

WSR 06-10-007
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed April 20, 2006, 3:31 p.m., effective May 21, 2006]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The purpose is to repeal the following rules. These rules are the same or duplicative of the rules contained in chapter 308-08 WAC, Practice and procedure.

Citation of Existing Rules Affected by this Order:
 Repealing:

	Applicable of brief adjudicative proceedings	Preliminary record in brief adjudicative proceedings	Conduct of brief adjudicative proceedings	Statutory authority for adoption
Boxing	WAC 36-12-465	WAC 36-12-475	WAC 36-12-485	RCW 67.08.017
Wrestling	WAC 36-13-120	WAC 36-13-130	WAC 36-13-140	RCW 67.08.017
Martial arts	WAC 36-14-400	WAC 36-14-410	WAC 36-14-420	RCW 67.08.017
Auctioneers	WAC 308-11-140	WAC 308-11-150	WAC 308-11-160	RCW 18.11.200
Court reporters	WAC 308-14-210	WAC 308-14-220	WAC 308-14-230	RCW 18.145.050
Cosmetology, Barber, Manicurist, and Esthetician	WAC 308-20-710	WAC 308-20-720	WAC 308-20-730	RCW 18.16.030
Sellers of travel	WAC 308-129-335	WAC 308-129-340	WAC 308-129-350	RCW 19.138.170

Statutory Authority for Adoption: See above.

Adopted under notice filed as WSR 06-05-110 on February 15, 2006.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 21.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 21.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 21.

Date Adopted: April 20, 2006.

Trudie Touchette
 Administrator

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 36-13-120 Application of brief adjudicative proceedings.
- WAC 36-13-130 Preliminary record in brief adjudicative proceedings.
- WAC 36-13-140 Conduct of brief adjudicative proceedings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 36-14-400 Application of brief adjudicative proceedings.
- WAC 36-14-410 Preliminary record in brief adjudicative proceedings.
- WAC 36-14-420 Conduct of brief adjudicative proceedings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 36-12-465 Application of brief adjudicative proceedings.
- WAC 36-12-475 Preliminary record in brief adjudicative proceedings.
- WAC 36-12-485 Conduct of brief adjudicative proceedings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 308-11-140 Application of brief adjudicative proceedings.
- WAC 308-11-150 Preliminary record in brief adjudicative proceedings.
- WAC 308-11-160 Conduct of brief adjudicative proceedings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-14-210	Application of brief adjudicative proceedings.
WAC 308-14-220	Preliminary record in brief adjudicative proceedings.
WAC 308-14-230	Conduct of brief adjudicative proceedings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-20-710	Application of brief adjudicative proceedings.
WAC 308-20-720	Preliminary record in brief adjudicative proceedings.
WAC 308-20-730	Conduct of brief adjudicative proceedings.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-129-335	Application of brief adjudicative proceedings.
WAC 308-129-340	Preliminary record in brief adjudicative proceedings.
WAC 308-129-350	Conduct of brief adjudicative proceedings.

WSR 06-10-025
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Hearing and Speech)

[Filed April 26, 2006, 12:04 p.m., effective May 27, 2006]

Effective Date of Rule: Thirty-one days after filing.

Purpose: RCW 18.35.040 (1)(b) requires satisfactory completion of a two-year degree program in hearing instrument fitter/dispenser instruction. Rules need to be established to outline the approval process for two-year degree programs in hearing instrument fitter/dispenser instruction.

Statutory Authority for Adoption: RCW 18.35.040.

Other Authority: RCW 18.35.161.

Adopted under notice filed as WSR 05-22-129 on November 2, 2005.

A final cost-benefit analysis is available by contacting Karen Kelley, Program Manager, P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 236-4856, fax (360) 236-4918, e-mail karen.kelley@doh.wa.gov.

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 4, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 0, Repealed 0.

Date Adopted: March 3, 2006.

Laurie Anderson, Chair
Board of Hearing and Speech

NEW SECTION

WAC 246-828-600 Approval of program for two-year degree in hearing instrument fitter/dispenser instruction. The minimum educational requirement for licensure to practice as a hearing instrument fitter/dispenser in Washington is satisfactory completion of a two-year degree program in hearing instrument/fitter dispenser instruction approved by the board. The board will consider for approval any program which meets the requirements as outlined in this chapter.

(1) An authorized representative of an institution may apply for approval from the board.

(2) The application for approval must be submitted on forms provided by the department.

(3) The authorized representative of the program may request approval of the program as of the date of the application or retroactively to a specified date.

(4) The program application for approval must include, but may not be limited to, documentation required by the board pertaining to the standards as set in WAC 246-828-615 two-year degree in hearing instrument fitter/dispenser instruction standards.

(5) A program must be fully recognized by the appropriate accreditation body in that jurisdiction.

(6) The board will evaluate the application and may conduct a site inspection of the program prior to granting approval by the board.

(7) Upon completion of the evaluation of the application, the board may grant or deny approval or grant approval conditioned upon appropriate modification of the application.

(8) The authorized representative of an approved program shall notify the board of significant changes with respect to information provided on the application within sixty days of change.

(9) The board may inspect an approved program at reasonable intervals for compliance. Refer to WAC 246-828-605 Site review procedures for initial and continuing approval of program for two-year degree in hearing instrument fitter/dispenser instruction. The board may withdraw

its approval if it finds the program has failed to comply with requirements of law, administrative rules, or representations in the application.

NEW SECTION

WAC 246-828-605 Site review procedures for initial and continuing approval of program for two-year degree in hearing instrument fitter/dispenser instruction. The board may inspect a currently approved program or a program requesting approval. These inspections may be at any reasonable time during the normal business hours of the institution.

NEW SECTION

WAC 246-828-610 Process for rescinding approval of program for two-year degree in hearing instrument fitter/dispenser instruction. In the event the board denies an application, rescinds approval or grants conditional approval, the authorized representative of the applicant's program may request a review within thirty days of the board's adverse decision/action. Should a request for review of an adverse action be made after thirty days following the board's action, the contesting party must submit a new application to be considered for review.

NEW SECTION

WAC 246-828-615 Standards for approval of program for two-year degree in hearing instrument fitter/dispenser instruction. The curriculum of the program shall include the components listed in this chapter.

(1) The standards in this section are intended as minimum components of a curriculum, and are not intended as an exact description of program curricula. To assure a graduate is competent and can function on his or her own, the curriculum should be designed to assure proficiency in all these fields through extensive practical work experience in addition to classroom teaching. All the necessary instruments and laboratories based on industry standards are a prerequisite.

(2) Minimum areas of standard:

(a) **Supervised practicum:** Including hands-on experience with patients.

(b) **English composition:** Written presentations.

(c) **Occupational communications:** Oral presentations, documentation of professional activities.

(d) **Occupational human relations:** Code of professional ethics, interpersonal skills, teamwork.

(e) **Basic math and computers:** The physics of sound, basic acoustics, methods of programming hearing instruments, calculating pricing, costs and other business-related math skills.

(f) **Hearing instrument sciences:** Basic electronics, circuit designs of hearing instruments, testing methodology of instruments, test standards, familiarity with all major instruments on the market, basic signal processing, programming of digital instruments using computers.

(g) **Hearing physiology and anatomy:** Anatomy and physiology of the human auditory system.

(h) **Pathophysiology of auditory system:** Introductory level study of genetic disorders and infectious diseases of the auditory system.

(i) **Psychological aspects of hearing loss:** Curricula should be designed so the student understands:

(i) How hearing loss affects patients and others close to them;

(ii) How to follow up with patients after initial fitting; and

(iii) Methods of teaching communication skills to the hearing-impaired.

(j) **Audiometrics:** Performing pure tone and speech audiometry and interpretation, measuring output of instruments both in the lab and in the ear.

(k) **Earmolds:** Emphasis on practical skills and safety.

(l) **Instrument selection:** Recommending the best technology according to the client's needs from conventional through advanced digital/programmable instruments, including referrals for medical implantable devices.

(m) **Health care and business:** Laws governing the profession, insurance aspects, health care management, advertising, marketing and sales.

(n) **Introduction to speech-language pathology.**

(o) **Overview of cochlear implants** including criteria for referrals for medical implantable devices.

WSR 06-10-034

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed April 27, 2006, 4:27 p.m., effective June 1, 2006]

Effective Date of Rule: June 1, 2006.

Purpose: **Noncompliance Sanction Changes - Part 2 of 2.** Repealing WAC 388-460-0045 Are clients in WorkFirst sanction status assigned protective payees? and amending WAC 388-406-0010 How do I apply for benefits?, 388-406-0065 Can I still get benefits even after my application is denied?, 388-460-0020 Who is a protective payee?, 388-460-0055 What are the protective payee's responsibilities?, 388-484-0005 There is a five-year (sixty-month) time limit for TANF, SFA and GA-S cash assistance, and 388-484-0006 TANF/SFA time limit extensions to implement the noncompliance sanction policy for WorkFirst clients, which terminates cash assistance after a person fails to participate for six months in a row without good cause, by (1) upon closure and reapplication, requiring participation for four weeks in a row before cash assistance is authorized; (2) ending child Safety-Net payments; and (3) no longer requiring protective payees for failure to participate as required.

These amended rules implement the recommendations of the WorkFirst reexamination workgroup as endorsed by Governor Gregoire. They are being filed under the authority of RCW 74.08.090 which directs the department to ensure uniform statewide application of rules. RCW 74.08.090 also directs the department to ensure that the spirit and purpose of Title 74 RCW is complied with.

In addition, RCW 74.08.090 provides the department with authority to compel compliance with the rules and regulations that it has established.

It is the intent of the legislature that all applicants for and recipients of the WorkFirst program be moved into self-sustaining employment. Further, the legislative intent of the WorkFirst program is to focus on work and on personal responsibility for recipients. See RCW 74.08A.200, 74.08A.280(1), and 74.08A.400.

RCW 74.08A.260(3) directs the department to reduce a family's grant for failure to engage in work or work activities. The department is authorized to terminate a family's grant when determined appropriate by the department.

RCW 74.08A.260(4) provides the department with the authority to waive a sanction when a recipient demonstrates good cause for refusing to engage in work and work activities.

Under these circumstances, the department has the authority to adopt rules by virtue of RCW 74.08.090. The department has determined, based upon recommendations of the WorkFirst reexamination workgroup, that it is appropriate to terminate a family's grant for failure to engage in work or work activities as allowed under RCW 74.08A.260(3). These adopted rules will compel compliance with requirements to engage in work or work activities as recommended by the WorkFirst reexamination workgroup and endorsed by Governor Gregoire.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-460-0045; and amending WAC 388-406-0010, 388-406-0065, 388-460-0020, 388-460-0055, 388-484-0005, and 388-484-0006.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

Other Authority: Chapter 74.08A RCW.

Adopted under notice filed as WSR 06-06-084 on March 1, 2006.

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 6, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 6, Repealed 1.

Date Adopted: April 25, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-22-039, filed 10/28/03, effective 12/1/03)

WAC 388-406-0010 How do I apply for benefits? (1)

You can apply for cash assistance, medical assistance, or Basic Food by giving us an application form in person, by mail, by fax, or by completing an online application.

(2) If your entire assistance unit (AU) gets or is applying for Supplemental Security Income (SSI), your AU can file an application for Basic Food at the local Social Security Administration District Office (SSADO).

(3) If you are incapacitated, a dependent child, or cannot apply for benefits on your own for some other reason, a legal guardian, caretaker, or authorized representative can apply for you.

(4) You can apply for cash assistance, medical assistance, or Basic Food with just one application form.

(5) If you apply for benefits at a local office, we accept your application on the same day you come in. If you apply at an office that does not serve the area where you live, we send your application to the appropriate office by the next business day so that office receives your application on the same day we send it.

(6) We accept your application for benefits if it has at least:

(a) For cash or medical assistance, the name, address, and signatures of the responsible adult AU members or person applying for you. A minor child may sign if there is no adult in the AU. Signatures must be either handwritten, electronic or digital as defined by the department, or a mark if witnessed by another person; or

(b) For Basic Food, the name, address, and signature of a responsible member of your AU or person applying for you as an authorized representative under WAC 388-460-0005.

(7) As a part of the application process, we may require you to:

(a) Complete an interview if one is required under WAC 388-452-0005;

(b) Meet WorkFirst participation requirements for four weeks in a row if required under WAC 388-310-1600(12);

(c) Give us the information we need to decide if you are eligible as required under WAC 388-406-0030; and

~~((e))~~ (d) Give us proof of information as required under WAC 388-490-0005 so we can determine if you are eligible.

(8) If you are eligible for necessary supplemental accommodation (NSA) services under chapter 388-472 WAC, we help you meet the requirements of this section.

AMENDATORY SECTION (Amending WSR 03-22-039, filed 10/28/03, effective 12/1/03)

WAC 388-406-0065 Can I still get benefits even after my application is denied? (1) If we (the department) deny your application for benefits, we can redetermine your eligibility for benefits without a new application if:

(a) For cash or medical assistance, you give us the information we need within thirty days from the date we denied your application;

(b) You stop participating as required to reopen cash assistance under WAC 388-310-1600(12) due to one of the good reasons described in WAC 388-310-1600(3) or because

you get an excused absence, as described in WAC 388-310-0500(5):

(c) For Basic Food:

(i) You give us the information we need within sixty days of the date you applied for benefits; or

(ii) You become categorically eligible for Basic Food under WAC 388-414-0001 within sixty days of the date you applied for benefits.

(2) For medical assistance, if the thirty days to reconsider your application under subsection (1) of this section has ended you can still get benefits without a new application if:

(a) You request a fair hearing timely; and

(b) You give us the information needed to determine eligibility and you are eligible.

(3) If you are eligible for cash or Basic Food, we decide the date your benefits start according to WAC 388-406-0055. If you are eligible for medical assistance, we decide the date your benefits start according to chapter 388-416 WAC. For all programs the eligibility date is based on the date of your original application that was denied.

AMENDATORY SECTION (Amending WSR 02-14-083, filed 6/28/02, effective 7/1/02)

WAC 388-460-0020 Who is a protective payee? (1) A protective payee is a person or an employee of an agency who manages client cash benefits to provide for basic needs - housing, utilities, clothing, child care, and food. They may also provide services such as training clients how to manage money.

(2) Clients are assigned to protective payees for the following reasons:

(a) Emergency or temporary situations where a child is left without a caretaker (TANF/SFA) per WAC 388-460-0030;

(b) Mismanagement of money (TANF/SFA, GA, or WCCC) per WAC 388-460-0035; or

(c) ~~((Noncooperation with WorkFirst program requirements per WAC 388-310-1600 or 388-310-1650; or~~

~~(d))~~ Pregnant or parenting minors per WAC 388-460-0040.

