP-E	03-14-061	388-292-0140	NEW-P	03-09-033
388-150-450	REP	03-14-110	388-290-0210	REP-E	03-22-005	388-292-0140	NEW	03-14-109
388-150-460	REP-P	03-09-005	388-292-0001	NEW-P	03-09-033	388-292-0145	NEW-P	03-09-033
388-150-460	REP	03-14-110	388-292-0001	NEW	03-14-109	388-292-0145	NEW	03-14-109
388-150-470	REP-P	03-09-005	388-292-0003	NEW-P	03-09-033	388-292-0150	NEW-P	03-09-033
388-150-470	REP	03-14-110	388-292-0003	NEW	03-14-109	388-292-0150	NEW	03-14-109
388-150-480	REP-P	03-09-005	388-292-0005	NEW-P	03-09-033	388-292-0155	NEW-P	03-09-033
388-150-480	REP	03-14-110	388-292-0005	NEW	03-14-109	388-292-0155	NEW	03-14-109
388-150-490	REP-P	03-09-005	388-292-0010	NEW-P	03-09-033	388-292-0160	NEW-P	03-09-033
388-150-490	REP	03-14-110	388-292-0010	NEW	03-14-109	388-292-0160	NEW	03-14-109
388-150-500	REP-P	03-09-005	388-292-0015	NEW-P	03-09-033	388-295-0001	NEW-P	03-09-005
388-150-500	REP	03-14-110	388-292-0015	NEW	03-14-109	388-295-0001	NEW	03-14-110

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388-295-0010	NEW	03-14-110	388-295-1120	NEW-P	03-09-005	388-295-3160	NEW-P	03-09-005
388-295-0020	NEW-P	03-09-005	388-295-1120	NEW	03-14-110	388-295-3160	NEW	03-14-110
388-295-0020	NEW	03-14-110	388-295-2010	NEW-P	03-09-005	388-295-3170	NEW-P	03-09-005
388-295-0020	PREP	03-23-062	388-295-2010	NEW	03-14-110	388-295-3170	NEW	03-14-110
388-295-0030	NEW-P	03-09-005	388-295-2010	PREP	03-23-062	388-295-3180	NEW-P	03-09-005
388-295-0030	NEW	03-14-110	388-295-2020	NEW-P	03-09-005	388-295-3180	NEW	03-14-110
388-295-0040	NEW-P	03-09-005	388-295-2020	NEW	03-14-110	388-295-3190	NEW-P	03-09-005
388-295-0040	NEW	03-14-110	388-295-2030	NEW-P	03-09-005	388-295-3190	NEW	03-14-110
388-295-0050	NEW-P	03-09-005	388-295-2030	NEW	03-14-110	388-295-3200	NEW-P	03-09-005
388-295-0050	NEW	03-14-110	388-295-2040	NEW-P	03-09-005	388-295-3200	NEW	03-14-110
388-295-0055	NEW-P	03-09-005	388-295-2040	NEW	03-14-110	388-295-3210	NEW-P	03-09-005
388-295-0055	NEW	03-14-110	388-295-2050	NEW-P	03-09-005	388-295-3210	NEW	03-14-110
388-295-0060	NEW-P	03-09-005	388-295-2050	NEW	03-14-110	388-295-3220	NEW-P	03-09-005
388-295-0060	NEW	03-14-110	388-295-2060	NEW-P	03-09-005	388-295-3220	NEW	03-14-110
388-295-0060	PREP	03-23-062	388-295-2060	NEW	03-14-110	388-295-3230	NEW-P	03-09-005
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388-295-0070	PREP	03-23-062	388-295-2080	NEW-P	03-09-005	388-295-4010	NEW	03-14-110
388-295-0080	NEW-P	03-09-005	388-295-2080	NEW	03-14-110	388-295-4010	PREP	03-23-062
388-295-0080	NEW	03-14-110	388-295-2090	NEW-P	03-09-005	388-295-4020	NEW-P	03-09-005
388-295-0090	NEW-P	03-09-005	388-295-2090	NEW	03-14-110	388-295-4020	NEW	03-14-110
388-295-0090	NEW	03-14-110	388-295-2090	PREP	03-23-062	388-295-4030	NEW-P	03-09-005
388-295-0090	PREP	03-23-062	388-295-2100	NEW-P	03-09-005	388-295-4030	NEW	03-14-110
388-295-0100	NEW-P	03-09-005	388-295-2100	NEW	03-14-110	388-295-4040	NEW-P	03-09-005
388-295-0100	NEW	03-14-110	388-295-2100	PREP	03-23-062	388-295-4040	NEW	03-14-110
388-295-0100	PREP	03-23-062	388-295-2110	NEW-P	03-09-005	388-295-4050	NEW-P	03-09-005
388-295-0110	NEW-P	03-09-005	388-295-2110	NEW	03-14-110	388-295-4050	NEW	03-14-110
388-295-0110	NEW	03-14-110	388-295-2120	NEW-P	03-09-005	388-295-4060	NEW-P	03-09-005
388-295-0110	PREP	03-23-062	388-295-2120	NEW	03-14-110	388-295-4060	NEW	03-14-110
388-295-0120	NEW-P	03-09-005	388-295-2130	NEW-P	03-09-005	388-295-4070	NEW-P	03-09-005
388-295-0120	NEW	03-14-110	388-295-2130	NEW	03-14-110	388-295-4070	NEW	03-14-110
388-295-0130	NEW-P	03-09-005	388-295-2130	NEW	03-14-110	388-295-4080	NEW-P	03-09-005
388-295-0130	NEW	03-14-110	388-295-3010	NEW-P	03-09-005	388-295-4080	NEW	03-14-110
388-295-0140	NEW-P	03-09-005	388-295-3010	NEW	03-14-110	388-295-4090	NEW-P	03-09-005
388-295-0140	NEW	03-14-110	388-295-3010	PREP	03-23-062	388-295-4090	NEW	03-14-110
388-295-0150	NEW-P	03-09-005	388-295-3020	NEW-P	03-09-005	388-295-4100	NEW-P	03-09-005
388-295-0150	NEW	03-14-110	388-295-3020	NEW	03-14-110	388-295-4100	NEW	03-14-110
388-295-1010	NEW-P	03-09-005	388-295-3030	NEW-P	03-09-005	388-295-4100	PREP	03-23-062
388-295-1010	NEW	03-14-110	388-295-3030	NEW	03-14-110	388-295-4110	NEW-P	03-09-005
388-295-1010	PREP	03-23-062	388-295-3040	NEW-P	03-09-005	388-295-4110	NEW	03-14-110
388-295-1020	NEW-P	03-09-005	388-295-3040	NEW	03-14-110	388-295-4120	NEW-P	03-09-005
388-295-1020	NEW	03-14-110	388-295-3050	NEW-P	03-09-005	388-295-4120	NEW	03-14-110
388-295-1030	NEW-P	03-09-005	388-295-3050	NEW	03-14-110	388-295-4130	NEW-P	03-09-005
388-295-1030	NEW	03-14-110	388-295-3060	NEW-P	03-09-005	388-295-4130	NEW	03-14-110
388-295-1040	NEW-P	03-09-005	388-295-3060	NEW	03-14-110	388-295-4140	NEW-P	03-09-005
388-295-1040	NEW	03-14-110	388-295-3070	NEW-P	03-09-005	388-295-4140	NEW	03-14-110
388-295-1050	NEW-P	03-09-005	388-295-3070	NEW	03-14-110	388-295-5010	NEW-P	03-09-005
388-295-1050	NEW	03-14-110	388-295-3080	NEW-P	03-09-005	388-295-5010	NEW	03-14-110
388-295-1060	NEW-P	03-09-005	388-295-3080	NEW	03-14-110	388-295-5020	NEW-P	03-09-005
388-295-1060	NEW	03-14-110	388-295-3090	NEW-P	03-09-005	388-295-5020	NEW	03-14-110
388-295-1070	NEW-P	03-09-005	388-295-3090	NEW	03-14-110	388-295-5030	NEW-P	03-09-005
388-295-1070	NEW	03-14-110	388-295-3100	NEW-P	03-09-005	388-295-5030	NEW	03-14-110
388-295-1070	PREP	03-23-062	388-295-3100	NEW	03-14-110	388-295-5030	PREP	03-23-062
388-295-1080	NEW-P	03-09-005	388-295-3110	NEW-P	03-09-005	388-295-5040	NEW-P	03-09-005
388-295-1080	NEW	03-14-110	388-295-3110	NEW	03-14-110	388-295-5040	NEW	03-14-110
388-295-1090	NEW-P	03-09-005	388-295-3120	NEW-P	03-09-005	388-295-5050	NEW-P	03-09-005
388-295-1090	NEW	03-14-110	388-295-3120	NEW	03-14-110	388-295-5050	NEW	03-14-110
388-295-1100	NEW-P	03-09-005	388-295-3130	NEW-P	03-09-005	388-295-5060	NEW-P	03-09-005
388-295-1100	NEW	03-14-110	388-295-3130	NEW	03-14-110	388-295-5060	NEW	03-14-110
388-295-1110	NEW-P	03-09-005	388-295-3140	NEW-P	03-09-005	388-295-5070	NEW-P	03-09-005
388-295-1110	NEW	03-14-110	388-295-3140	NEW	03-14-110	388-295-5070	NEW	03-14-110
388-295-3150	NEW	03-14-110	388-295-3150	NEW-P	03-09-005	388-295-5070	NEW	03-14-110

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388-295-5090	NEW-P	03-09-005	388-310-2000	AMD-P	03-23-112	388-412-0020	AMD-P	03-19-072
388-295-5090	NEW	03-14-110	388-400-0040	AMD	03-05-028	388-412-0020	AMD	03-22-038
388-295-5100	NEW-P	03-09-005	388-400-0045	AMD	03-05-028	388-412-0025	PREP	03-15-023
388-295-5100	NEW	03-14-110	388-406-0005	PREP	03-15-024	388-412-0025	AMD-P	03-19-072
388-295-5110	NEW-P	03-09-005	388-406-0005	AMD-P	03-19-112	388-412-0025	AMD	03-22-038
388-295-5110	NEW	03-14-110	388-406-0005	AMD	03-22-039	388-412-0040	PREP	03-15-023
388-295-5120	NEW-P	03-09-005	388-406-0010	PREP	03-15-024	388-412-0040	AMD-P	03-19-072
388-295-5120	NEW	03-14-110	388-406-0010	AMD-P	03-19-112	388-412-0040	AMD	03-22-038
388-295-5140	NEW-P	03-09-005	388-406-0010	AMD	03-22-039	388-416	PREP	03-17-085
388-295-5140	NEW	03-14-110	388-406-0012	AMD-P	03-19-112	388-416-0005	PREP	03-15-024
388-295-5150	NEW-P	03-09-005	388-406-0012	AMD	03-22-039	388-416-0005	AMD-P	03-19-112
388-295-5150	NEW	03-14-110	388-406-0015	PREP-W	03-03-112	388-416-0005	AMD	03-22-039
388-295-5150	PREP	03-23-062	388-406-0015	PREP	03-15-024	388-416-0015	AMD-E	03-14-060
388-295-5160	NEW-P	03-09-005	388-406-0015	AMD-P	03-19-069	388-416-0015	PREP	03-14-077
388-295-5160	NEW	03-14-110	388-406-0015	AMD	03-22-061	388-416-0015	AMD-P	03-19-068
388-295-5170	NEW-P	03-09-005	388-406-0021	PREP	03-15-024	388-416-0015	AMD-E	03-22-004
388-295-5170	NEW	03-14-110	388-406-0021	AMD-P	03-19-112	388-416-0035	PREP-W	03-15-051
388-295-6010	NEW-P	03-09-005	388-406-0021	AMD	03-22-039	388-416-0035	PREP-W	03-16-080
388-295-6010	NEW	03-14-110	388-406-0035	PREP	03-15-024	388-418	PREP	03-13-035
388-295-6020	NEW-P	03-09-005	388-406-0035	AMD-P	03-19-112	388-418	PREP	03-17-085
388-295-6020	NEW	03-14-110	388-406-0035	AMD	03-22-039	388-418-0005	AMD-E	03-14-060
388-295-6030	NEW-P	03-09-005	388-406-0040	PREP	03-15-024	388-418-0005	PREP	03-14-077
388-295-6030	NEW	03-14-110	388-406-0040	AMD-P	03-19-112	388-418-0005	AMD-P	03-17-087
388-295-6040	NEW-P	03-09-005	388-406-0040	AMD	03-22-039	388-418-0005	AMD-P	03-19-068
388-295-6040	NEW	03-14-110	388-406-0055	PREP	03-15-024	388-418-0005	AMD	03-21-028
388-295-6050	NEW-P	03-09-005	388-406-0055	AMD-P	03-19-112	388-418-0005	AMD-E	03-22-004
388-295-6050	NEW	03-14-110	388-406-0055	AMD	03-22-039	388-418-0007	AMD-P	03-17-087
388-295-6060	NEW-P	03-09-005	388-406-0060	PREP	03-15-024	388-418-0007	AMD	03-21-028
388-295-6060	NEW	03-14-110	388-406-0060	AMD-P	03-19-112	388-418-0020	AMD-P	03-17-087
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388-295-7010	NEW	03-14-110	388-406-0065	PREP	03-15-024	388-418-0025	AMD-E	03-14-060
388-295-7010	PREP	03-23-062	388-406-0065	AMD-P	03-19-112	388-418-0025	PREP	03-14-077
388-295-7020	NEW-P	03-09-005	388-406-0065	AMD	03-22-039	388-418-0025	AMD-P	03-19-068