AMENDATORY SECTION (Amending WSR 02-14-083, filed 6/28/02, effective 7/1/02)

WAC 388-460-0055 What are the protective payee's responsibilities? The protective payee's responsibilities are to:

(1) Manage client cash and child care assistance benefits to pay bills for basic needs, such as housing and utilities, or as directed in the protective payee plans;

(2) Provide money management for client if this item is included in the protective payee plans; and

~~(3) ((Encourage clients to comply with WorkFirst and other program requirements, such as getting a job or attending school; and~~

~~(4))~~ Provide reports to the department on client progress.

AMENDATORY SECTION (Amending WSR 04-05-010, filed 2/6/04, effective 3/8/04)

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 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; and

(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.

AMENDATORY SECTION (Amending WSR 03-24-057, filed 12/1/03, effective 1/1/04)

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) ~~((H))~~ 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;))~~ in sanction, but you will be subject to the sanction rules described in WAC ((388-310-1650)) 388-310-1600.

(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(=) and 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,))~~ and 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) or (d) 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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-460-0045	Are clients in WorkFirst sanction status assigned protective payees?
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WSR 06-10-035**PERMANENT RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed April 27, 2006, 4:29 p.m., effective June 1, 2006]

Effective Date of Rule: June 1, 2006.

Purpose: **Noncompliance sanction changes - Part 1 of**

2. Repealing WAC 388-310-1650 WorkFirst—Child Safety-Net payments and amending WAC 388-290-0020 Are there special circumstances that might affect my WCCC eligibility?, 388-310-0800 WorkFirst—Support services, and 388-310-1600 WorkFirst—Sanctions; to implement the noncompliance sanction policy for WorkFirst clients by (1) terminating cash assistance after a person fails to participate for six months in a row without good cause; (2) upon closure and reapplication, requiring participation for 4 weeks in a row before cash assistance is authorized; (3) ending Child Safety-Net payments; and (4) no longer requiring protective payees for failure to participate as required.

These amended rules implement the recommendations of the WorkFirst reexamination workgroup as endorsed by Governor Gregoire. They are being filed under the authority of RCW 74.08.090 which directs the department to ensure uniform statewide application of rules. RCW 74.08.090 also directs the department to ensure that the spirit and purpose of Title 74 RCW is complied with.

In addition, RCW 74.08.090 provides the department with authority to compel compliance with the rules and regulations that it has established.

It is the intent of the legislature that all applicants for and recipients of the WorkFirst program be moved into self-sustaining employment. Further, the legislative intent of the WorkFirst program is to focus on work and on personal responsibility for recipients. See RCW 74.08A.200, 74.08A.280(1), and 74.08A.400.

RCW 74.08A.260(3) directs the department to reduce a family's grant for failure to engage in work or work activities. The department is authorized to terminate a family's grant when determined appropriate by the department.

RCW 74.08A.260(4) provides the department with the authority to waive a sanction when a recipient demonstrates good cause for refusing to engage in work and work activities.

Under these circumstances, the department has the authority to adopt rules by virtue of RCW 74.08.090. The department has determined, based upon recommendations of the WorkFirst reexamination workgroup, that it is appropriate to terminate a family's grant for failure to engage in work or work activities as allowed under RCW 74.08A.260(3). These adopted rules will compel compliance with requirements to engage in work or work activities as recommended by the WorkFirst reexamination workgroup and endorsed by Governor Gregoire.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-310-1650; and amending WAC 388-290-0020, 388-310-0800, and 388-310-1600.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

Other Authority: RCW 74.08A.260, chapter 74.08A RCW.

Adopted under notice filed as WSR 06-06-085 on March 1, 2006.

Changes Other than Editing from Proposed to Adopted Version: In WAC 388-310-1600(3), the department incorporated a recommendation to expand the list of good cause examples for failure to participate as required.

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 3, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 1.

Date Adopted: April 25, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 05-22-078, filed 10/31/05, effective 12/1/05)

WAC 388-290-0020 Are there special circumstances that might affect my WCCC eligibility? (1) You might be eligible for WCCC if you are:

(a) An employee of the same child care center where your children receive care and you do not provide direct care to your own children during the time WCCC is requested;

(b) A sanctioned WorkFirst participant or an applicant who was terminated by a sanction review panel and in an activity needed to remove a ((WorkFirst sanction or, Child SafetyNet status)) sanction penalty or to reopen your case;

(c) A parent in a two-parent family and one parent is not able or available to provide care for your children while the other is working, looking for work, or preparing for work;

(i) "Able" means physically and mentally capable of caring for a child in a responsible manner. If you claim one parent is unable to care for the children, you must provide written documentation from a licensed professional (see WAC 388-448-0020) that states the:

(A) Reason the parent is unable to care for the children;

(B) Expected duration and severity of the condition that keeps them from caring for the children; and

(C) Treatment plan if the parent is expected to improve enough to be able to care for the children. The parent must provide evidence from a medical professional showing they are cooperating with treatment and are still unable to care for the children.

(ii) "Available" means free to provide care when not participating in an approved work activity under WAC 388-290-

0040, 388-290-0045, 388-290-0050, or 388-290-0055 during the time child care is needed.

(d) A married consumer described under WAC 388-290-0005 (1)(d) through (i). Only you or your spouse must be participating in activities under WAC 388-290-0040, 388-290-0045, 388-290-0050, or 388-290-0055.

(2) You might be eligible for WCCC if your children are legally residing in the country, are living in Washington state, and are:

(a) Less than age thirteen; or

(b) Less than age nineteen, and:

(i) Have a verified special need, according to WAC 388-290-0220; or

(ii) Are under court supervision.

(3) Any of your children who receive care at the same place where you work (other than (1)(a) of this subsection) are not eligible for WCCC payments but can be included in your household if they meet WAC 388-290-0015. This includes if you work:

(a) In a family home child care in any capacity and your children are receiving care at the same home during your hours of employment; or

(b) In your home or another location and your children receive care at the same location during your hours of employment.

AMENDATORY SECTION (Amending WSR 05-02-014, filed 12/27/04, effective 1/27/05)

WAC 388-310-0800 WorkFirst—Support services.

(1) Who can get support services?

People who can get support services include:

(a) WorkFirst participants who receive a TANF cash grant;

(b) Sanctioned WorkFirst participants during the required participation before the sanction is lifted or applicants who were terminated by a sanction review panel who are doing activities required to reopen cash assistance (WAC 388-310-1600);

(c) Unmarried or pregnant minors who are income eligible to receive TANF and are:

(i) Living in a department approved living arrangement (WAC 388-486-0005) and are meeting the school requirements (WAC 388-486-0010); or

(ii) Are actively working with a social worker and need support services to remove the barriers that are preventing them from living in a department approved living arrangements and/or meeting the school requirements.

(d) Former WorkFirst recipients who are working at least twenty hours or more per week for up to six months after leaving TANF if they need support services to meet a temporary emergency. This can include up to four weeks of support services if they lose a job and are looking for another one (see also WAC 388-310-1800); or

(e) American Indians who receive a TANF cash grant and have identified specific needs due to location or employment.

(2) Why do I receive support services?

Although not an entitlement, you may receive support services for the following reasons:

(a) To help you participate in work and WorkFirst activities that lead to independence.

(b) To help you to participate in job search, accept a job, keep working, advance in your job, and/or increase your wages.

(c) You can also get help in paying your child care expenses through the working connections child care assistance program. (Chapter 388-290 WAC describes the rules for this child care assistance program.)

(3) What type of support services may I receive and what limits apply?

There is a limit of three thousand dollars per person per program year (July 1st to June 30th) for WorkFirst support services you may receive. Most types of support services have dollar limits.

The chart below shows the types of support services that are available for the different activities (as indicated by an "x") and the limits that apply.

Definitions:

- Work-related activities include looking for work or participating in workplace activities, such as community jobs or a work experience position.

- Safety-related activities include meeting significant or emergency family safety needs, such as dealing with family violence. When approved, safety-related support services can exceed the dollar or category limits listed below.

- Some support services are available if you need them for other required activities in your IRP.

Type of support service	Limit	• Work	•• Safety	••• Other
Reasonable accommodation for employment	\$1,000 for each request	x		
Clothing/uniforms	\$75 per adult per program year	x		
Diapers	\$50 per child per month	x		
Haircut	\$40 per each request	x		
Lunch	Same rate as established by OFM for state employees	x		
Personal hygiene	\$50 per adult per program year	x		
Professional, trade, association, union and bonds	\$300 for each fee	x		
Relocation related to employment (can include rent, housing, and deposits)	\$1,000 per program year	x		
Short-term lodging and meals in connection with job interviews/tests	Same rate as established by OFM for state employees	x		
Tools/equipment	\$500 per program year	x		
Car repair needed to restore car to operable condition	\$250 per program year	x	x	
License/fees	\$130 per program year	x	x	
Mileage, transportation, and/or public transportation	Same rate as established by OFM for state employees	x	x	
Transportation allotment	Up to: \$25 for immediate need, or \$40 twice a month if you live within 40 miles of your local WorkFirst office, or \$60 twice a month if you live more than 40 miles from your local WorkFirst office.	x	x	
Counseling	No limit	x	x	x
Educational expenses	\$300 for each request if it is an approved activity in your IRP and you do not qualify for sufficient student financial aid to meet the cost	x		x
Medical exams (not covered by Medicaid)	\$150 per exam	x	x	x
Public transportation	\$150 per month	x	x	x
Testing-diagnostic	\$200 each	x	x	x

(4) What are the other requirements to receive support services?

Other restrictions on receiving support services are determined by the department or its agents. They will decide what support services you receive, as follows:

- (a) It is within available funds; and
- (b) It does not assist, promote, or deter religious activity; and
- (c) There is no other way to meet the cost.

(5) What happens to my support services if I do not participate as required?

The department will give you ten days notice, following the rules in WAC 388-310-1600, then discontinue your support services until you participate as required.

AMENDATORY SECTION (Amending WSR 04-07-025, filed 3/8/04, effective 5/1/04)

WAC 388-310-1600 WorkFirst—Sanctions. (1) What WorkFirst requirements do I have to meet?

You must do the following when you are a mandatory WorkFirst participant:

- (a) Give the department the information we need to develop your individual responsibility plan (IRP) (see WAC 388-310-0500);
- (b) Show that you are participating fully to meet all of the requirements listed on your individual responsibility plan;
- (c) Go to scheduled appointments listed in your individual responsibility plan;
- (d) Follow the participation and attendance rules of the people who provide your assigned WorkFirst services or activities; and
- (e) Accept available paid employment when it meets the criteria in WAC 388-310-1500.

(2) What happens if I don't meet WorkFirst requirements?

- (a) If you do not meet WorkFirst requirements, we will send you a letter telling you what you did not do.
- (b) You will have ten days to contact us so we can talk with you about the situation. You can contact us in writing, by phone, by going to the appointment described in the letter, or by asking for an individual appointment.
- (c) If you do not contact us within ten days, we will make sure you have been screened for family violence and other barriers to participation. We will use existing information to decide whether:
 - (i) You were unable to do what was required; or
 - (ii) You were able, but refused, to do what was required.

(d) If you had a good reason not to do a required activity we will work with you and ~~(, if needed,)~~ may change the requirements in your individual responsibility plan if a different WorkFirst activity would help you move towards independence and employment sooner. If you have been unable to meet your WorkFirst requirements because of family violence, you and your case manager will develop an IRP to help you with your situation, including referrals to appropriate services.

- (e) Before you are placed in sanction ~~(;)~~:

(i) We will have a case staffing ~~(tø)~~ which is a meeting with you, your case manager and other people involved in

your case to review your situation and make plans. At your case staffing, we will ensure you were offered the opportunity to participate ~~((and that you were able to do so;)), discuss what happens if you stay in sanction, discuss how participation helps you and your family and discuss how to end your sanction.~~ You will be notified when ~~((this will be))~~ your case staffing is going to happen so you can attend. You can invite anyone you want to come with you to your case staffing.

(ii) Effective September 1, 2006, supervisory staff will review your case and must approve the sanction.

(f) If you are sanctioned, we will actively attempt to contact you another way so we can talk to you about the benefits of participation and how to end your sanction.

(3) What is considered a good reason for not being able to do what WorkFirst requires?

You have a good reason if it was not possible to do what WorkFirst requires (or get an excused absence, described in WAC 388-310-0500(5)) due to a significant problem or event outside your control. Some examples of good reasons include, but are not limited to:

- (a) You had an emergent or severe physical, mental or emotional condition, confirmed by a licensed health care professional that interfered with your ability to participate;
- (b) You were threatened with or subjected to family violence;
- (c) You could not locate child care for your children under thirteen years that was:
 - (i) Affordable (did not cost you more than your co-payment would under the working connections child care program in chapter 388-290 WAC);
 - (ii) Appropriate (licensed, certified or approved under federal, state or tribal law and regulations for the type of care you use and you were able to choose, within locally available options, who would provide it); and
 - (iii) Within a reasonable distance (within reach without traveling farther than is normally expected in your community).
- (iv) You could not locate other care services for an incapacitated person who lives with you and your children.
- (d) You had an immediate legal problem, such as an eviction notice; or
- (e) You are a person who gets necessary supplemental accommodation (NSA) services under chapter 388-472 WAC and your limitation kept you from participating. If you have a good reason because you need NSA services, we will review your accommodation plan.

(4) What if we decide that you did not have a good reason for failing to meet WorkFirst requirements?

If we decide that you did not have a good reason for failing to meet WorkFirst requirements, we will send you a letter that tells you:

- (a) What you failed to do;
- (b) That you are in sanction status;
- (c) Penalties that will be applied to your grant;
- (d) When the penalties will be applied;
- (e) How to request a fair hearing if you disagree with this decision; and
- (f) How to end the penalties and get out of sanction status.

(5) What is sanction status?

When you are a mandatory WorkFirst participant, you must follow WorkFirst requirements to qualify for your full grant. If you or someone else on your grant doesn't comply and you can't prove that you had a good reason, you do not qualify for your full grant. This is called being in WorkFirst sanction status.

(6) Are there penalties when you or someone in my household goes into sanction status?

(a) When someone in your household is in sanction status, we impose penalties. The penalties last until you or the household member meet WorkFirst requirements.

(b) Your grant is reduced by the person(s) share or forty percent, whichever is more.

~~((c) Your reduced grant will be sent to a protective payee until you get out of sanction status. (WAC 388-460-0001 describes the protective payee rules.))~~

(7) How do I end the penalties and get out of sanction status?

To stop the penalties and get out of sanction status:

(a) You must provide the information we requested to develop your individual responsibility plan; and/or

(b) Start and continue to do your required WorkFirst activities for four weeks in a row (that is, twenty-eight calendar days).

(c) When you leave sanction status, your grant will be restored to the level for which you are eligible beginning the first of the month following your four weeks of participation. For example, if you finished your four weeks of participation on June 15, your grant would be restored on July 1.

(8) What if I reapply for TANF or SFA and I was in sanction status when my case closed?

(a) If your case closes while you are in sanction status and is reopened in six months or less, you will start out in sanction.

(b) Effective September 1, 2006, if you come back in sanction, you will start out where you left off in sanction. (That is, if you left off in month three of sanction, you will come back on in month four of sanction.)

(c) If your case has been closed for more than six months, you will not be in sanction status if your case is reopened.

(9) What happens effective September 1, 2006 if I stay in sanction status? Effective September 1, 2006, if you stay in sanction status:

(a) Your case manager will review your record after you have been in sanction for at least three months in a row to make sure:

(i) You knew what was required;

(ii) You were told how to end your sanction;

(iii) We tried to talk to you and to encourage you to participate; and

(iv) You were given a chance to tell us if you were unable to do what we required.

(b) Your case manager will invite you to a non-compliance sanction case staffing.

(i) You will be notified when your non-compliance sanction case staffing is going to happen so you can attend.

(ii) Your case manager will also invite other people who are working with your family to your non-compliance sanc-

tion case staffing, like representatives from tribes, community or technical colleges, employment security, the Children's Administration or Limited-English Proficient (LEP) Pathway providers.

(ii) You can invite anyone you want to come with you to your case staffing.

(c) At your non-compliance sanction case staffing, we will discuss with you:

(i) How you and your family benefit when you participate in WorkFirst activities;

(ii) How you can participate, and get out of sanction;

(iii) That if you continue to refuse to participate, without good cause, a sanction review panel may review your case, and decide to close your case after you have been in sanction status for six months in a row.

(iv) How you plan to care for and support your children if a sanction review panel closes your case. We will also discuss the safety of your family, as needed, using the guidelines under RCW 26.44.030; and

(v) How to reapply if a sanction review panel closes your case.

(d) If you do not come to your non-compliance sanction case staffing, we will make a decision based on the information we have. We will also attempt to visit you at your home so you have another chance to talk to us about the benefits of participation and how to end your sanction.

(e) If we decide you are refusing to participate without a good reason:

(i) We will send you information about resources you may need if a sanction review panel closes your case;

(ii) We will send information to a sanction review panel with a recommendation to close your case. We will only do this after a Community Services Office Administrator reviews your case to make sure the sanction is appropriate and we tried to re-engage you in the program; and

(iii) The sanction review panel will review your case and make the final decision.

(10) What is a sanction review panel?

(a) The sanction review panel is a small group of people who are independent of your local community services office and do a thorough, objective review of your sanction.

(b) The sanction review panel makes the final decision about whether to close your case after receiving a recommendation from your case manager and reviewing your case to make sure the original sanction was appropriate and we made attempts to re-engage you in the program.

(11) What happens when a sanction review panel decides to close my case?

When a sanction review panel decides to close your case, we will send you a letter to tell you:

(a) What you failed to do;

(b) When your case will be closed;

(c) How to request a fair hearing if you disagree with this decision;

(d) How to end your penalties and keep your case open (if you are able to participate for four weeks in a row before we close your case); and

(e) How your participation before your case is closed can be used to meet the participation requirement in subsection (12).

(12) What if I reapply for TANF or SFA after a sanction review panel closed my case?

(a) If a sanction review panel closes your case and you apply within six months, you must participate for four weeks in a row before you can receive cash. Once you have met your four week participation requirement, your cash benefits will start, going back to the date we had all the other information we needed to make an eligibility decision.

(b) You will not be required to participate for four weeks in a row before you receive cash if you apply after your case has been closed for six months or longer.

(13) What if my TANF or SFA is closed by a sanction review panel, reopened and I go into sanction again?

(a) When a sanction review panel closes your case, and we reopen your case, we will follow all steps in subsection (9) of this section (like the case review and the non-compliance case staffing) during your second month of sanction.

(b) The sanction review panel may close your case after you are in sanction status for three months in a row.

(c) If your case is closed, and you reapply, we will follow the rules in subsection (12) of this section to reopen your case.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-310-1650 WorkFirst—Child SafetyNet Payments.

WSR 06-10-055**PERMANENT RULES
DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed May 1, 2006, 4:21 p.m., effective June 1, 2006]

Effective Date of Rule: Thirty-one days after filing.

Purpose: These rules are necessary to amend WAC 388-825-105, 388-825-130, 388-825-145 and 388-825-155, to conform to RCW 71A.20.080. These rules amend the procedural timeframes for providing notice to residents of a resident of a state residential habilitation center (RHC) being transferred to the community, amend the procedures for requesting appeals by a resident of a state RHC being transferred to the community and amend the period of time that the department must wait before implementing a decision to transfer a resident of a state RHC to the community.

Citation of Existing Rules Affected by this Order: Amending WAC 388-825-105, 388-825-130, 388-825-145, and 388-825-155.

Statutory Authority for Adoption: RCW 71A.12.030 and 71A.20.080.

Other Authority: Title 71A RCW.

Adopted under notice filed as WSR 06-07-074 on March 13, 2006.

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 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 0, Amended 4, Repealed 0.

Date Adopted: April 26, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-15-093, filed 7/16/04, effective 8/16/04)

WAC 388-825-105 Am I given any advance notice of termination or reduction or eligibility or services? (1) DDD will provide you at least ~~((thirty-days))~~ ten-days advance notice, as described in WAC 388-458-0040(1), (2) and (3), of any action to terminate your eligibility, or terminate or reduce your services(~~(-or discharge)~~).

(2) DDD will provide you at least thirty-days advance notice prior to transferring you from a residential habilitation center to the community under RCW 71A.20.080.

AMENDATORY SECTION (Amending WSR 05-17-135, filed 8/19/05, effective 9/19/05)

WAC 388-825-130 How long do I have to file a request for an administrative hearing? (1) The following rules apply to all situations except a decision to transfer you from a state residential habilitation center (RHC) to the community under RCW 71A.20.080. The rules for administrative hearings regarding the department's decision to transfer you from an RHC to the community are contained in WAC 388-825-155.

(2) You have to request an administrative hearing within ninety days of receipt of the notification of the decision you are disputing.

~~((2))~~ (3) You must request an administrative hearing within the ten-day notice period, as described in WAC 388-458-0040 (1), (2) and (3), if you wish to maintain current services during the appeal process.

~~((3))~~ (4) The notification sent to you will include the date that the ten-day notice period ends.

AMENDATORY SECTION (Amending WSR 05-17-135, filed 8/19/05, effective 9/19/05)

WAC 388-825-145 Will my benefits continue if I request an administrative hearing? (1) If you request an administrative hearing regarding the department's decision to transfer you from a residential habilitation center to the community under RCW 71A.20.080, the rules in WAC 388-825-155 apply.

(2) If you request an administrative hearing within the ten-day notice period, as described in chapter 388-458 WAC, unless one or more of the conditions in WAC 388-825-150 applies, the department will take no action until there is a final decision on your appeal of the department's decision to:

- (a) Terminate your eligibility;
- (b) Reduce or terminate your services; or
- (c) Reduce or terminate the payment of SSP set forth in chapter 388-827 WAC.

~~((2))~~ (3) The department will take no action until there is a final decision on your appeal of the department's decision to remove or transfer you to another residential service unless one or more of the conditions in WAC 388-825-150 applies.

~~((3))~~ (4) The department will take no action to terminate your provider of choice unless one or more of the circumstances described in WAC 388-825-150 applies.

~~((4))~~ (5) After the administrative hearing, you may have to pay back continued benefits you get, as described in chapter 388-410 WAC, if the administrative hearing decision is in favor of the department.

AMENDATORY SECTION (Amending WSR 05-17-135, filed 8/19/05, effective 9/19/05)

WAC 388-825-155 What are my appeal rights if I am appealing a decision to ~~(move)~~ transfer me from a state residential habilitation center to the community? (1) The procedures in RCW 71A.10.050(2) and RCW 71A.20.080 govern the proceeding.

~~((1))~~ (2) You have thirty days from date that you receive notice to request an administrative hearing appealing the department's decision to transfer you from a residential habilitation center to the community under RCW 71A.20.080.

~~((2))~~ (3) The department will take no action ~~((until there is a final decision on your appeal to move you from a state residential habilitation center to the community))~~ to transfer you from a state residential habilitation center to the community under RCW 71A.20.080 during the period that an appeal can be requested or while an appeal is pending and undecided unless you or your legal representative consent, or a court order authorizes the transfer, or ~~((the))~~ an administrative law judge or review judge rules that you ~~((have caused an unreasonable delay in the proceedings.~~

~~((2))~~ are not diligently pursuing your appeal.

(4) The burden of proof is on the department.

~~((3))~~ (5) The burden of proof is whether the proposed placement is in your best interest.

the Washington Basic Food program and WASHCAP as approved by the United States Department of Agriculture, Food and Nutrition Service.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0195.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090.

Adopted under notice filed as WSR 06-07-075 on March 13, 2006.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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.

Date Adopted: April 28, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 05-19-062, filed 9/16/05, effective 10/17/05)

WAC 388-450-0195 Utility allowances for Basic Food programs. (1) For Basic Food, "utilities" include the following:

- (a) Heating or cooling fuel;
- (b) Electricity or gas;
- (c) Water or sewer;
- (d) Well or septic tank installation/maintenance;
- (e) Garbage/trash collection; and
- (f) Telephone service.

(2) The department uses the amounts below if you have utility costs separate from your rent or mortgage payment. We add your utility allowance to your rent or mortgage payment to determine your total shelter costs. We use total shelter costs to determine your Basic Food benefits.

(a) If you have heating or cooling costs, you get a standard utility allowance (SUA) that depends on your assistance unit's size.

Assistance Unit (AU) Size	Utility Allowance
1	\$ ((299)) 307
2	\$ ((308)) 316
3	\$ ((317)) 325
4	\$ ((326)) 334
5	\$ ((335)) 344
6 or more	\$ ((344)) 353

WSR 06-10-056

**PERMANENT RULES
DEPARTMENT OF**

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed May 1, 2006, 4:23 p.m., effective June 1, 2006]

Effective Date of Rule: June 1, 2006.

Purpose: Amend WAC 388-450-0195 Utility allowances for Basic Food programs, to update utility standards for

(b) If your AU does not qualify for the SUA and you have any two utility costs listed above, you get a limited utility allowance (LUA) of two hundred ~~((thirty-six))~~ forty-two dollars.

(c) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of ~~((thirty-eight))~~ thirty-nine dollars.

WSR 06-10-057
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed May 1, 2006, 4:25 p.m., effective June 1, 2006]

Effective Date of Rule: June 1, 2006.

Purpose: Amend WAC 388-426-0005 Client complaints, to adopt updated civil rights guidance from the United States Department of Agriculture consistent with regulations for the food stamp program under Title 7 of the United States Code of Federal Regulations and guidance issued by the United States Department of Health and Human Services for the temporary assistance for needy families (TANF) program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-426-0005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.515, 74.08.090.

Adopted under notice filed as WSR 06-07-076 on March 13, 2006.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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.

Date Adopted: April 26, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-03-050, filed 1/15/04, effective 2/15/04)

WAC 388-426-0005 ~~((Client complaints.))~~ How do I make a complaint to the department? ~~((1) Clients who believe they have been discriminated against by the department for reason of race, color, creed, political affiliation, national origin, religion, age, gender, disability, or birthplace~~

~~have the right to file a complaint. Clients can file discrimination complaints with the:~~

~~(a) DSHS, Division of Access and Equal Opportunity, PO Box 45012, Olympia, WA, 98504;~~

~~(b) Administrator, Food and Nutrition Services, 3101 Park Center Drive, Alexandria, VA, 22302; or~~

~~(c) Secretary of Agriculture, U.S. Department of Agriculture, Washington D.C., 20250.~~

~~(2) Clients with a complaint about a department decision or action have the right to present their complaint, in writing, to a supervisor.~~

~~(a) Within ten days of the receipt of the complaint:~~

~~(i) A decision will be made on the client's complaint; and~~

~~(ii) The client will be sent written notice of the decision, including information about the right to further review by the local office administrator.~~

~~(b) Clients not satisfied with the decision of a supervisor have the right to present a written complaint to the local office administrator. Within ten days of the receipt of the complaint:~~

~~(i) A decision will be made on the complaint, and~~

~~(ii) The client will be sent written notice of the decision.~~

~~(c) Written notice of the administrator's decision concludes the complaint procedure.~~

~~(d) The filing of a written complaint does not prevent a client from requesting a fair hearing under chapter 388-02 WAC.~~

~~(e) Clients have the right to speak to a worker's supervisor or have a decision or action reviewed by the supervisor, whether or not a formal complaint has been filed)) If you do not agree with a decision we made or an action we took, you can make a complaint. We address your concerns based on the nature of your complaint.~~

Civil Rights:

(1) We will not discriminate based on your race, color, national origin, sex, age, disability, religion, or political beliefs. This agrees with:

(a) Federal law and policy of the United States Department of Agriculture (USDA) and the United States Department of Health and Human Services (HHS) that ban discrimination based on race, color, national origin, sex, age or disability; and

(b) The Food Stamp Act and USDA policy, which bans discrimination on religion or political beliefs.

(2) To file a complaint that we discriminated based on your race, color, national origin, sex, age, disability, religion, or political beliefs, contact USDA or HHS:

<u>Write:</u>	
<u>USDA</u>	<u>HHS</u>
<u>Director, Office of Civil Rights</u>	<u>Director, Office for Civil Rights</u>
<u>1400 Independence Avenue, S.W.</u>	<u>Room 506-F</u>
<u>Washington, D.C. 20250-9410</u>	<u>200 Independence Avenue, S.W.</u>
	<u>Washington, D.C. 20201</u>

Or call:	
USDA	HHS
(800) 795-3272 (voice); or	(202) 619-0403 (voice); or
(202) 720-6382 (TTY).	(202) 619-3257 (TTY).
USDA and HHS are equal opportunity providers and employers.	

Complaints about our decisions or actions:

(3) If you do not agree with a decision we made or an action we took, you may use our complaint process:

(a) **Supervisor review:** You may give a supervisor a written complaint. We will:

(i) Make a decision about your written complaint within ten days of the date we get it; and

(ii) Send you a letter telling you what we decided and that you may have another review by the local office administrator if you ask for it.

(b) **Administrator review:** If you do not accept the decision you get from a supervisor, you may give the local office administrator a written complaint. We will:

(i) Make a decision about your written complaint within ten days of the date we get it; and

(ii) Send you a letter telling you what we decided.

(4) When we send you a letter with the administrator's decision, this ends the complaint process.

(5) If you file a written complaint, you may still ask for a fair hearing under chapter 388-02 WAC.

(6) You may always speak with your worker's supervisor or have them review your worker's decision even if you do not file a formal complaint.

**WSR 06-10-066
PERMANENT RULES
DEPARTMENT OF**

LABOR AND INDUSTRIES

[Filed May 2, 2006, 11:03 a.m., effective June 30, 2006]

Effective Date of Rule: June 30, 2006.

Purpose: The purpose of this rule making is to increase fees 2.82% (rounded down to the nearest tenth of a dollar), which is the office of financial management's maximum allowable fiscal growth rate factor for fiscal year 2006. The fee increase is necessary to help cover the costs of ongoing services for the elevator, factory assembled structures, and plumber certification programs.