388-295-7020	NEW	03-14-110	388-408-0005	AMD-P	03-13-090	388-418-0025	AMD-E	03-22-004
388-295-7030	NEW-P	03-09-005	388-408-0005	AMD	03-17-066	388-424-0005	PREP	03-03-007
388-295-7030	NEW	03-14-110	388-408-0025	PREP	03-19-032	388-424-0010	PREP	03-03-007
388-295-7040	NEW-P	03-09-005	388-408-0034	PREP	03-06-056	388-424-0015	PREP	03-03-007
388-295-7040	NEW	03-14-110	388-408-0034	AMD-P	03-16-045	388-424-0020	AMD	03-05-029
388-295-7040	PREP	03-23-062	388-408-0034	AMD	03-19-118	388-424-0025	AMD	03-05-029
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388-295-7050	NEW	03-14-110	388-408-0035	PREP	03-06-056	388-426-0005	AMD-P	03-23-110
388-295-7050	PREP	03-23-062	388-408-0035	AMD-P	03-16-045	388-434-0005	AMD-E	03-14-060
388-295-7060	NEW-P	03-09-005	388-408-0035	AMD	03-19-118	388-434-0005	PREP	03-14-077
388-295-7060	NEW	03-14-110	388-408-0035	PREP	03-23-060	388-434-0005	PREP	03-19-031
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388-295-7070	NEW	03-14-110	388-408-0040	AMD-P	03-16-045	388-434-0005	AMD-E	03-22-004
388-295-7080	NEW-P	03-09-005	388-408-0040	AMD	03-19-118	388-434-0005	PREP	03-23-061
388-295-7080	NEW	03-14-110	388-408-0045	PREP	03-06-056	388-434-0010	PREP	03-23-061
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388-310	PREP	03-17-063	388-408-0045	AMD	03-19-118	388-436-0002	PREP	03-11-089
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388-310-0800	AMD-E	03-04-066	388-408-0050	AMD	03-19-118	388-436-0015	PREP	03-20-021
388-310-0800	PREP	03-11-087	388-410-0001	AMD-P	03-23-112	388-436-0015	AMD-P	03-24-055
388-310-0800	AMD-E	03-12-025	388-410-0030	PREP	03-07-040	388-436-0040	AMD-P	03-23-112
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388-310-0800	AMD-P	03-18-104	388-410-0030	AMD	03-21-027	388-438	PREP-W	03-15-051
388-310-0800	AMD	03-21-154	388-412-0015	PREP	03-15-023	388-438-0100	PREP-W	03-14-058
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388-438-0110	AMD-P	03-20-074	388-454-0010	AMD-P	03-24-056	388-475-1250	PREP-W	03-15-051
388-438-0110	AMD-E	03-22-027	388-460-0001	PREP	03-15-023	388-476-0005	PREP	03-04-086
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388-540-045	NEW	03-21-039	388-550-1300	PREP	03-10-050	388-553-200	NEW-P	03-24-103
388-540-050	REP-P	03-14-103	388-550-1300	AMD-P	03-15-130	388-553-300	NEW-P	03-24-103
388-540-050	REP	03-21-039	388-550-1300	AMD	03-19-044	388-553-400	NEW-P	03-24-103
388-540-055	NEW-P	03-14-103	388-550-1350	NEW-P	03-15-130	388-553-500	NEW-P	03-24-103
388-540-055	NEW	03-21-039	388-550-1350	NEW	03-19-044	388-555	PREP	03-08-086
388-540-060	REP-P	03-14-103	388-550-1400	PREP	03-10-050	388-556	PREP	03-08-086
388-540-060	REP	03-21-039	388-550-1400	AMD-P	03-15-131	388-557-5000	NEW-P	03-09-119
388-540-065	NEW-P	03-14-103	388-550-1400	AMD	03-19-045	388-557-5000	NEW	03-13-054
388-540-065	NEW	03-21-039	388-550-1500	PREP	03-10-050	388-557-5050	NEW-P	03-09-119
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388-557-5200	NEW-P	03-09-119	388-805-205	AMD-E	03-06-059	388-805-740	AMD-E	03-06-059
388-557-5200	NEW	03-13-054	388-805-205	AMD-P	03-12-066	388-805-740	AMD-P	03-12-066
388-557-5250	NEW-P	03-09-119	388-805-205	AMD-E	03-14-076	388-805-740	AMD-E	03-14-076
388-557-5250	NEW	03-13-054	388-805-205	AMD	03-20-020	388-805-740	AMD	03-20-020
388-557-5300	NEW-P	03-09-119	388-805-210	AMD-P	03-12-066	388-805-750	AMD-E	03-06-059
388-557-5300	NEW	03-13-054	388-805-210	AMD	03-20-020	388-805-750	AMD-P	03-12-066
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388-561-0100	AMD-P	03-09-117	388-805-250	AMD-P	03-12-066	388-805-800	AMD-P	03-12-066
388-561-0100	AMD	03-13-113	388-805-250	AMD	03-20-020	388-805-800	AMD	03-20-020
388-561-0100	AMD-W	03-15-066	388-805-300	AMD-E	03-06-059	388-805-810	AMD-P	03-12-066
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388-720-0020	AMD-P	03-23-020	388-805-300	AMD-E	03-14-076	388-805-820	AMD-P	03-12-066
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388-730-0065	AMD	03-03-070	388-805-305	AMD	03-20-020	388-805-850	AMD	03-20-020
388-730-0070	AMD	03-03-070	388-805-310	AMD-P	03-12-066	388-805-900	REP-P	03-12-066
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388-805-005	AMD-P	03-12-066	388-805-315	AMD	03-20-020	388-805-905	REP	03-20-020
388-805-005	AMD-E	03-14-076	388-805-320	AMD-P	03-12-066	388-805-910	REP-P	03-12-066
388-805-005	AMD	03-20-020	388-805-320	AMD	03-20-020	388-805-910	REP	03-20-020
388-805-010	AMD-P	03-12-066	388-805-325	AMD-P	03-12-066	388-805-915	REP-P	03-12-066
388-805-010	AMD	03-20-020	388-805-325	AMD	03-20-020	388-805-915	REP	03-20-020
388-805-015	AMD-P	03-12-066	388-805-350	AMD-P	03-12-066	388-805-920	REP-P	03-12-066
388-805-015	AMD	03-20-020	388-805-350	AMD	03-20-020	388-805-920	REP	03-20-020
388-805-030	AMD-E	03-06-059	388-805-400	AMD-P	03-12-066	388-805-925	REP-P	03-12-066
388-805-030	AMD-P	03-12-066	388-805-400	AMD	03-20-020	388-805-925	REP	03-20-020
388-805-030	AMD-E	03-14-076	388-805-410	AMD-P	03-12-066	388-805-930	REP-P	03-12-066
388-805-030	AMD	03-20-020	388-805-410	AMD	03-20-020	388-805-930	REP	03-20-020
388-805-035	NEW-E	03-06-059	388-805-500	AMD-P	03-12-066	388-805-935	REP-P	03-12-066
388-805-035	NEW-P	03-12-066	388-805-500	AMD	03-20-020	388-805-935	REP	03-20-020
388-805-035	NEW-E	03-14-076	388-805-520	AMD-P	03-12-066	388-818-001	REP	03-05-100
388-805-035	NEW	03-20-020	388-805-520	AMD	03-20-020	388-818-0010	NEW	03-05-100
388-805-040	NEW-E	03-06-059	388-805-530	AMD-P	03-12-066	388-818-002	REP	03-05-100
388-805-040	NEW-P	03-12-066	388-805-530	AMD	03-20-020	388-818-0020	NEW	03-05-100
388-805-040	NEW-E	03-14-076	388-805-540	AMD-P	03-12-066	388-818-003	REP	03-05-100
388-805-040	NEW	03-20-020	388-805-540	AMD	03-20-020	388-818-0030	NEW	03-05-100
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388-805-065	AMD-P	03-12-066	388-805-550	AMD	03-20-020	388-818-005	REP	03-05-100
388-805-065	AMD-E	03-14-076	388-805-600	AMD-P	03-12-066	388-818-0050	NEW	03-05-100
388-805-065	AMD	03-20-020	388-805-600	AMD	03-20-020	388-818-0060	NEW	03-05-100
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388-805-075	AMD	03-20-020	388-805-610	AMD	03-20-020	388-818-0080	NEW	03-05-100
388-805-085	AMD-P	03-12-066	388-805-625	NEW-P	03-12-066	388-818-0090	NEW	03-05-100
388-805-085	AMD	03-20-020	388-805-625	NEW	03-20-020	388-818-010	REP	03-05-100
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388-805-120	AMD	03-20-020	388-805-710	AMD	03-20-020	388-818-0150	NEW	03-05-100
388-805-130	AMD-P	03-12-066	388-805-715	NEW-P	03-12-066	388-818-0160	NEW	03-05-100
388-805-130	AMD	03-20-020	388-805-715	NEW	03-20-020	388-818-0170	NEW	03-05-100
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388-805-140	AMD	03-20-020	388-805-720	AMD-P	03-12-066	388-818-0190	NEW	03-05-100
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388-818-0250	NEW	03-05-100	388-820-650	AMD-P	03-21-033	388-825-525	NEW-E	03-10-027
388-818-0260	NEW	03-05-100	388-820-690	AMD-P	03-21-033	388-825-530	NEW-E	03-03-115
388-818-0270	NEW	03-05-100	388-825	PREP	03-18-028	388-825-530	NEW-E	03-10-027
388-818-0280	NEW	03-05-100	388-825	PREP	03-20-103	388-825-535	NEW-E	03-03-115
388-818-0290	NEW	03-05-100	388-825-020	AMD-E	03-03-115	388-825-535	NEW-E	03-10-027
388-818-030	REP	03-05-100	388-825-020	AMD-E	03-10-027	388-825-540	NEW-E	03-03-115
388-818-0300	NEW	03-05-100	388-825-020	AMD-E	03-18-029	388-825-540	NEW-E	03-10-027
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388-818-0330	NEW	03-05-100	388-825-055	AMD-E	03-10-027	388-825-546	NEW-E	03-03-115
388-818-0340	NEW	03-05-100	388-825-055	AMD-E	03-18-029	388-825-546	NEW-E	03-10-027
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388-818-0360	NEW	03-05-100	388-825-060	NEW-E	03-18-029	388-825-550	NEW-E	03-10-027
388-818-0370	NEW	03-05-100	388-825-060	NEW-P	03-21-156	388-825-555	NEW-E	03-03-115
388-818-0380	NEW	03-05-100	388-825-064	NEW-E	03-18-029	388-825-555	NEW-E	03-10-027
388-818-0390	NEW	03-05-100	388-825-064	NEW-P	03-21-156	388-825-560	NEW-E	03-03-115
388-818-040	REP	03-05-100	388-825-070	NEW-E	03-18-029	388-825-560	NEW-E	03-10-027
388-818-0400	NEW	03-05-100	388-825-070	NEW-P	03-21-156	388-825-565	NEW-E	03-03-115
388-818-050	REP	03-05-100	388-825-075	NEW-E	03-18-029	388-825-570	NEW-E	03-03-115
388-818-060	REP	03-05-100	388-825-075	NEW-P	03-21-156	388-825-570	NEW-E	03-10-027
388-818-070	REP	03-05-100	388-825-076	NEW-P	03-21-156	388-825-571	NEW-E	03-03-115
388-818-080	REP	03-05-100	388-825-077	NEW-P	03-21-156	388-825-571	NEW-E	03-10-027
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388-818-110	REP	03-05-100	388-825-079	NEW-P	03-21-156	388-825-575	NEW-E	03-10-027
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388-820-020	AMD-E	03-18-030	388-825-100	AMD-E	03-03-115	388-825-585	NEW-E	03-03-115
388-820-020	AMD-P	03-21-033	388-825-100	AMD-E	03-10-027	388-825-585	NEW-E	03-10-027
388-820-030	AMD-P	03-21-033	388-825-100	AMD-E	03-18-029	388-825-590	NEW-E	03-03-115