Citation of Existing Rules Affected by this Order: Amending WAC 296-96-00922 What are the fees associated with licensing?, 296-96-01010 What are the installation permit fees for conveyances, material lists, and hoists and how are they calculated?, 296-96-01012 What are the permit fees for alterations to conveyances, material lists, and hoists and how are they calculated?, 296-96-01027 Are initial installation permit fees refundable?, 296-96-01030 What is the process for installation and alteration plan approval?, 296-96-01035 Are there inspection fees?, 296-96-01040 What is the fee for testing and inspecting regular elevators used as temporary elevators to provide transportation for construction personnel, tools, and materials only?, 296-96-01045 What

are the inspection requirements and fees for conveyances in private residences?, 296-96-01050 How do I get a supplemental inspection?, 296-96-01055 Are technical services available and what is the fee?, 296-96-01060 Can I request an after hours inspection and what is the fee?, 296-96-01065 What are the annual operating permits fees?, 296-96-01070 What are the civil (monetary) penalties for violating the conveyance permit and option requirements of chapter 70.87 RCW and this chapter?, 296-150C-3000 Commercial coach fees, 296-150F-3000 Factory-built housing and commercial structure, 296-150M-3000 Manufactured home fees, 296-150T-3000 Factory-built temporary worker housing fees, 296-150V-3000 Conversion vendor units and medical units—Fees, and 296-400A-045 What fees will I have to pay?

Statutory Authority for Adoption: Chapters 18.106, 43.22, and 70.87 RCW.

Adopted under notice filed as WSR 06-05-088 on February 14, 2006.

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 19, 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 19, Repealed 0.

Date Adopted: May 2, 2006.

Gary Weeks
Director

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-00922 What are the fees associated with licensing? The following are the department's elevator license fees:

Type of Fee	Period Covered by Fee	Dollar Amount of Fee
Elevator contractor/mechanic application fee (not required for renewal of valid license)	Per application	\$((51.50)) <u>52.90</u>
Elevator contractor/mechanic examination fee	Per application	\$((154.50)) <u>158.80</u>
Reciprocity application fee*	Per application	\$((51.50)) <u>52.90</u>

Type of Fee	Period Covered by Fee	Dollar Amount of Fee
Elevator mechanic license	2 years	\$((+103.00)) <u>105.90</u>
Elevator contractor license	2 years	\$((+103.00)) <u>105.90</u>
Temporary elevator mechanic license	30 days	\$((25.70)) <u>26.40</u>
Elevator mechanic/contractor timely renewal fee**	2 years	\$((+103.00)) <u>105.90</u>
Elevator mechanic/contractor late renewal fee***	2 years	\$((206.00)) <u>211.80</u>
Training provider application/renewal fee	2 years	\$((+103.00)) <u>105.90</u>
Continuing education course fee by approved training provider****	1 year	Not applicable
Replacement of any licenses		\$((15.40)) <u>15.80</u>
Refund processing fee		\$((30.90)) <u>31.70</u>

- * Reciprocity application is only allowed for applicants who are applying for licensing based upon possession of a valid license that was obtained in state(s) with which the department has a reciprocity agreement.
- ** Renewals will be considered "timely" when the renewal application is received on or prior to the expiration date of the license.
- *** Late renewal is for renewal applications received no later than ninety days after the expiration of the licenses. If the application is not received within ninety days from license expiration, the licensee must reapply and pass the competency examination.
- **** This fee is paid directly to the continuing education training course provider approved by the department.

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01010 What are the installation permit fees for conveyances, material lifts, and hoists and how are they calculated? Installation permit fees are based on the total cost of the conveyance and the labor to install the conveyance. The following permit fees apply to the construction or relocation of all conveyances and material lifts:

TOTAL COST OF CONVEYANCE	FEE
\$0 to and including \$1,000	\$((51.50)) <u>52.90</u>

TOTAL COST OF CONVEYANCE	FEE
\$1,001 to and including \$5,000	((77.20)) <u>79.30</u>
\$5,001 to and including \$7,000	((128.70)) <u>132.30</u>
\$7,001 to and including \$10,000	((154.50)) <u>158.80</u>
\$10,001 to and including \$15,000	((206.00)) <u>211.80</u>
OVER \$15,000	((288.40)) <u>296.50</u> plus
Each additional \$1,000 or fraction thereof.	((7.20)) <u>7.40</u>

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01012 What are the permit fees for alterations to conveyances, material lifts, and hoists and how are they calculated? Permit fees are based on the total cost of the equipment, materials and labor to perform the alteration. The following permit fees apply to the alteration of all conveyances and material lifts:

TOTAL COST OF ALTERATION	FEE
\$0 to and including \$1,000	\$((51.50)) <u>52.90</u>
\$1,001 to and including \$5,000	((77.20)) <u>79.30</u>
\$5,001 to and including \$7,000	((128.70)) <u>132.30</u>
\$7,001 to and including \$10,000	((154.50)) <u>158.80</u>
\$10,001 to and including \$15,000	((206.00)) <u>211.80</u>
OVER \$15,000	((288.40)) <u>296.50</u> plus
Each additional \$1,000 or fraction thereof.	((7.20)) <u>7.40</u>

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01027 Are initial installation permit fees refundable? Your initial installation permit fees are refundable if the installation work has not been performed minus a processing fee unless your permits have expired. No refunds will be issued for expired permits. All requests for refunds must be submitted in writing to the elevator section and must identify the specific permits and the reasons for which the refunds are requested.

The processing fee for each refund is \$((30.90)) 31.70

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01030 What is the process for installation and alteration plan approval? Prior to the start of construction, you must submit to the department for approval two copies of plans for new installations or major alterations. To be approved, the plan must comply with the latest adopted

edition of the American Society of Mechanical Engineers (ASME), the National Electrical Code (NEC) and applicable Washington Administrative Codes (WAC). In addition, the plans must include all information necessary in determining whether each installation/alteration complies with all applicable codes. You must keep a copy of the approved plan on the job site until the department has witnessed all acceptance tests. Any alterations to the approved plan must be submitted to the department for approval before a final inspection will be conducted. The nonrefundable fees for reviewing your plans are:

For each installation/major alteration. ~~\$(25.70)~~ 26.40
If more than two sets of plans are submitted, the fee for each additional set ~~\$(40.30)~~ 10.50

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01035 Are there inspection fees? Yes. The initial inspection of a conveyance or for the initial inspection of construction, alteration or relocation of a conveyance is included with your permit fee. Once the department has approved the initial installation of the conveyance you will be issued a temporary operating permit that is valid for 30 days. Prior to the expiration of the 30-day permit the application for an annual operating permit and the appropriate fees must be paid to the department. Once the department has received the appropriate fees and application you will be issued your first annual operating permit. You are required to renew your annual operating permit yearly.

The following inspections require an additional inspection fee:

(1) **Reinspection.** If a conveyance does not pass an initial inspection and an additional inspection is required, the fee for each reinspection of a conveyance is ~~\$(103.00)~~ 105.90 per conveyance plus ~~\$(50.00)~~ 51.40 per hour for each hour in addition to the first hour.

The department may waive reinspection fees.

(2) **Inspecting increases in the height (jumping) of personnel and material hoists.**

The fee for inspecting an increase in the height (jumping) of each personnel hoist or material hoist is ~~\$(103.00)~~ 105.90 plus ~~\$(51.50)~~ 52.90 per hour for each hour in addition to 2 hours. This fee is for inspections occurring during regular working hours.

(3) **Variance inspections.**

(a) The fee for an on-site variance inspection is ~~\$(154.50)~~ 158.80 per conveyance plus ~~\$(51.50)~~ 52.90 per hour for each hour in addition to 2 hours. This fee is for inspections occurring during regular working hours.

(b) The fee for a variance that does not require an on-site inspection is ~~\$(51.50)~~ 52.90 per conveyance. The individual requesting the variance must provide the department with pictures, documentation, or other information necessary for the department to review the variance. The department may conduct an on-site variance inspection to verify the information provided or if it determines that an inspection is necessary. If an on-site variance inspection is performed, the fees in (a) of this subsection will apply.

(4) **"Red tag" status fee.** The annual fee for a conveyance in "Red tag" status is ~~\$(25.70)~~ 26.40.

Note: You must provide the department with written approval from the building official, indicating that the conveyance is not required for building occupancy, when you apply to have the conveyance placed in voluntary red tag status.

(5) **Decommission inspection.** The fee for performing a decommission inspection is ~~\$(51.50)~~ 52.90. Once the decommission inspection has been performed and approved, the conveyance will no longer require annual inspections until such time that the conveyance is brought back into service. Prior to operating the conveyance, a new inspection and annual operating permit must be obtained.

(6) **Voluntary inspections by request.** The owner or potential purchaser of a building within the department's jurisdiction may request a voluntary inspection of a conveyance. The fee for this inspection will be ~~\$(103.00)~~ 105.90 per conveyance and ~~\$(51.50)~~ 52.90 per hour for each hour in addition to 2 hours plus the standard per diem and mileage allowance granted to department inspectors. The owner/potential purchaser requesting the voluntary inspection will not be subject to any penalties based on the inspector's findings.

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01040 What is the fee for testing and inspecting regular elevators used as temporary elevators to provide transportation for construction personnel, tools, and materials only? (1) The fee for the inspecting and testing of regular elevators used as temporary elevators is ~~\$(82.40)~~ 84.70, in addition to any other fees required in this chapter. This fee purchases a 30-day temporary use permit that may be renewed at the department's discretion.

(2) When this temporary use permit is purchased, a notice declaring that the equipment has not received final approval from the department must be conspicuously posted in the elevator.

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01045 What are the inspection requirements and fees for conveyances in private residences? (1) Chapter 70.87 RCW requires the department to inspect all new, altered or relocated conveyances operated exclusively for single-family use in private residences. Prior to inspection, you must complete a permit application as described in WAC 296-96-01005 and pay the appropriate fee listed in WAC 296-96-01010.

(2) Chapter 70.87 RCW allows the department to inspect conveyances operated exclusively for single-family use in private residences when the department is investigating an accident or an alleged or apparent violation of the statute or these rules.

(3) No annual inspection and operating permit is required for a private residence conveyance operated exclusively for single-family use unless the owner requests it. When an owner requests an inspection and an annual operat-

ing permit, the following fee must be paid prior to an inspection:

TYPE OF CONVEYANCE	FEE
Each inclined stairway chair lift in private residence	\$((24.10)) <u>24.70</u>
Each inclined wheel chair lift in a private residence	((24.10)) <u>24.70</u>
Each vertical wheel chair lift in a private residence	((30.40)) <u>31.20</u>
Each dumbwaiter in a private residence.	((24.10)) <u>24.70</u>
Each inclined elevator at a private residence	((85.70)) <u>88.10</u>
Each private residence elevator	((55.20)) <u>56.70</u>
Duplication of a lost, damaged or stolen operating permit	((10.30)) <u>10.50</u>

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01050 How do I get a supplemental inspection? Any person, firm, corporation or governmental agency can request a supplemental inspection from the department by paying a fee of \$((61.80)) 63.50 per hour (including travel time) plus the standard per diem and mileage allowance granted to department inspectors. This fee is for inspections occurring during regular working hours.

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01055 Are technical services available and what is the fee? You may request elevator field technical services from the department by paying a fee of \$((61.80)) 63.50 per hour (including travel time) plus the standard per diem and mileage allowance granted to department inspectors. These field technical services may include code evaluation, code consultation, plan examination, code interpretation and clarification of technical data relating to the application of the department's conveyance rules. Field technical services do not include inspections.

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01060 Can I request an after hours inspection and what is the fee? You may request an inspection outside of normal business hours, which are 7:00 a.m. to 5:00 p.m., if an inspector is available and the inspection is authorized by the department. The minimum fee for an after-hours inspection is \$((77.20)) 79.30 and \$((77.20)) 79.30 per hour for each hour in addition to the first hour plus the standard per diem and mileage allowance granted to department inspectors. This fee is in addition to any other fees required for your project.

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01065 What are the annual operating permits fees? An annual operating permit will be issued to you upon payment of the appropriate fee:

TYPE OF CONVEYANCE	FEE
Each hydraulic elevator	\$((103.00)) <u>105.90</u>
Each roped-hydraulic elevator	((128.70)) <u>132.30</u>
plus for each hoistway opening in excess of two	((40.30)) <u>10.50</u>
Each cable elevator.	((128.70)) <u>132.30</u>
plus for each hoistway opening in excess of two	((40.30)) <u>10.50</u>
Each cable elevator traveling more than 25 feet without an opening—for each 25 foot traveled	((40.30)) <u>10.50</u>
Each limited-use/limited-application (—LULA) elevator.	((103.00)) <u>105.90</u>
Each escalator.	((85.60)) <u>88.00</u>
Each dumbwaiter in other than a private residence.	((55.20)) <u>56.70</u>
Each material lift	((103.00)) <u>105.90</u>
Each incline elevator in other than a private residence	((110.70)) <u>113.80</u>
Each belt manlift.	((103.00)) <u>105.90</u>
Each stair lift in other than a private residence.	((55.20)) <u>56.70</u>
Each wheel chair lift in other than a private residence	((55.20)) <u>56.70</u>
Each personnel hoist.	((103.00)) <u>105.90</u>
Each grain elevator personnel lift.	((85.60)) <u>88.00</u>
Each material hoist	((103.00)) <u>105.90</u>
Each special purpose elevator	((103.00)) <u>105.90</u>
Each private residence elevator installed in other than a private residence.	((103.00)) <u>105.90</u>
Each casket lift	((85.60)) <u>88.00</u>
Each sidewalk freight elevator	((85.60)) <u>88.00</u>
Each hand-powered manlift or freight elevator	((58.00)) <u>59.60</u>

Each boat launching elevator	((85.60)) <u>88.00</u>
Each auto parking elevator	((85.60)) <u>88.00</u>
Each moving walk	((85.60)) <u>88.00</u>
Duplication of a damaged, lost or stolen operating permit	((10.30)) <u>10.50</u>

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-96-01070 What are the civil (monetary) penalties for violating the conveyance permit and operation requirements of chapter 70.87 RCW and this chapter? (1) Any licensee, installer, owner or operator of a conveyance who violates a provision of chapter 70.87 RCW or this chapter shall be subject to the following civil penalties:

(a) Operation of a conveyance without a permit:	
First violation	\$((154.50)) <u>158.80</u>
Second violation	((309.00)) <u>317.70</u>
Each additional violation	((515.10)) <u>500.00</u>
(b) Installation of a conveyance without a permit:	
First violation	\$((154.50)) <u>158.80</u>
Second violation	((309.00)) <u>317.70</u>
Each additional violation	((515.10)) <u>500.00</u>
(c) Relocation of a conveyance without a permit:	
First violation	\$((154.50)) <u>158.80</u>
Second violation	((309.00)) <u>317.70</u>
Each additional violation	((515.10)) <u>500.00</u>
(d) Alteration of a conveyance without a permit:	
First violation	\$((154.50)) <u>158.80</u>
Second violation	((309.00)) <u>317.70</u>
Each additional violation	((515.10)) <u>500.00</u>
(e) (i) Operation of a conveyance for which the department has issued a red tag or has revoked or suspended an operating permit or operation of a decommissioned elevator	\$((515.10)) <u>500.00</u>

(ii) Removal of a red tag from a conveyance	\$((515.10)) <u>500.00</u>
(f) Failure to comply with a correction notice:	
Within 90 days	\$((103.00)) <u>105.90</u>
Between 91 and 180 days	((257.50)) <u>264.70</u>
Between 181 and 270 days	((412.10)) <u>423.70</u>
Between 271 and 360 days	((515.10)) <u>500.00</u>
Each 30 days after 360 days	((515.10)) <u>500.00</u>

Note: Penalties (~~(cumulate)~~) are cumulative

(g) Failure to submit official written notification that all corrections have been completed:	
Within 90 days	\$((103.00)) <u>105.90</u>
Between 91 and 180 days	((257.50)) <u>264.70</u>
Between 181 and 270 days	((412.10)) <u>423.70</u>
Between 271 and 360 days	((515.10)) <u>500.00</u>
Each 30 days after 360 days	((515.10)) <u>500.00</u>

Note: Penalties (~~(cumulate)~~) are cumulative

(h) Failure to notify the department of each accident to a person requiring the services of a physician or resulting in a disability exceeding one day may result in a ~~\$((515.10))~~ 500.00 penalty per day. The conveyance must be removed from service until the department authorizes the operation of the conveyance. This may require an inspection and the applicable fees will be applied. Failure to remove the conveyance from service may result in an additional ~~\$((515.10))~~ 500.00 penalty per day.