388-820-050	AMD-P	03-21-033	388-825-100	AMD-P	03-21-156	388-825-590	NEW-E	03-10-027
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388-820-060	AMD-E	03-10-026	388-825-120	AMD-E	03-18-029	388-825-592	NEW-E	03-03-115
388-820-060	AMD-E	03-18-030	388-825-120	AMD-P	03-21-156	388-825-592	NEW-E	03-10-027
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388-820-070	AMD-P	03-21-033	388-825-180	AMD-E	03-10-027	388-825-600	NEW-E	03-10-027
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388-820-120	AMD-E	03-10-026	388-825-252	AMD-E	03-03-115	388-827-0110	NEW-E	03-18-027
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388-827-0146	NEW-P	03-22-056	388-865-0240	PREP	03-08-077	388-865-0501	REP-P	03-18-103
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388-827-0150	NEW-P	03-22-056	388-865-0250	PREP	03-08-077	388-865-0502	REP-P	03-18-103
388-827-0155	NEW-E	03-18-027	388-865-0255	PREP	03-08-077	388-865-0504	PREP	03-07-041
388-827-0155	NEW-P	03-22-056	388-865-0260	PREP	03-08-077	388-865-0504	REP-P	03-18-103
388-827-0160	NEW-E	03-18-027	388-865-0265	PREP	03-08-077	388-865-0505	PREP	03-07-041
388-827-0160	NEW-P	03-22-056	388-865-0270	PREP	03-08-077	388-865-0505	REP-P	03-18-103
388-827-0170	NEW-E	03-18-027	388-865-0275	PREP	03-08-077	388-865-0510	PREP	03-07-041
388-827-0170	NEW-P	03-22-056	388-865-0280	PREP	03-08-077	388-865-0510	REP-P	03-18-103
388-827-0175	NEW-E	03-18-027	388-865-0282	PREP	03-08-077	388-865-0511	NEW-P	03-18-103
388-827-0175	NEW-P	03-22-056	388-865-0284	PREP	03-08-077	388-865-0515	PREP	03-07-041
388-827-0180	NEW-E	03-18-027	388-865-0286	PREP	03-08-077	388-865-0515	REP-P	03-18-103
388-827-0180	NEW-P	03-22-056	388-865-0288	PREP	03-08-077	388-865-0516	NEW-P	03-18-103
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388-827-0200	NEW-P	03-22-056	388-865-0315	PREP	03-08-077	388-865-0530	PREP	03-07-041
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388-827-0210	NEW-P	03-22-056	388-865-0325	PREP	03-08-077	388-865-0531	NEW-P	03-18-103
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415-10-040	AMD	03-15-006	434-12-030	REP-E	03-23-127	434-110-100	AMD-P	03-22-075
415-103	PREP	03-07-063	434-12-030	REP-X	03-24-092	434-112-010	NEW-P	03-22-075
415-104	PREP	03-07-063	434-12-040	REP-E	03-15-084	434-112-020	NEW-P	03-22-075
415-104-202	NEW-P	03-05-042	434-12-040	REP-E	03-23-127	434-112-025	NEW-P	03-22-075
415-104-202	NEW	03-12-014	434-12-040	REP-X	03-24-092	434-112-030	NEW-P	03-22-075
415-104-202	PREP	03-13-026	434-12-050	REP-E	03-15-084	434-112-040	NEW-P	03-22-075
415-104-211	AMD-P	03-05-042	434-12-050	REP-E	03-23-127	434-112-045	NEW-P	03-22-075
415-104-211	AMD	03-12-014	434-12-050	REP-X	03-24-092	434-112-050	NEW-P	03-22-075
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415-104-299	AMD	03-06-042	434-12-070	REP-X	03-24-092	434-112-090	NEW-P	03-22-075
415-104-3402	AMD	03-06-042	434-12-080	REP-E	03-15-084	434-112-095	NEW-P	03-22-075
415-104-385	AMD	03-06-042	434-12-080	REP-E	03-23-127	434-120-015	REP-P	03-22-075
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415-108	PREP	03-18-012	434-12-090	REP-E	03-15-084	434-120-020	REP-P	03-22-075
415-108-425	AMD-P	03-11-044	434-12-090	REP-E	03-23-127	434-120-025	AMD-P	03-22-075
415-108-425	AMD	03-15-007	434-12-090	REP-X	03-24-092	434-120-040	AMD-P	03-22-075
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415-110-475	AMD	03-06-042	434-12-130	REP-E	03-15-084	434-120-212	AMD-P	03-22-075
415-110-575	NEW-P	03-05-041	434-12-130	REP-E	03-23-127	434-120-215	AMD-P	03-22-075
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415-111-310	AMD	03-19-120	434-12-140	REP-X	03-24-092	434-120-305	AMD-P	03-22-075
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458-20-251	AMD	03-19-059	468-95-025	REP-E	03-03-028	468-95-190	NEW	03-06-053
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458-30-262	AMD	03-24-013	468-95-030	REP-E	03-03-028	468-95-200	NEW	03-06-053
458-30-590	AMD-X	03-20-087	468-95-030	REP-P	03-03-029	468-95-210	NEW-E	03-03-028
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458-40-660	PREP	03-05-084	468-95-035	REP-P	03-03-029	468-95-220	NEW-E	03-03-028
458-40-660	AMD-P	03-10-079	468-95-035	REP	03-06-053	468-95-220	NEW-P	03-03-029
458-40-660	AMD	03-14-072	468-95-037	REP-E	03-03-028	468-95-220	NEW	03-06-053
458-40-660	PREP	03-17-098	468-95-037	REP-P	03-03-029	468-95-230	NEW-E	03-03-028
458-40-660	AMD-P	03-22-100	468-95-037	REP	03-06-053	468-95-230	NEW-P	03-03-029
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468-58-010	AMD	03-23-048	468-95-110	NEW	03-06-053	468-95-320	NEW-P	03-03-029
468-58-080	AMD-E	03-04-040	468-95-120	NEW-E	03-03-028	468-95-320	NEW	03-06-053
468-58-080	AMD-E	03-08-008	468-95-120	NEW-P	03-03-029	468-95-330	NEW-E	03-03-028
468-58-080	AMD-P	03-08-061	468-95-120	NEW	03-06-053	468-95-330	NEW-P	03-03-029
468-58-080	AMD	03-11-076	468-95-130	NEW-E	03-03-028	468-95-330	NEW	03-06-053
468-60-010	NEW-E	03-24-009	468-95-130	NEW-P	03-03-029	468-95-340	NEW-E	03-03-028
468-70	PREP	03-13-040	468-95-130	NEW	03-06-053	468-95-340	NEW-P	03-03-029
468-70-050	AMD-E	03-11-071	468-95-140	NEW-E	03-03-028	468-95-340	NEW	03-06-053
468-70-050	AMD-P	03-16-104	468-95-140	NEW-P	03-03-029	468-95-350	NEW-E	03-03-028
468-70-050	AMD	03-20-084	468-95-140	NEW	03-06-053	468-95-350	NEW-P	03-03-029
468-70-070	AMD-E	03-06-052	468-95-150	NEW-E	03-03-028	468-95-350	NEW	03-06-053
468-70-070	AMD-E	03-14-051	468-95-150	NEW-P	03-03-029	468-95-360	NEW-E	03-03-028
468-70-070	AMD-P	03-16-105	468-95-150	NEW	03-06-053	468-95-360	NEW-P	03-03-029
468-70-070	AMD	03-20-082	468-95-160	NEW-E	03-03-028	468-95-360	NEW	03-06-053

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468-95-370	NEW-P	03-03-029	479-05-010	AMD-P	03-12-009	480-07-180	NEW	03-24-028
468-95-370	NEW	03-06-053	479-05-010	AMD	03-16-077	480-07-200	NEW-P	03-17-100
468-95-400	NEW-E	03-03-028	479-05-050	AMD-P	03-12-009	480-07-200	NEW	03-24-028
468-95-400	NEW-P	03-03-029	479-05-050	AMD	03-16-077	480-07-210	NEW-P	03-17-100
468-95-400	NEW	03-06-053	479-05-240	AMD-P	03-12-009	480-07-210	NEW	03-24-028
468-100-306	AMD-X	03-23-104	479-05-240	AMD	03-16-077	480-07-220	NEW-P	03-17-100
468-300-010	AMD-P	03-04-102	479-12-260	REP-P	03-12-009	480-07-220	NEW	03-24-028
468-300-010	AMD	03-08-072	479-12-260	REP	03-16-077	480-07-230	NEW-P	03-17-100
468-300-020	AMD-P	03-04-102	479-12-430	AMD-P	03-12-009	480-07-230	NEW	03-24-028
468-300-020	AMD	03-08-072	479-12-430	AMD	03-16-077	480-07-240	NEW-P	03-17-100
468-300-040	AMD-P	03-04-102	480-04-020	AMD-P	03-17-100	480-07-240	NEW	03-24-028
468-300-040	AMD	03-08-072	480-04-020	AMD	03-24-028	480-07-300	NEW-P	03-17-100
468-300-220	AMD-P	03-04-102	480-04-030	AMD-P	03-17-100	480-07-300	NEW	03-24-028
468-300-220	AMD	03-08-072	480-04-030	AMD	03-24-028	480-07-305	NEW-P	03-17-100
468-300-700	AMD-P	03-04-102	480-04-035	NEW-P	03-17-100	480-07-305	NEW	03-24-028
468-300-700	AMD	03-08-072	480-04-035	NEW	03-24-028	480-07-310	NEW-P	03-17-100
468-510-010	AMD-E	03-06-014	480-04-050	AMD-P	03-17-100	480-07-310	NEW	03-24-028
468-510-010	AMD-E	03-14-050	480-04-050	AMD	03-24-028	480-07-320	NEW-P	03-17-100
468-510-010	AMD-P	03-16-106	480-04-060	AMD-P	03-17-100	480-07-320	NEW	03-24-028
468-510-010	AMD	03-20-083	480-04-060	AMD	03-24-028	480-07-330	NEW-P	03-17-100
478-04	PREP	03-09-040	480-04-065	AMD-P	03-17-100	480-07-330	NEW	03-24-028
478-04-020	AMD-P	03-19-101	480-04-065	AMD	03-24-028	480-07-340	NEW-P	03-17-100
478-04-020	AMD	03-24-046	480-04-070	REP-P	03-17-100	480-07-340	NEW	03-24-028
478-04-030	AMD-P	03-19-101	480-04-070	REP	03-24-028	480-07-345	NEW-P	03-17-100
478-04-030	AMD	03-24-046	480-04-090	AMD-P	03-17-100	480-07-345	NEW	03-24-028
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478-04-040	NEW	03-24-046	480-04-095	AMD-P	03-17-100	480-07-350	NEW	03-24-028
478-116	PREP	03-21-085	480-04-095	AMD	03-24-028	480-07-355	NEW-P	03-17-100
478-132-030	AMD	03-08-040	480-04-100	AMD-P	03-17-100	480-07-355	NEW	03-24-028
478-136	PREP	03-15-099	480-04-100	AMD	03-24-028	480-07-360	NEW-P	03-17-100
478-136-030	AMD-E	03-16-024	480-04-110	REP-P	03-17-100	480-07-360	NEW	03-24-028
478-136-030	AMD-P	03-19-102	480-04-110	REP	03-24-028	480-07-370	NEW-P	03-17-100
478-136-030	AMD-E	03-24-044	480-04-120	AMD-P	03-17-100	480-07-370	NEW	03-24-028
478-136-030	AMD	03-24-045	480-04-120	AMD	03-24-028	480-07-375	NEW-P	03-17-100
478-136-060	AMD-E	03-16-024	480-04-130	AMD-P	03-17-100	480-07-375	NEW	03-24-028
478-136-060	AMD-P	03-19-102	480-04-130	AMD	03-24-028	480-07-380	NEW-P	03-17-100
478-136-060	AMD-E	03-24-044	480-07-010	NEW-P	03-17-100	480-07-380	NEW	03-24-028
478-136-060	AMD	03-24-045	480-07-010	NEW	03-24-028	480-07-385	NEW-P	03-17-100
478-138-060	AMD-X	03-05-019	480-07-100	NEW-P	03-17-100	480-07-385	NEW	03-24-028
478-138-060	AMD	03-12-007	480-07-100	NEW	03-24-028	480-07-390	NEW-P	03-17-100
478-140-018	AMD-X	03-05-019	480-07-110	NEW-P	03-17-100	480-07-390	NEW	03-24-028