(2) A violation as described in subsection (1)(a), (b), (c), and (d) of this section will be a "second" or "additional" violation only if it occurs within one year of the first violation.

(3) The department must serve notice by certified mail to an installer, licensee, owner, or operator for a violation of chapter 70.87 RCW, or this chapter.

AMENDATORY SECTION (Amending WSR 05-23-002, filed 11/3/05, effective 12/4/05)

WAC 296-150C-3000 Commercial coach fees.

INITIAL FILING FEE	\$(32.30) <u>33.20</u>
DESIGN PLAN FEES:	
INITIAL FEE - MASTER DESIGN	\$(222.80) <u>229.00</u>
INITIAL FEE - ONE YEAR DESIGN	\$(91.20) <u>93.70</u>
RENEWAL FEE	\$(38.60) <u>39.60</u>
RESUBMIT FEE	\$(65.10) <u>66.90</u>
ADDENDUM (Approval expires on same date as original plan)	\$(65.10) <u>66.90</u>
ELECTRONIC PLAN SUBMITTAL FEE \$4.90 per page for the first set of plans and \$0.30 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
ELECTRICAL PLAN REVIEW (Plan review for educational, institutional or health care facilities and other buildings)	
Electrical Plan submission fee	\$(65.10) <u>66.90</u>
Service/feeder Ampacity:	
0 - 100	\$(28.80) <u>29.60</u>
101 - 200	\$(35.90) <u>36.90</u>
201 - 400	\$(67.40) <u>69.30</u>
401 - 600	\$(79.50) <u>81.70</u>
601 - 800	\$(102.50) <u>105.30</u>
801 - 1000	\$(125.40) <u>128.90</u>
Over 1000	\$(136.10) <u>139.90</u>
Over 600 volts surcharge	\$(21.50) <u>22.10</u>
Thermostats:	
First	\$(12.70) <u>13.00</u>
Each additional	<u>3.00</u>
Low voltage fire alarm and burglar alarm:	
Each control panel and up to four circuits or zones	\$(11.60) <u>11.90</u>
Each additional circuit or zone	<u>2.00</u>
Generators, refer to appropriate service/feeder ampacity fees	
<i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i>	
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) shall be charged per hour or fraction of an hour*	\$(77.10) <u>79.20</u>
ELECTRICAL COMMERCIAL/INDUSTRIAL	
Electrical Service/feeders Ampacity	((207)) <u>212.80</u> plus
Service/feeder	\$(189.80) <u>195.10</u>
Additional Feeder	\$(36.00) <u>37.00</u>
ELECTRICAL MULTIFAMILY RESIDENTIAL	
Electrical Service/feeders	((207)) <u>212.80</u> plus
Service/feeder	\$(100.70) <u>103.50</u>
Additional Feeder	\$(25.70) <u>26.40</u>
MEDICAL GAS PLAN REVIEW:	
SUBMISSION FEE	\$(62.40) <u>64.10</u>
FIRST STATION	\$(62.40) <u>64.10</u>
EACH ADDITIONAL STATION	\$(22.80) <u>23.40</u>

RECIPROCAL PLAN REVIEW:	
INITIAL FEE - MASTER DESIGN	\$(99.30) <u>102.10</u>
INITIAL FEE - ONE YEAR DESIGN	\$(60.10) <u>61.70</u>
RENEWAL FEE	\$(60.10) <u>61.70</u>
ADDENDUM	\$(60.10) <u>61.70</u>
PLANS APPROVED BY PROFESSIONALS	
	\$(45.30) <u>46.50</u>
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS	
	\$(12.20) <u>12.50</u>
DEPARTMENT INSPECTION FEES	
INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**)	\$(65.10) <u>66.90</u>
TRAVEL (Per hour)	\$(65.10) <u>66.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$(65.10) <u>66.90</u>
TRAVEL (Per hour*)	\$(65.10) <u>66.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
ALTERATION INSPECTION (One hour plus insignia alteration fee)	\$(97.40) <u>100.10</u>
INSIGNIA FEES:	
FIRST SECTION/ALTERATION	\$(19.70) <u>20.20</u>
EACH ADDITIONAL SECTION	\$(12.20) <u>12.50</u>
((ALTERATION	<u>\$32.30)</u>
REISSUED-LOST/DAMAGED	\$(12.20) <u>12.50</u>
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**)	\$(65.10) <u>66.90</u>
PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year upon request)	\$(12.20) <u>12.50</u>
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments	
** Per state guidelines	
*** Actual charges incurred	

AMENDATORY SECTION (Amending WSR 05-23-002, filed 11/3/05, effective 12/4/05)**WAC 296-150F-3000 Factory-built housing and commercial structure fees.**

INITIAL FILING FEE	\$(57.30) <u>58.90</u>
DESIGN PLAN FEES:	
INITIAL FEE - MASTER DESIGN (CODE CYCLE)	\$(282.80) <u>290.70</u>
INITIAL FEE - ONE YEAR DESIGN	\$(165.70) <u>170.30</u>
RENEWAL FEE	\$(57.30) <u>58.90</u>
RESUBMIT FEE	\$(82.80) <u>85.10</u>
ADDENDUM (Approval expires on same date as original plan.)	\$(82.80) <u>85.10</u>
ELECTRONIC PLAN SUBMITTAL FEE \$4.80 per page for the first set of plans and \$0.30 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	

ELECTRICAL PLAN REVIEW (Plan review for educational, institutional or health care facilities and other buildings):		
Electrical Plan submission fee		\$((63.10)) <u>64.80</u>
Service/feeder Ampacity:		
0 - 100		\$((28.00)) <u>28.70</u>
101 - 200		\$((34.90)) <u>35.80</u>
201 - 400		\$((65.30)) <u>67.10</u>
401 - 600		\$((77.10)) <u>79.20</u>
601 - 800		\$((99.30)) <u>102.10</u>
801 - 1000		\$((121.50)) <u>124.90</u>
Over 1000		\$((131.80)) <u>135.50</u>
Over 600 volts surcharge		\$((20.90)) <u>21.40</u>
Thermostats:		
First		\$((12.40)) <u>12.70</u>
Each additional		\$3.00
Low voltage fire alarm and burglar alarm:		
Each control panel and up to four circuits or zones		\$((11.30)) <u>11.60</u>
Each additional circuit or zone		\$2.00
Generators, refer to appropriate service/feeder ampacity fees		
<i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i>		
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) will be charged per hour or fraction of an hour*		\$((74.60)) <u>76.70</u>
ELECTRICAL COMMERCIAL/INDUSTRIAL		
Electrical Service /feeders Ampacity		((207)) <u>212.80</u> plus
Service/feeder		\$((189.80)) <u>195.10</u>
Additional Feeder		\$((36.00)) <u>37.00</u>
ELECTRICAL MULTIFAMILY RESIDENTIAL		
Electrical Service/feeders		((207)) <u>212.80</u> plus
Service/feeder		\$((100.70)) <u>103.50</u>
Additional Feeder		\$((25.70)) <u>26.40</u>
MEDICAL GAS PLAN REVIEW:		
SUBMISSION FEE		\$((78.60)) <u>80.80</u>
FIRST STATION		\$((78.60)) <u>80.80</u>
EACH ADDITIONAL STATION		\$((28.60)) <u>29.40</u>
RECIPROCAL PLAN REVIEW:		
INITIAL FEE-MASTER DESIGN		\$((126.50)) <u>130.00</u>
INITIAL FEE-ONE YEAR DESIGN		\$((76.50)) <u>78.60</u>
RENEWAL FEE		\$((76.50)) <u>78.60</u>
ADDENDUM		\$((76.50)) <u>78.60</u>
PLANS APPROVED BY DESIGN PROFESSIONALS		\$((57.30)) <u>58.90</u>
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS		\$((14.80)) <u>15.20</u>
DEPARTMENT INSPECTION FEES		
INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**)		\$((73.30)) <u>75.30</u>

TRAVEL (Per hour*)	\$((73.30)) 75.30
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$((73.30)) 75.30
TRAVEL (Per hour*)	\$((73.30)) 75.30
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
FIRST SECTION	\$((233.80)) 240.30
EACH ADDITIONAL SECTION	\$((21.20)) 21.70
REISSUED-LOST/DAMAGED	\$((57.30)) 58.90
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**)	\$((73.30)) 75.30
NOTIFICATION TO LOCAL ENFORCEMENT AGENCY (NLEA)	\$((31.80)) 32.60
PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year upon request)	\$((41.90)) 12.20
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

AMENDATORY SECTION (Amending WSR 05-24-020, filed 11/29/05, effective 1/1/06)

WAC 296-150M-3000 Manufactured/mobile home fees.

INITIAL FILING FEE	\$((31.40)) 32.20
DESIGN PLAN FEES:	
STRUCTURAL ALTERATION - MASTER DESIGN (CODE CYCLE)	\$((126.60)) 130.10
STRUCTURAL ALTERATION - ONE YEAR DESIGN	\$((84.90)) 87.20
RENEWAL FEE	\$((37.80)) 38.80
RESUBMITTAL FEE	\$((63.10)) 64.80
ADDENDUM (Approval expires on the same date as original plan.)	\$((63.10)) 64.80
ELECTRONIC PLAN SUBMITTAL FEE \$((4.80)) 4.90 per page for the first set of plans and \$0.30 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
DEPARTMENT INSPECTION FEES:	
INSPECTION	
MECHANICAL	
Heat Pump	\$31.80
Combination Heat Pump (new) and Furnace (replacement)	\$42.40
Air Conditioning	\$31.80
Combination Air Conditioning (new) and Furnace (replacement)	\$42.40
Furnace Installation (gas*** or electric)	\$31.80
Gas*** Piping	\$31.80
Wood Stove	\$31.80

Pellet Stove	\$31.80
Gas*** Room Heater	\$31.80
Gas*** Decorative Appliance	\$31.80
Range: Changing from electric to gas***	\$31.80
Gas*** Water Heater Replacement	\$21.20
Water Heater: Changing from electric to gas***	\$21.20
Any combination of Furnace, Range, and Water Heater changing from electric to gas*** and includes Gas Piping charge	\$63.70
ELECTRICAL	
Heat Pump	\$42.40
Heat Pump (when home is prewired for a heat pump)	\$10.60
Combination Heat Pump (new) and Furnace (replacement)	\$53.10
Air Conditioner	\$42.40
Air Conditioner (when home is prewired for an air conditioner)	\$10.60
Combination Air Conditioner (new) and Furnace (replacement)	\$53.10
Furnace Installation (gas or electric)	\$42.40
Wood Stove (if applicable)	\$42.40
Pellet Stove (if applicable)	\$42.40
Gas*** Room Heater (if applicable)	\$42.40
Gas*** Decorative Appliance (if applicable)	\$42.40
Range: Changing from gas*** to electric	\$42.40
Electric Water Heater Replacement	\$42.40
Electric Water Heater replacing Gas*** Water Heater	\$42.40
Each added or modified 120 volt circuit (maximum charge is two circuits)	\$42.40
Each added 240 volt circuit (for other than Heat Pumps, Air Conditioners, Furnaces, Water Heaters, Ranges, Hot Tubs or Spas)	\$42.40
Hot Tub or Spa (power from home electrical panel)	\$42.40
Replace main electrical panel	\$42.40
Low voltage fire/intrusion alarm	\$42.40
Fire Safety	\$42.40
Any combination of Furnace, Range and Water Heater changing from electric to gas***	\$42.40
PLUMBING	
Fire sprinkler system (also requires a plan review)	\$21.20
Each added fixture	\$21.20
Replacement of water piping system (this includes two inspections)	\$95.60
STRUCTURAL	
Inspection as part of a mechanical/fire safety installation (cut truss/floor joist, sheet rocking)	\$42.40
Reroofs (may require a plan review)	\$74.30
Changes to home when additions bear loads on home per the design of a professional (also requires a plan review)	\$74.30
Other structural changes (may require a plan review)	\$74.30
Fire Safety (may also require an electrical fire safety inspection)	\$42.40
MISCELLANEOUS	
Other structural changes (may require a plan review)	\$74.30
Plan Review	\$84.90
OTHER REQUIRED INSPECTIONS (Per hour*)	\$58.40
ALL REINSPECTIONS (Per hour*)	\$58.40
Refund	\$10.60
INSIGNIA FEES:	
ALTERATION	\$10.60
FIRE SAFETY CERTIFICATE	\$10.60
REISSUED - LOST/DAMAGED	\$10.60

IPIA	
DEPARTMENT AUDIT FEES	
REGULARLY SCHEDULED IPIA AUDIT:	
First inspection on each section (one time only)	\$((28-70)) 29.50
Second and succeeding inspections of unlabeled sections (Per hour*)	\$((63-10)) 64.80
OTHER IPIA FEES:	
Red tag removal during a regularly scheduled IPIA audit (Per hour*separate from other fees)	\$((63-10)) 64.80
Red tag removal at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
Increased frequency surveillance (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
Attendance at manufacturers training classes (Per hour* only)	\$((63-10)) 64.80
Subpart "I" investigations (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
Alterations to a labeled unit (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
IPIA Issues/Responses (Per hour* Plus travel time* and mileage**)	\$((63-10)) 64.80
Monthly surveillance during a regularly scheduled IPIA audit (Per hour*plus travel time* and mileage**)	\$((63-10)) 64.80
Monthly surveillance at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
Plant certifications, recertifications and addenda updates (Per hour* plus travel time* and mileage** per each inspector)	\$((63-10)) 64.80
Response to HBT Audit during a regularly scheduled IPIA audit (Per hour*)	\$((63-10)) 64.80
Response to HBT Audit at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time*and mileage**)	\$((63-10)) 64.80
Alternative construction (AC) letter inspections at placement site (Per hour* plus travel time*and mileage**)	\$((63-10)) 64.80
Replacement of HUD labels (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
State Administrative Agency (SAA) inspection fee (Per hour* plus travel time* and mileage**)	\$((63-10)) 64.80
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour plus travel time* and mileage**)	\$((58-40)) 60.00
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year upon request)	\$11.90
VARIANCE INSPECTION FEE	\$84.90
HOMEOWNER REQUESTED INSPECTION	\$84.90
DECERTIFICATION OF A MOBILE/MANUFACTURED HOME	\$84.90
DEMOLITION OF A MOBILE/MANUFACTURED HOME	\$84.90
NOTE: Local jurisdictions may have other fees that apply.	
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Gas means all gases; natural, propane, etc.	

AMENDATORY SECTION (Amending WSR 05-12-032, filed 5/24/05, effective 6/30/05)

WAC 296-150T-3000 Factory-built temporary worker housing fees.

INITIAL FILING FEE	\$((45-30)) 46.50
DESIGN PLAN FEES:	
INITIAL ONE YEAR DESIGN	\$((130-70)) 134.30
RENEWAL FEE	\$((45-30)) 46.50
RESUBMIT FEE	\$((65-10)) 66.90
ADDENDUM (Approval expires on same date as original plan)	\$((65-10)) 66.90
ELECTRONIC PLAN SUBMITTAL FEE \$4.80 per page for the first set of plans and \$0.30 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) shall be charged per hour or fraction of an hour*	\$((77-20)) 79.30
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS	\$((12-20)) 12.50

DEPARTMENT INSPECTION FEES	
INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**)	\$(65.10) <u>66.90</u>
TRAVEL (Per hour)*	\$(65.10) <u>66.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$(65.10) <u>66.90</u>
TRAVEL (Per hour*)	\$(65.10) <u>66.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
FIRST SECTION	\$(183.20) <u>188.30</u>
EACH ADDITIONAL SECTION	\$(17.80) <u>18.30</u>
REISSUED-LOST/DAMAGED	\$(45.30) <u>46.50</u>
ELECTRICAL COMMERCIAL/INDUSTRIAL	
Electrical Service/feeders Ampacity	((207) <u>212.80</u> plus
Service/feeder	\$(189.80) <u>195.10</u>
Additional Feeder	\$(36.00) <u>37.00</u>
ELECTRICAL MULTIFAMILY RESIDENTIAL	
Electrical Service/feeders	((207) <u>212.80</u> plus
Service/feeder	\$(100.70) <u>103.50</u>
Additional Feeder	\$(25.70) <u>26.40</u>
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**)	\$(65.10) <u>66.90</u>
PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free per year)	\$(12.20) <u>12.50</u>
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments	
** Per state guidelines	
*** Actual charges incurred	

AMENDATORY SECTION (Amending WSR 05-23-002, filed 11/3/05, effective 12/4/05)

WAC 296-150V-3000 Conversion vendor units and medical units—Fees.

INITIAL FILING FEE	\$(32.30) <u>33.20</u>
DESIGN PLAN FEES:	
INITIAL FEE - MASTER DESIGN	\$(222.80) <u>229.00</u>
INITIAL FEE - ONE YEAR DESIGN	\$(91.20) <u>93.70</u>
RENEWAL FEE	\$(38.90) <u>39.90</u>
RESUBMIT FEE	\$(65.10) <u>66.90</u>
ADDENDUM (Approval expires on same date as original plan)	\$(65.10) <u>66.90</u>
ELECTRONIC PLAN SUBMITTAL FEE \$4.80 per page for the first set of plans and \$0.30 per page for each additional set of plans. These fees are in addition to any applicable design plan fees required under this section.	

ELECTRICAL PLAN REVIEW (Plan review for educational, institutional or health care facilities and other buildings)	
Electrical plan submission fee	\$(65.10) <u>66.90</u>
Service/feeder ampacity:	
0 - 100	\$(28.80) <u>29.60</u>
101 - 200	\$(35.90) <u>36.90</u>
201 - 400	\$(67.40) <u>69.30</u>
401 - 600	\$(79.50) <u>81.70</u>
601 - 800	\$(102.50) <u>105.30</u>
801 - 1000	\$(125.40) <u>128.90</u>
Over 1000	\$(136.10) <u>139.90</u>
Over 600 volts surcharge	\$(21.50) <u>22.10</u>
Thermostats:	
First	\$(12.70) <u>13.00</u>
Each additional	\$3.00
Low voltage fire alarm and burglar alarm:	
Each control panel and up to four circuits or zones	\$(11.60) <u>11.90</u>
Each additional circuit or zone	\$2.00
Generators, refer to appropriate service/feeder ampacity fees	
<i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i>	
Supplemental submissions of plans (resubmittals, addendums, renewals, code updates, etc.) shall be charged per hour or fraction of an hour*	\$(77.10) <u>79.20</u>
RECIPROCAL PLAN REVIEW:	
INITIAL FEE - MASTER DESIGN	\$(99.30) <u>102.10</u>
INITIAL FEE - ONE YEAR DESIGN	\$(60.10) <u>61.70</u>
RENEWAL FEE	\$(60.10) <u>61.70</u>
ADDENDUM	\$(60.10) <u>61.70</u>
APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS	\$(12.20) <u>12.50</u>
DEPARTMENT INSPECTION FEES:	
INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**)	\$(65.10) <u>66.90</u>
TRAVEL (Per hour)*	\$(65.10) <u>66.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
ALTERATION INSPECTION (One hour plus insignia alteration fee)	\$(97.40) <u>100.10</u>
DEPARTMENT AUDIT FEES:	
AUDIT (Per hour*)	\$(65.10) <u>66.90</u>
TRAVEL (Per hour*)	\$(65.10) <u>66.90</u>
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	

INSIGNIA FEES:	
FIRST SECTION/ <u>ALTERATION</u>	\$(18.80) <u>19.30</u>
((ALTERATION	32.30))
REISSUED-LOST/DAMAGED	\$(12.20) <u>12.50</u>
EXEMPT	\$(32.30) <u>33.20</u>
ELECTRICAL COMMERCIAL/INDUSTRIAL	
Electrical Service/feeders Ampacity	((207)) <u>212.80</u> plus
Service/feeder	\$(189.80) <u>195.10</u>
Additional Feeder	\$(36.00) <u>37.00</u>
ELECTRICAL MULTIFAMILY RESIDENTIAL	
Electrical Service/feeders	((207)) <u>212.80</u> plus
Service/feeder	\$(100.70) <u>103.50</u>
Additional Feeder	\$(25.70) <u>26.40</u>
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**)	\$(65.10) <u>66.90</u>
PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year upon request)	\$(12.20) <u>12.50</u>
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

AMENDATORY SECTION (Amending WSR 05-11-061, filed 5/17/05, effective 6/30/05)

WAC 296-400A-045 What fees will I have to pay? The following are the department's plumbers fees:
 (1) Fees related to journeyman and specialty plumber certification:

<u>Type of Fee</u>	<u>Period Covered by Fee</u>	<u>Dollar Amount of Fee</u>
Examination application	Per examination	\$(118.70) <u>122.00</u>
Reciprocity application*	Per application	\$(118.70) <u>122.00</u>
Trainee certificate**	One year	\$(35.50) <u>36.50</u>
Temporary permit (not applicable for backflow assembly maintenance and repair specialty)	90 days	\$(59.10) <u>60.70</u>
Journeyman or residential specialty certificate***	Two years (fee may be prorated based on months)	\$(95.10) <u>97.70</u>
Backflow assembly maintenance and repair specialty certificate	Two years (fee may be prorated based on months)	\$(65.70) <u>67.50</u>
Medical gas endorsement application	Per application	\$(43.80) <u>45.00</u>
Medical gas endorsement***	One year	\$(32.70) <u>33.60</u>
Medical gas endorsement examination fee****		See note below.
Medical gas endorsement training course fee*****		See note below.
Reinstatement fee for residential and journeyman certificates		\$(190.50) <u>195.80</u>
Reinstatement fee for backflow assembly maintenance and repair specialty certificates		\$(109.70) <u>112.70</u>
Replacement fee for all certificates		\$(16.20) <u>16.60</u>
Refund processing fee		\$(25.70) <u>26.40</u>
Unsupervised trainee endorsement		\$(25.70) <u>26.40</u>
Inactive status fee		\$(25.70) <u>26.40</u>
Certified letter fee		\$(25.70) <u>26.40</u>
Continuing education new course fee*****		\$(154.50) <u>158.80</u>
Continuing education renewal course fee*****		\$(77.20) <u>79.30</u>

<u>Type of Fee</u>	<u>Period Covered by Fee</u>	<u>Dollar Amount of Fee</u>
Continuing education classes provided by the department		\$12 per continuing education training hour \$8 per continuing education training hour for correspondence and internet courses
* Reciprocity application is only allowed for applicants that are applying work experience toward certification that was obtained in state(s) with which the department has a reciprocity agreement.		WAC 296-826-20005 Personal protective equipment (PPE).
** The trainee certificate shall expire one year from the date of issuance and must be renewed on or before the date of expiration.		<ul style="list-style-type: none"> Moved requirements relating to personal protective equipment from WAC 296-24-51009, 296-24-51013, and 296-24-51017 to this section.
*** This fee applies to either the original issuance or a renewal of a certificate. If you have passed the plumbers certificate of competency examination or the medical gas piping installer endorsement examination and paid the certificate fee, you will be issued a plumber certificate of competency or a medical gas endorsement that will expire on your birth date. The annual renewal of a Medical Gas Piping Installer Endorsement shall include a continuity affidavit verifying that brazing work has been performed biannually.		WAC 296-826-20010 Training.
**** This fee is paid directly to a nationally recognized testing agency under contract with the department. It covers the cost of preparing and administering the written competency examination and the materials necessary to conduct the practical competency examination required for the medical gas piping system installers endorsement. This fee is not paid to the department.		<ul style="list-style-type: none"> Moved requirements relating to training from WAC 296-24-51009 to this section.
***** This fee is paid directly to a training course provider approved by the department, in consultation with the state advisory board of plumbers. It covers the cost of providing training courses required for the medical gas piping system installer endorsement. This fee is not paid to the department.		WAC 296-826-20015 Chemical reactions.
***** This fee is for a three-year period or code cycle.		<ul style="list-style-type: none"> Moved requirements relating to chemical reactions from WAC 296-24-51003 to this section.
(2) If your birth year is:		WAC 296-826-20020 Emergencies.
(a) In an even-numbered year, your certificate will expire on your birth date in the next even-numbered year.		<ul style="list-style-type: none"> Moved requirements relating to emergencies from WAC 296-24-51009 to this section.
(b) In an odd-numbered year, your certificate will expire on your birth date in the next odd-numbered year.		WAC 296-826-300 Design, construction and installation.
		<ul style="list-style-type: none"> This section is a short table of contents of the sections located in this three-digit WAC number.
		WAC 296-826-30005 General specifications.
		<ul style="list-style-type: none"> Moved requirements relating to general specifications for container location and marking from WAC 296-24-51009, 296-24-51013 to this section.
		WAC 296-826-30010 Specifications for portable DOT containers.
		<ul style="list-style-type: none"> Moved requirements relating to portable DOT container location and marking from WAC 296-24-51015 to this section.
		WAC 296-826-30015 Nonrefrigerated stationary containers.
		<ul style="list-style-type: none"> Moved requirements relating to the design, construction and installation of nonrefrigerated stationary containers from WAC 296-24-51009, 296-24-51011, and 296-24-51017 to this section.
		WAC 296-826-30020 Refrigerated storage.
		<ul style="list-style-type: none"> Moved requirements relating to the design, construction and installation of refrigerated storage containers from WAC 296-24-51013 to this section.
		WAC 296-826-30025 Systems mounted on trucks, semi-trailers, and trailers.
		<ul style="list-style-type: none"> Moved requirements relating to the design, construction and installation of systems mounted on trucks, semi-trailers, and trailers from WAC 296-24-51017 to this section.

WSR 06-10-067**PERMANENT RULES
DEPARTMENT OF****LABOR AND INDUSTRIES**

[Filed May 2, 2006, 11:04 a.m., effective September 1, 2006]

Effective Date of Rule: September 1, 2006.

Purpose: Anhydrous ammonia, the purpose of this rule making is to make this rule easy to read, understand and more usable for employers. This rule will place anhydrous ammonia requirements from chapter 296-24 WAC into chapter 296-826 WAC, Anhydrous ammonia. Also, references were updated. There are no anticipated effects.

NEW SECTIONS:**WAC 296-826-100 Scope.**

- Added language to this section relating to what this chapter covers.

WAC 296-826-200 Employee safety.

- This section is a short table of contents of the sections located in this three-digit WAC number.

WAC 296-826-30030 Systems mounted on farm trucks or trailers for transporting ammonia.

- Moved requirements relating to the design, construction and installation of systems mounted on farm trucks or trailers for transporting ammonia from WAC 296-24-51019 to this section.

WAC 296-826-30035 Systems mounted on farm equipment for ammonia application.

- Moved requirements relating to the design, construction and installation of systems mounted on farm equipment for ammonia application from WAC 296-24-51021 to this section.

WAC 296-826-30040 DOT containers.

- Moved requirements relating to the design, construction and installation of DOT containers from WAC 296-24-51017 and 296-24-51015 to this section.

WAC 296-826-30045 Installation.

- Moved requirements relating to installation of nonrefrigerated containers from WAC 296-24-51011 to this section.

WAC 296-826-30050 Reinstallation.

- Moved requirements relating to reinstallation of nonrefrigerated containers from WAC 296-24-51011 to this section.

WAC 296-826-30055 Installation.

- Moved requirements relating to installation of refrigerated storage tanks from WAC 296-24-51013 to this section.

WAC 296-826-30060 Reinstallation.

- Moved requirements relating to reinstallation of refrigerated storage tanks from WAC 296-24-51013 to this section.

WAC 296-826-400 Equipment and systems.

- This section is a short table of contents of the sections located in this three-digit WAC number.

WAC 296-826-40005 Electrical.

- Moved requirements relating to electrical equipment and wiring from WAC 296-24-51009 to this section.

WAC 296-826-40010 Hose specifications.

- Moved requirements relating to hose specifications from WAC 296-24-51009 to this section.

WAC 296-826-40015 General requirements for all systems.

- Moved requirements relating to general piping, tubing, and fitting for all systems from WAC 296-24-51009 to this section.

WAC 296-826-40020 Nonrefrigerated systems.