478-140-018	AMD	03-12-007	480-07-110	NEW	03-24-028	480-07-395	NEW-P	03-17-100
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478-168-170	AMD-X	03-05-019	480-07-125	NEW-P	03-17-100	480-07-400	NEW	03-24-028
478-168-170	AMD	03-12-007	480-07-125	NEW	03-24-028	480-07-405	NEW-P	03-17-100
478-276-140	AMD-X	03-05-019	480-07-130	NEW-P	03-17-100	480-07-405	NEW	03-24-028
478-276-140	AMD	03-12-007	480-07-130	NEW	03-24-028	480-07-410	NEW-P	03-17-100
478-324-020	AMD-X	03-05-019	480-07-140	NEW-P	03-17-100	480-07-410	NEW	03-24-028
478-324-020	AMD	03-12-007	480-07-140	NEW-S	03-20-117	480-07-415	NEW-P	03-17-100
478-324-045	AMD-X	03-05-019	480-07-140	NEW	03-24-028	480-07-415	NEW	03-24-028
478-324-045	AMD	03-12-007	480-07-143	NEW-P	03-17-100	480-07-420	NEW-P	03-17-100
478-324-140	AMD-X	03-05-019	480-07-143	NEW	03-24-028	480-07-420	NEW	03-24-028
478-324-140	AMD	03-12-007	480-07-145	NEW-P	03-17-100	480-07-423	NEW-P	03-17-100
478-324-145	NEW-X	03-05-019	480-07-145	NEW	03-24-028	480-07-423	NEW	03-24-028
478-324-145	NEW	03-12-007	480-07-150	NEW-P	03-17-100	480-07-425	NEW-P	03-17-100
478-324-180	AMD-X	03-05-019	480-07-150	NEW	03-24-028	480-07-425	NEW	03-24-028
478-324-180	AMD	03-12-007	480-07-160	NEW-P	03-17-100	480-07-430	NEW-P	03-17-100
479-01-010	AMD-P	03-12-009	480-07-160	NEW	03-24-028	480-07-430	NEW	03-24-028
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479-01-050	AMD-P	03-12-009	480-07-170	NEW	03-24-028	480-07-440	NEW	03-24-028

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480-09-610	REP-P	03-17-100	480-15-510	AMD	03-24-028	480-80-010	AMD-S	03-20-117
480-09-610	REP	03-24-028	480-15-520	AMD-S	03-20-117	480-80-010	AMD	03-24-028
480-09-620	REP-P	03-17-100	480-15-520	AMD	03-24-028	480-80-015	AMD-S	03-20-117
480-09-620	REP	03-24-028	480-15-999	AMD-X	03-19-130	480-80-015	AMD	03-24-028
480-09-700	REP-P	03-17-100	480-30-032	AMD-S	03-20-117	480-80-105	AMD-S	03-20-117
480-09-700	REP	03-24-028	480-30-032	AMD	03-24-028	480-80-105	AMD	03-24-028
480-09-705	REP-P	03-17-100	480-30-110	AMD-P	03-24-060	480-80-121	AMD-X	03-15-142
480-09-705	REP	03-24-028	480-30-999	AMD-X	03-19-130	480-80-121	AMD	03-22-046
480-09-710	REP-P	03-17-100	480-31-090	AMD-S	03-20-117	480-80-122	AMD-X	03-15-142
480-09-710	REP	03-24-028	480-31-090	AMD	03-24-028	480-80-122	AMD	03-22-046
480-09-720	REP-P	03-17-100	480-31-999	AMD-X	03-19-130	480-80-126	NEW-X	03-15-142
480-09-720	REP	03-24-028	480-40-999	NEW-X	03-19-130	480-80-126	NEW	03-22-046
480-09-730	REP-P	03-17-100	480-51-040	AMD-S	03-20-117	480-80-142	AMD-S	03-20-117
480-09-730	REP	03-24-028	480-51-040	AMD	03-24-028	480-80-142	AMD	03-24-028
480-09-735	REP-P	03-17-100	480-51-050	AMD-S	03-20-117	480-80-143	AMD-S	03-20-117
480-09-735	REP	03-24-028	480-51-050	AMD	03-24-028	480-80-143	AMD	03-24-028
480-09-736	REP-P	03-17-100	480-51-060	AMD-S	03-20-117	480-80-205	AMD-X	03-15-142
480-09-736	REP	03-24-028	480-51-060	AMD	03-24-028	480-80-205	AMD	03-22-046
480-09-740	REP-P	03-17-100	480-51-100	AMD-P	03-24-060	480-80-241	AMD-S	03-20-117
480-09-740	REP	03-24-028	480-51-120	AMD-S	03-20-117	480-80-241	AMD	03-24-028
480-09-745	REP-P	03-17-100	480-51-120	AMD	03-24-028	480-90-003	AMD-S	03-20-117
480-09-745	REP	03-24-028	480-60-012	AMD-S	03-20-117	480-90-003	AMD	03-24-028
480-09-750	REP-P	03-17-100	480-60-012	AMD	03-24-028	480-90-008	AMD-S	03-20-117
480-09-750	REP	03-24-028	480-60-014	AMD-S	03-20-117	480-90-008	AMD	03-24-028
480-09-751	REP-P	03-17-100	480-60-014	AMD	03-24-028	480-90-123	AMD-S	03-20-117
480-09-751	REP	03-24-028	480-60-020	AMD-S	03-20-117	480-90-123	AMD	03-24-028
480-09-760	REP-P	03-17-100	480-60-020	AMD	03-24-028	480-90-153	AMD-X	03-15-142
480-09-760	REP	03-24-028	480-62-140	AMD-S	03-20-117	480-90-153	AMD	03-22-046
480-09-770	REP-P	03-17-100	480-62-140	AMD	03-24-028	480-90-173	AMD-S	03-20-117
480-09-770	REP	03-24-028	480-62-145	AMD-S	03-20-117	480-90-173	AMD	03-24-028
480-09-780	REP-P	03-17-100	480-62-145	AMD	03-24-028	480-90-208	AMD-P	03-24-060
480-09-780	REP	03-24-028	480-62-300	AMD-P	03-24-060	480-90-238	PREP	03-09-069
480-09-800	REP-P	03-17-100	480-62-999	AMD-X	03-19-130	480-90-999	AMD-X	03-19-130
480-09-800	REP	03-24-028	480-66-120	AMD-S	03-20-117	480-92-060	AMD-S	03-20-117
480-09-810	REP-P	03-17-100	480-66-120	AMD	03-24-028	480-92-060	AMD	03-24-028
480-09-810	REP	03-24-028	480-66-140	AMD-S	03-20-117	480-92-090	AMD-S	03-20-117
480-09-815	REP-P	03-17-100	480-66-140	AMD	03-24-028	480-92-090	AMD	03-24-028