- Moved requirements relating to piping, tubing, and fitting for nonrefrigerated systems from WAC 296-24-51009 and 296-24-51017 to this section.

WAC 296-826-40025 Systems mounted on trucks, semi-trailers and trailers.

- Moved requirements relating to piping, tubing, and fitting for systems mounted on trucks, semi-trailers, and trailers from WAC 296-24-51017 to this section.

WAC 296-826-40030 Refrigerated storage compressors.

- Moved requirements relating to refrigerated storage compressors from WAC 296-24-51013 to this section.

WAC 296-826-40035 Refrigeration load.

- Moved requirements relating to refrigeration load from WAC 296-24-51013 to this section.

WAC 296-826-40040 Separators for refrigerated storage.

- Moved requirements relating to separators for refrigerated storage from WAC 296-24-51013 to this section.

WAC 296-826-40045 Automatic control equipment for refrigerated storage.

- Moved requirements relating to automatic control equipment for refrigerated storage from WAC 296-24-51013 to this section.

WAC 296-826-40050 Other refrigerated storage equipment.

- Moved requirements relating to other refrigerated storage equipment from WAC 296-24-51013 to this section.

WAC 296-826-40055 Compressors for refrigerated systems.

- Moved requirements relating to compressors for refrigerated systems from WAC 296-24-51009 and 296-24-51013 to this section.

WAC 296-826-500 Appurtenances.

- This section is a short table of contents of the sections located in this three-digit WAC number.

WAC 296-826-50005 Appurtenance requirements for all systems.

- Moved requirements relating to appurtenances for all systems from WAC 296-24-51009 to this section.

WAC 296-826-50010 Nonrefrigerated stationary containers.

- Moved requirements relating to appurtenances for nonrefrigerated stationary containers from WAC 296-24-51009 and 296-24-51011 to this section.

WAC 296-826-50015 Refrigerated tanks.

- Moved requirements relating to appurtenances for refrigerated tanks from WAC 296-24-51011 and 296-24-51013 to this section.

WAC 296-826-50020 Systems mounted on trucks, semi-trailers and trailers.

- Moved requirements relating to appurtenances for systems mounted on trucks, semi-trailers and trailers from WAC 296-24-51009, 296-24-51011, and 296-24-51017 to this section.

WAC 296-826-50025 Systems mounted on farm trucks or trailers for transportation of ammonia.

- Moved requirements relating to appurtenances for systems mounted on farm trucks or trailers for transportation of ammonia from WAC 296-24-51009, 296-24-51011, and 296-24-51019 to this section.

WAC 296-826-50030 Systems mounted on farm equipment for ammonia application.

- Moved requirements relating to appurtenances for systems mounted on farm equipment for ammonia application from WAC 296-24-51009, 296-24-51011, 296-24-51019, and 296-24-51021 to this section.

WAC 296-826-50035 Portable DOT containers.

- Moved requirements relating to appurtenances for portable DOT containers from WAC 296-24-51015 to this section.

WAC 296-826-600 Operations.

- This section is a short table of contents of the sections located in this three-digit WAC number.

WAC 296-826-60005 Mounting containers on trucks, semi-trailers and trailers.

- Moved requirements relating to mounting containers on trucks, semi-trailers and trailers from WAC 296-24-51017 to this section.

WAC 296-826-60010 Mounting containers on farm trucks or trailers for transporting ammonia.

- Moved requirements relating to mounting containers on farm trucks or trailers for transporting ammonia from WAC 296-24-51019 and 296-24-51021 to this section.

WAC 296-826-60015 Tank car loading or unloading.

- Moved requirements relating to tank car loading or unloading from WAC 296-24-51009 and 296-24-51017 to this section.

WAC 296-826-60020 General specifications.

- Moved requirements relating to general specifications for transferring liquids from WAC 296-24-51009 to this section.

WAC 296-826-60025 Additional requirements for systems mounted on trucks, semi-trailers, and trailers for transporting ammonia.

- Moved requirements relating to transferring liquids for systems mounted on trucks, semi-trailers, and trailers from WAC 296-24-51017 to this section.

WAC 296-826-60030 Nonrefrigerated containers.

- Moved requirements relating to filling densities on nonrefrigerated tanks from WAC 296-24-51009 to this section.

WAC 296-826-60035 Refrigerated tanks.

- Moved requirements relating to filling densities on refrigerated tanks from WAC 296-24-51013 to this section.

WAC 296-826-60040 Welding.

- Moved requirements relating to welding from WAC 296-24-51009 to this section.

WAC 296-826-900 Definitions.

- Moved definitions relating to anhydrous ammonia to this section.

REPEALED SECTIONS:

WAC 296-24-510 Storage and handling of anhydrous ammonia, 296-24-51001 Scope, 296-24-51003 General, 296-24-51005 Definitions, 296-24-51007 Use of water in emergencies, 296-24-51009 Basic rules, 296-24-51011 Systems utilizing stationary, pier-mounted or skid-mounted aboveground or underground, nonrefrigerated storage, 296-24-51013 Refrigerated storage, 296-24-51015 Systems utilizing portable DOT containers, 296-24-51017 Systems mounted on trucks, semi-trailers, and trailers for transportation of ammonia, 296-24-51019 Systems mounted on farm wagons (implements of husbandry) for the transportation of ammonia, and 296-24-51021 Systems mounted on farm equipment (implements of husbandry) for the application of ammonia.

- Moved these sections to chapter 296-826 WAC.

WAC 296-24-51099 Appendix C—Availability of reference material.

- This section is no longer applicable.

Citation of Existing Rules Affected by this Order: WAC 296-24-510 Storage and handling of anhydrous ammonia, 296-24-51001 Scope, 296-24-51003 General, 296-24-51005 Definitions, 296-24-51007 Use of water in emergencies, 296-24-51009 Basic rules, 296-24-51011 Systems utilizing stationary, pier-mounted or skid-mounted aboveground or underground, nonrefrigerated storage, 296-24-51013 Refrigerated storage, 296-24-51015 Systems utilizing portable DOT containers, 296-24-51017 Systems mounted on trucks, semi-trailers, and trailers for transportation of ammonia, 296-24-51019 Systems mounted on farm wagons (implements of husbandry) for the transportation of ammonia, 296-24-51021 Systems mounted on farm equipment (implements of husbandry) for the application of ammonia, and 296-24-51099 Appendix C—Availability of reference material.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Adopted under notice filed as WSR 06-06-064 on February 28, 2006.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 49, Amended 0, Repealed 13; 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 49, Amended 0, Repealed 13.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 49, Amended 0, Repealed 13.

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 49, Amended 0, Repealed 13.

Date Adopted: May 2, 2006.

Gary Weeks
Director

Chapter 296-826 WAC

ANHYDROUS AMMONIA

NEW SECTION

WAC 296-826-100 Scope. This chapter applies to employers who use, handle, store, distribute, or transport anhydrous ammonia.

• Operations covered by this chapter include, but are not limited to:

– All distributors of anhydrous ammonia, including distributors who store and transport anhydrous ammonia on trucks delivering to a farm.

– Any employer who stores and handles anhydrous ammonia to use in water treatment plants, acid production, metal processing, pollution control, or make products such as:

- Fertilizers
- Synthetic resins
- Plastics and intermediates
- Hexamine for explosives
- Dyes
- Insecticides

• Operations not covered by this chapter include:

– The manufacture of anhydrous ammonia.

– Mechanical refrigeration systems where ammonia is used solely as a refrigerant.

– Pipelines transporting anhydrous ammonia into or out of a storage facility.

– Agricultural operations within the scope of chapter 296-307 WAC. When a distributor delivers anhydrous ammonia to a farmer, the requirements for agricultural operations apply:

■ As soon as the farmer takes possession of the truck or equipment containing ammonia from the distributor, this includes the farmer picking up the farm truck or equipment from the distributor.

■ An ammonia distributor begins performing agricultural operations using their ammonia at the farm.

References:

- For requirements on agricultural operations using anhydrous ammonia, go to Part U-1 of chapter 296-307 WAC.

- If you use, handle, store, distribute, or transport anhydrous ammonia in quantities of 10,000 pounds or more, follow the requirements found in another chapter, Process safety management of highly hazardous chemicals, chapter 296-67 WAC.

- To protect employees handling ammonia, in addition to this chapter, you will need the following requirements found in other chapters:

– The following sections from the Safety and health core rules, chapter 296-800 WAC:

- Accident prevention program, WAC 296-800-140
 - Emergency washing, WAC 296-800-150
 - Personal protective equipment, WAC 296-800-160
- Emergency response, chapter 296-824 WAC

– Respiratory hazards, chapter 296-841 WAC

– Respirators, chapter 296-842 WAC

NEW SECTION

WAC 296-826-200 Employee safety.

Your responsibility:

To protect employees who use, handle, store, distribute, or transport anhydrous ammonia.

Personal protective equipment (PPE)

WAC 296-826-20005

Training

WAC 296-826-20010

Chemical reactions

WAC 296-826-20015

Emergencies

WAC 296-826-20020

NEW SECTION

WAC 296-826-20005 Personal protective equipment (PPE).

You must:

• Provide the following PPE at all stationary storage installations:

– Two respirators in readily accessible locations as required by WAC 296-842, Respirators

– One pair of protective gloves, boots, pants, a protective slicker, and a jacket made of:

- Rubber;

OR

■ Other material that can not be penetrated by ammonia.

– Tight fitting vented goggles and one full face shield.

– An easily accessible shower or fifty gallons of clean water in an open top container.

• Equip tank motor vehicles with all of the following equipment for emergency purposes:

– At least five gallons of water to flush liquid ammonia from skin or eyes.

– Respiratory equipment suitable for anhydrous ammonia as required by chapter 296-842 WAC, Respirators

– A pair of protective gloves made of neoprene rubber or other material that cannot be penetrated by ammonia.

– Tight fitting goggles and a full face shield

Note: Additional safety equipment is recommended when more than one employee is present.

NEW SECTION

WAC 296-826-20010 Training.

You must:

• Train employees who handle ammonia on all of the following:

– Safe operating practices

– Emergency procedures

– Proper use of personal protective equipment (PPE)

NEW SECTION

WAC 296-826-20015 Chemical reactions.

You must:

• Prohibit the use of ammonia with other chemicals unless the possible reactions have been adequately investigated.

- Note:**
- Under some circumstances, ammonia and ammonium compounds can form explosive products with other chemicals. For additional information, refer to the following:
 - Section 491M "Manual on Hazardous Chemical Reactions" of the NFPA, 1969 Edition;
 - AND**
 - CG-388, the "Chemical Data Guide for Bulk Shipment by Water," 1969

NEW SECTION

WAC 296-826-20020 Emergencies.

You must:

- Make sure only trained personnel designated to respond if a leak occurs in an ammonia system do all of the following:
 - Evacuate affected personnel to noncontaminated areas
 - Shut off appropriate valves
 - Put on all of the following PPE in concentrated ammonia atmospheres and in unknown concentrations of ammonia:
 - Self-contained breathing apparatus (SCBA)
 - A plastic or rubber suit
 - Gauntlet-type plastic or rubber gloves
 - Make sure a physician treats all employees with eye injuries caused by liquid ammonia. In addition:
 - Immediately flush liquid ammonia from skin or eyes continuously for a minimum of fifteen minutes using water or eye wash solutions as required by the safety and health core rules; First aid, WAC 296-800-150.
 - Do not use neutralizing solutions or ointments on affected areas.

- Note:**
- Drivers unable to stop a leak during transport should:
 - Move the vehicle to an isolated area
 - Use the current *Department of Transportation (DOT) Emergency Response Guidebook* to establish safe distances to isolate a leaking tank from the driver and the public.

NEW SECTION

WAC 296-826-300 Design, construction and installation.

Your responsibility:

To make sure containers and tanks used for storing, distributing, or transporting anhydrous ammonia meet design, construction and installation requirements.

Container location and marking

General specifications

WAC 296-826-30005

Specifications for portable DOT containers

WAC 296-826-30010

Nonrefrigerated stationary containers

WAC 296-826-30015

Refrigerated storage

WAC 296-826-30020

Systems mounted on trucks, semi-trailers, and trailers

WAC 296-826-30025

Systems mounted on farm trucks or trailers for transporting ammonia

WAC 296-826-30030

Systems mounted on farm equipment for ammonia application

WAC 296-826-30035

DOT containers

WAC 296-826-30040

Nonrefrigerated containers

Installation

WAC 296-826-30045

Reinstallation

WAC 296-826-30050

Refrigerated tanks

Installation

WAC 296-826-30055

Reinstallation

WAC 296-826-30060

CONTAINER LOCATION AND MARKING

NEW SECTION

WAC 296-826-30005 General specifications.

You must:

- Locate containers either:
 - In buildings or parts of the building provided for ammonia storage;
- OR**
- Outside, away from densely populated areas.
- Locate containers according to Table 1, Minimum Distances for Container Location.

Table 1
Minimum Distances for Container Location

Nominal Capacity of Container	Minimum Distances (feet) from Container to:		
	Line of Adjoining Property Which may be Built upon, Highways & Main-line of Railroad	Place of Public Assembly	Institution Occupancy
Over 500 to 2,000	25	150	250
Over 2,000 to 30,000	50	300	500
Over 30,000 to 100,000	50	450	750
Over 100,000	50	600	1,000

You must:

- Make sure containers are located to meet all of the following:
 - Away from readily ignitable materials such as weeds, long dry grass, and waste.
 - So there is no adverse impact on employee health through unnecessary exposure.
 - At least fifty feet away from dug wells and other sources of potable water.
 - If the container is a part of a water treatment installation, then this requirement does not apply.
- Maintain legibility of all container and valve markings.

NEW SECTION**WAC 296-826-30010 Specifications for portable DOT containers.****IMPORTANT:**

This section applies to systems that use cylinders, portable tanks (DOT-51), or "ton containers" (DOT-106A, DOT-110A), constructed according to DOT specifications.

You must:

- Locate containers aboveground, never buried below the ground.
 - Put containers on firm ground or secure them.
 - Guard against settling on the outlet piping by using a flexible connection or a special fitting.
 - Protect containers from all of the following:
 - Ignitable debris
 - External damage including corrosion
 - Heat sources, like radiant flames and steam pipes
 - Moving vehicles.
- Prohibit the use of heat to raise the container pressure.

NEW SECTION**WAC 296-826-30015 Nonrefrigerated stationary containers.****You must:**

- Construct and test containers according to the Unfired Pressure Vessel Code.
- Make sure the minimum design pressure of the container is 250 psig
- Make sure all containers with a capacity exceeding two hundred fifty gallons are constructed to meet one or more of the following:
 - Stress relieved after fabrication according to the Unfired Pressure Vessel Code
 - Have stress relieved cold-formed heads
 - Hot-formed heads

NEW SECTION**WAC 296-826-30020 Refrigerated storage.****You must:**

- Make sure the minimum design temperature is the same as the refrigerated temperature of the tank.
- Construct and test containers, with a design pressure exceeding 15 psig, according to the Unfired Pressure Vessel Code.
 - Select construction materials from those listed from *API Standard 620, 4th Edition 2002, Recommended Rules for Design and Construction of Large, Welded Low Pressure Storage Tanks*.
 - Construct tanks with a design pressure with 15 psig or less according to API Standard 620, 4th Edition, 2002.
 - Use ASME Code as a guide in the selection of austenitic steels or nonferrous materials, if used at the design temperature.