480-09-815	REP	03-24-028	480-66-150	AMD-S	03-20-117	480-100-003	AMD-S	03-20-117
480-09-820	REP-P	03-17-100	480-66-150	AMD	03-24-028	480-100-003	AMD	03-24-028
480-09-820	REP	03-24-028	480-66-160	AMD-S	03-20-117	480-100-008	AMD-S	03-20-117
480-14-050	AMD-S	03-20-117	480-66-160	AMD	03-24-028	480-100-008	AMD	03-24-028
480-14-050	AMD	03-24-028	480-70-036	AMD-S	03-20-117	480-100-123	AMD-S	03-20-117
480-14-190	AMD-S	03-20-117	480-70-036	AMD	03-24-028	480-100-123	AMD	03-24-028
480-14-190	AMD	03-24-028	480-70-051	AMD-S	03-20-117	480-100-153	AMD-X	03-15-142
480-14-999	AMD-X	03-19-130	480-70-051	AMD	03-24-028	480-100-153	AMD	03-22-046
480-15-035	AMD-S	03-20-117	480-70-076	AMD-P	03-24-060	480-100-173	AMD-S	03-20-117
480-15-035	AMD	03-24-028	480-70-106	AMD-S	03-20-117	480-100-173	AMD	03-24-028
480-15-080	AMD-S	03-20-117	480-70-106	AMD	03-24-028	480-100-208	AMD-P	03-24-060
480-15-080	AMD	03-24-028	480-70-131	AMD-S	03-20-117	480-100-238	PREP	03-09-068
480-15-090	AMD-S	03-20-117	480-70-131	AMD	03-24-028	480-100-999	AMD-X	03-19-130
480-15-090	AMD	03-24-028	480-70-231	AMD-S	03-20-117	480-107	PREP	03-09-070
480-15-120	AMD-S	03-20-117	480-70-231	AMD	03-24-028	480-107-001	AMD-X	03-15-142
480-15-120	AMD	03-24-028	480-70-256	AMD-S	03-20-117	480-107-001	AMD	03-22-046
480-15-310	AMD-S	03-20-117	480-70-256	AMD	03-24-028	480-107-005	AMD-X	03-15-142
480-15-310	AMD	03-24-028	480-70-339	AMD-S	03-20-117	480-107-005	AMD	03-22-046
480-15-350	AMD-S	03-20-117	480-70-339	AMD	03-24-028	480-110-215	AMD-S	03-20-117
480-15-350	AMD	03-24-028	480-70-386	AMD-S	03-20-117	480-110-215	AMD	03-24-028
480-15-440	AMD-S	03-20-117	480-70-386	AMD	03-24-028	480-110-275	AMD-P	03-24-060
480-15-440	AMD	03-24-028	480-70-999	AMD-X	03-19-130	480-110-295	AMD-S	03-20-117
480-15-460	AMD-S	03-20-117	480-75-260	AMD-S	03-20-117	480-110-295	AMD	03-24-028
480-15-460	AMD	03-24-028	480-75-260	AMD	03-24-028	480-110-385	AMD-S	03-20-117
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480-120-011	AMD-S	03-20-117	504- 25-012	REP	03-16-035	504- 25-350	AMD	03-16-035
480-120-011	AMD	03-24-028	504- 25-025	AMD-P	03-10-060	504- 25-355	AMD-P	03-10-060
480-120-015	AMD-S	03-20-117	504- 25-025	AMD	03-16-035	504- 25-355	AMD	03-16-035
480-120-015	AMD	03-24-028	504- 25-030	AMD-P	03-10-060	504- 25-360	AMD-P	03-10-060
480-120-017	NEW	03-03-090	504- 25-030	AMD	03-16-035	504- 25-360	AMD	03-16-035
480-120-019	NEW	03-03-090	504- 25-035	AMD-P	03-10-060	516- 60	PREP	03-14-041
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480-120-083	AMD	03-22-046	504- 25-040	AMD-P	03-10-060			
480-120-146	AMD-P	03-16-063	504- 25-040	AMD	03-16-035			
480-120-147	AMD-X	03-15-142	504- 25-043	NEW-P	03-10-060			
480-120-147	AMD	03-22-046	504- 25-043	NEW	03-16-035			
480-120-166	AMD-S	03-20-117	504- 25-050	AMD-P	03-10-060			
480-120-166	AMD	03-24-028	504- 25-050	AMD	03-16-035			
480-120-173	NEW	03-03-090	504- 25-051	NEW-P	03-10-060			
480-120-264	AMD-X	03-15-142	504- 25-051	NEW	03-16-035			
480-120-264	AMD	03-22-046	504- 25-085	AMD-P	03-10-060			
480-120-303	AMD-P	03-24-060	504- 25-085	AMD	03-16-035			
480-120-304	AMD-P	03-24-060	504- 25-137	AMD-P	03-10-060			
480-120-305	AMD-S	03-20-117	504- 25-137	AMD	03-16-035			
480-120-305	AMD	03-24-028	504- 25-138	AMD-P	03-10-060			
480-120-439	AMD-X	03-15-142	504- 25-138	AMD	03-16-035			
480-120-439	AMD	03-22-046	504- 25-200	AMD-P	03-10-060			
480-120-560	AMD-S	03-20-117	504- 25-200	AMD	03-16-035			
480-120-560	AMD	03-24-028	504- 25-201	AMD-P	03-10-060			
480-121-011	AMD-S	03-20-117	504- 25-201	AMD	03-16-035			
480-121-011	AMD	03-24-028	504- 25-205	AMD-P	03-10-060			
480-121-015	AMD-S	03-20-117	504- 25-205	AMD	03-16-035			
480-121-015	AMD	03-24-028	504- 25-215	AMD-P	03-10-060			
480-121-061	AMD-S	03-20-117	504- 25-215	AMD	03-16-035			
480-121-061	AMD	03-24-028	504- 25-222	AMD-P	03-10-060			
480-121-063	AMD-X	03-15-142	504- 25-222	AMD	03-16-035			
480-121-063	AMD	03-22-046	504- 25-224	AMD-P	03-10-060			
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480-140-080	AMD-S	03-20-117	504- 25-226	AMD	03-16-035			
480-140-080	AMD	03-24-028	504- 25-227	AMD-P	03-10-060			
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491- 02-095	AMD	03-22-024	504- 25-229	AMD	03-16-035			
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495A-121-041	PREP	03-09-041	504- 25-230	AMD	03-16-035			
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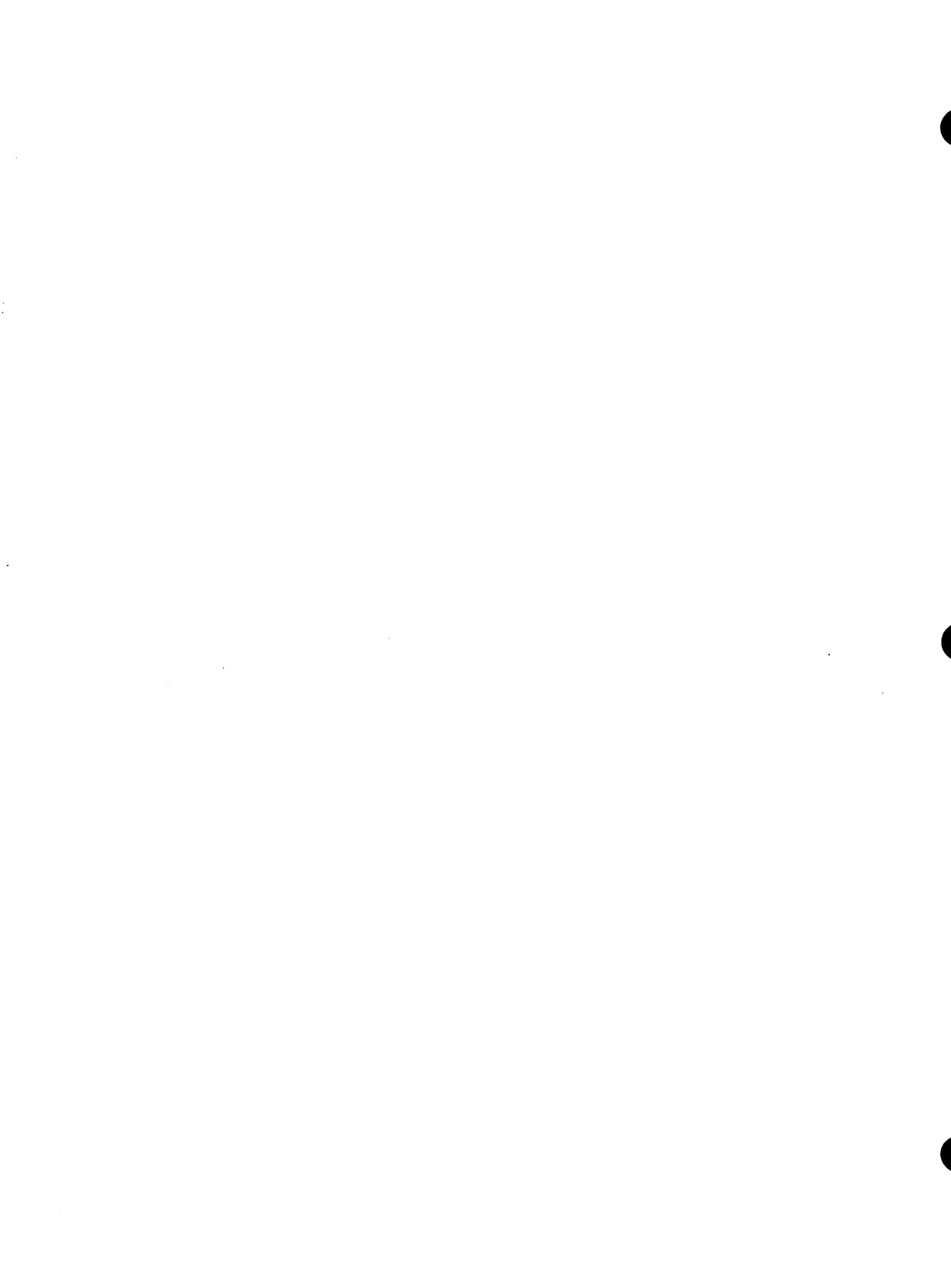
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