NEW SECTION**WAC 296-826-30025 Systems mounted on trucks, semi-trailers, and trailers.****You must:**

- Construct and test containers, when transported within the state of Washington, according to both of the following:
 - A minimum design pressure of 250 psig
 - The Unfired Pressure Vessel Code.
- Construct containers used for interstate transport according to DOT regulations.
 - Make sure the shell or head thickness of any container is at least 3/16 of an inch.
 - Make sure electrical lighting circuits meet all of the following:
 - Have suitable over-current protection, such as fuses or automatic circuit breakers.
 - Are suitably secured, insulated, and protected against physical damage.
 - Have wiring with sufficient carrying capacity and mechanical strength.
- Use only electric light.

NEW SECTION**WAC 296-826-30030 Systems mounted on farm trucks or trailers for transporting ammonia.****You must:**

- Construct and test containers, with a design pressure exceeding 15 psig, according to the Unfired Pressure Vessel Code.

NEW SECTION**WAC 296-826-30035 Systems mounted on farm equipment for ammonia application.****You must:**

- Construct and test containers according to the Unfired Pressure Vessel Code.

NEW SECTION**WAC 296-826-30040 DOT containers.****You must:**

- Make sure containers meet DOT specifications.

NONREFRIGERATED CONTAINERSNEW SECTION**WAC 296-826-30045 Installation.****You must:**

- Provide a minimum distance of five feet between aboveground and underground containers that have more than a twelve hundred gallon capacity each.
- Protect containers from floating away, in areas with a potential for high flood waters, by providing either:
 - Secure anchorage;
- OR**
- Adequate pier height.

- Follow Table 2 for aboveground, nonrefrigerated containers.

Table 2
Aboveground Nonrefrigerated Container Requirements

If you have:	Then:
Aboveground containers	<p>Provide one of the following:</p> <ul style="list-style-type: none"> – Substantial reinforced concrete footings and foundations <p>OR</p> <ul style="list-style-type: none"> – Structural steel supports mounted on reinforced concrete foundations. <p>Make sure the reinforced concrete foundation meets all of the following:</p> <ul style="list-style-type: none"> – Extends below the established frost line – Is of sufficient width and thickness to support the total weight of the containers and contents – Has the lowest point of the tank at least eighteen inches above the ground. <p>Make sure the footings meet all of the following:</p> <ul style="list-style-type: none"> – Extend below the established frost line – Are of sufficient width and thickness to support the total weight of the containers and contents.
Floating type foundations on containers installed aboveground	Make sure they are designed to adequately support the tank, contents, and pumping equipment.
A horizontal, above-ground container	Mount the container on a foundation that permits expansion and contraction.
	Prevent the weight of excessive loads from resting on the supporting portion of the shell.
	Provide saddle bearing that extends over at least one-third the circumference of the shell.
	Prevent corrosion on the portions of the container in contact with the foundations or saddles.

You must:

- Follow Table 3 for underground, non-refrigerated containers.

Table 3
Underground Nonrefrigerated Container Requirements

If you have:	Then:
Underground containers	Set the containers on firm foundations or earth
	– Surround containers with soft earth or sand well tamped into place.
	Make sure the top of the container is at least one foot below the surface of the ground.
	– If ground conditions make this impractical, use precautions to prevent physical damage to the container.
	Exemption: It is not necessary to cover the portion of the container where a manhole and other connections are attached.
	Securely anchor or weight containers when necessary to prevent floating.
Have a protective corrosion resistant coating applied before it is placed underground that is both of the following:	– Satisfactory to the authority having jurisdiction;
	AND
	– Equal to either hot dip galvanizing or two preliminary coatings of red lead followed by a heavy coating of coal tar or asphalt.
	Lower containers onto firm foundations without damaging the protective corrosion resistant coating.

NEW SECTION

WAC 296-826-30050 Reinstallation.

You must:

- Prohibit the reinstallation of nonrefrigerated, previously installed underground, containers unless they meet both of the following:
 - Pass a hydrostatic pressure retest using the original pressure specified by the Unfired Pressure Vessel Code under which the tank was constructed;
- AND**
- Show no evidence of serious corrosion.
- Maintain a corrosion resistant coating on reinstalled underground containers.

REFRIGERATED STORAGE TANKS

NEW SECTION

WAC 296-826-30055 Installation.

You must:

- Support tanks on noncombustible foundations designed for the type of tank.

- Provide protection against flotation or other water damage, where high floodwater might occur.
 - Prevent the effects of freezing and consequent frost heaving, in tanks used for product storage at less than 32°F, by providing either support or heat supply.
 - Prevent accidental discharge of liquids from spreading into uncontrolled areas by providing, to the area surrounding a refrigerated tank or group of tanks, one of the following:
 - A drainage system provided with at least a one percent slope that terminates in an impounding basin with a capacity as large as the largest tank served;
- OR**
- A diked enclosure with a capacity as large as the largest tank served.
 - Meet, when using a diked enclosure or an impounding basin in a drainage system, the following requirements:
 - The wall is made of earth, steel, or concrete. If made of earth, meet both of the following:
 - The top is flat and at least two feet wide;
- AND**
- There is a stable slope consistent with the angle of the earth used
 - Design the wall to be both:
 - Liquid tight;
- AND**
- Able to withstand the hydrostatic pressure and the temperature.
 - Provide for drainage of rain water, that does not permit the release of ammonia, from diked or impounding areas.

Note:

- It is recommended that the ground in an impounding basin or within a diked enclosure be graded so that small spills or the early part of a large spill will accumulate at one side or corner contacting both:
 - A relatively small area of ground;

AND

- Exposing a relatively small surface area for heat gain.
- Shallow channels in the ground surface or low curbs of earth can help guide the liquid to these low areas without contacting a large ground area.

NEW SECTION

WAC 296-826-30060 Reinstallation.

You must:

- Make sure moved and reinstalled containers of a size to require field fabrication are reconstructed and reinspected to:
 - Meet the original Unfired Pressure Vessel Code under which the tank was manufactured and do the following according to the same code:
 - A pressure retest
 - Any necessary rerating.

NEW SECTION

WAC 296-826-400 Equipment and systems.

Your responsibility:

To make sure all equipment and systems are operated and maintained safely.

Electrical
WAC 296-826-40005
Hose specifications
WAC 296-826-40010

- Piping, tubing, and fittings
 - General requirements for all systems
WAC 296-826-40015
 - Nonrefrigerated systems
WAC 296-826-40020
 - Systems mounted on trucks, semi-trailers, and trailers
WAC 296-826-40025
- Refrigeration storage
 - Refrigerated storage compressors
WAC 296-826-40030
 - Refrigeration load
WAC 296-826-40035
 - Separators for refrigerated storage
WAC 296-826-40040
 - Automatic control equipment for refrigerated storage
WAC 296-826-40045
 - Other refrigerated storage equipment
WAC 296-826-40050
 - Compressors for refrigerated systems
WAC 296-826-40055

NEW SECTION

WAC 296-826-40005 Electrical.

You must:

- Use electrical equipment and wiring on ammonia installations that is either of the following:
 - General purpose;
- OR**
- Weather resistant.
 - Follow the electrical requirements found in another chapter, chapter 296-24 WAC, Part L for Class 1, Group D locations when the concentrations of ammonia in air are in excess of 16% by volume.

NEW SECTION

WAC 296-826-40010 Hose specifications.

You must:

- Make sure hose used in ammonia service and subject to container pressure meets both of the following:
 - The *Joint Rubber Manufacturers Association, RMA-IP-14, Specifications for Anhydrous Ammonia Hose* 7th Edition 2003;
- AND**
- The *Fertilizer Institute "Hose Specifications for Anhydrous Ammonia."*
 - Make sure hose assemblies are able to withstand a 500 psig pressure test.
 - Follow Table 4 for hose specifications.

Table 4
Hose Specifications

If you have:	Then:
Hose subject to container pressure	Design it with a minimum <ul style="list-style-type: none"> – Working pressure of 350 psig <p>AND</p> <ul style="list-style-type: none"> – Burst pressure of 1750 psig

If you have:	Then:
Hose and their connections	Design them for the maximum low side working pressure when located on either: <ul style="list-style-type: none"> – The pressure reducing valves on devices discharging to atmospheric pressure; OR – The low pressure side of flow control.
	Design, construct, and install so there is no leakage when connected.
Liquid transfer hose that is not drained of liquid upon completion of transfer operations	Equip with an approved shut off valve at the discharge end. Prevent excessive hydrostatic pressure in the hose.
Hose with an outside diameter one-half inch and larger	Make sure the hose is marked and legible at five foot intervals.

PIPING, TUBING, AND FITTINGS

NEW SECTION

WAC 296-826-40015 General requirements for all systems.

You must:

- Prohibit the use of cast iron fittings.
 - The use of malleable or nodular iron such as Specification ASTM A47 or ASTM A395 is permitted.
- Make sure all metal flexible connections for permanent installations have a minimum working pressure of 250 psig
 - Make sure all pipes, tubes, and fittings used for ammonia service meet all of the following:
 - Made of material with a design pressure at least equal to the maximum service pressure.
 - Well supported and have provisions for all of the following:
 - Expansion
 - Contraction
 - Vibration
 - Jarring
 - Settling.
 - Protect all exposed pipes from damage resulting from undue strain including:
 - Moving machinery
 - The presence of vehicles.
 - Use ammonia resistant joint compounds.
 - Make sure, after assembly, that all piping and tubing are leak free at a pressure not less than the normal operating pressure of the system.

NEW SECTION

WAC 296-826-40020 Nonrefrigerated systems.

You must:

- Make sure piping on nonrefrigerated systems is:
 - ASTM A-53-2004 Electrical Resistance Welded and Electric Flash Welded Pipe or equal. In addition piping needs to be:
 - At least schedule 80 when joints are threaded.
 - At least schedule 40 when joints are either welded or welded and flanged.
 - Prohibit the use of piping or tubing made of any of the following:
 - Brass
 - Copper
 - Galvanized steel.

NEW SECTION

WAC 296-826-40025 Systems mounted on trucks, semi-trailers, and trailers.

You must:

- Make sure all piping, tubing, and fittings are:
 - Securely mounted
 - Protected against physical damage.

REFRIGERATED STORAGE

NEW SECTION

WAC 296-826-40030 Refrigerated storage compressors.

You must:

- Make sure compressors have all of the following:
 - Their own driving unit
 - Discharge pressure that is governed by the condensing conditions
 - Suitable compressor operation controls based on the load pressure in the container
 - At least two compressors either of which is of sufficient size to handle the intended loads
 - Standby equipment equal to the largest normally operating piece of equipment installed when more than two compressors are provided
 - Automatic controls installed to prohibit the operation of alternate compressors unless the controls will function with alternate compressors.
 - Make sure compressors are sized to operate with a suction pressure that is both of the following:
 - At least ten percent below the minimum setting of the safety relief valves on the storage tank
 - Able to withstand one hundred twenty percent of the design pressure of the tank.
 - Install an oil separator of suitable size in the compressor discharge line that is both:
 - Designed for at least 250 psig;
- AND**
- Equipped with a drain valve and gauging device.

NEW SECTION**WAC 296-826-40035 Refrigeration load.****You must:**

• Make sure the total refrigeration load includes the loads imposed by all of the following:

– Heat flow into the container caused by the temperature difference between both:

- The ambient temperature;

AND

- The design storage temperature

– Heat flow into the tank caused by maximum sun radiation

– Filling the tank with ammonia warmer than the design storage temperature.

• Provide emergency power capable of handling loads imposed by both of the following:

– The temperature difference between the ambient temperature and the design storage temperature;

AND

– Sun radiation.

Note: Emergency power is not necessary for facilities able to effectively vent vapors when the refrigeration system is not operating.

NEW SECTION**WAC 296-826-40040 Separators for refrigerated storage.****You must:**

• Install an entrainment separator, of suitable size and design pressure, in the compressor suction line that is equipped with both of the following:

– A drain valve;

AND

– A gauging device.

NEW SECTION**WAC 296-826-40045 Automatic control equipment for refrigerated storage.****You must:**

• Install an emergency alarm to detect minimum and maximum allowable operating pressure changes.

• Install an emergency alarm and shut off in the condenser system to detect excess discharge pressure caused by the failure of the cooling medium.

NEW SECTION**WAC 296-826-40050 Other refrigerated storage equipment.****You must:**

• Discharge ammonia to storage by using either:

– A receiver with an automatic float valve;

OR

– A high pressure liquid drain trap of suitable capacity.

• Make sure receivers are:

– Designed for at least 250 psig;

AND

– Equipped with all of the following:

- Necessary connections

- Safety relief valves

- Gauging devices.

• Cover insulated containers and pipelines with material that meets all of the following:

– Thick enough for the temperatures it will be exposed to

– Supported

– Weather and fire resistant.

NEW SECTION**WAC 296-826-40055 Compressors for refrigerated systems.****You must:**

• Make sure condensers are designed:

– For at least 250 psig;

AND

– To manually or automatically purge noncondensibles.

Note: Condensers may be cooled by any of the following:

– Air

– Water

– Air and water.

You must:

• Make sure compressors used for refrigerating ammonia meet all of the following:

– Are connected to plant piping with shut off valves located as close as practical to compressor connections

– Have a safety relief valve that is both:

■ Large enough to discharge the full capacity of the compressor;

AND

■ Connected to the discharge and placed before any shut off valve

– Have an oil separator on the discharge side, where necessary to prevent contamination.

– Have a drainable liquid trap or other adequate method on the compressor suction to minimize the entry of liquids into the compressor.

– Pressure gauges on the suction and discharge ends graduated to at least one and one-half times the maximum pressure that can develop.

NEW SECTION**WAC 296-826-500 Appurtenances.****Your responsibility:**

To follow the requirements in this section when using appurtenances.

Appurtenance requirements for all systems

WAC 296-826-50005

Nonrefrigerated stationary containers

WAC 296-826-50010

Refrigerated tanks

WAC 296-826-50015

Systems mounted on trucks, semi-trailers and trailers

WAC 296-826-50020

Systems mounted on farm trucks or trailers for transportation of ammonia

WAC 296-826-50025

Systems mounted on farm equipment for ammonia application

WAC 296-826-50030
 Portable DOT containers
 WAC 296-826-50035

NEW SECTION

WAC 296-826-50005 Appurtenance requirements for all systems.

Definition:

Appurtenance means all devices such as pumps, compressor, safety relief devices, liquid-level gauging devices, valves and pressure gauges.

You must:

- Make sure each appurtenance installed before February 8, 1973, is determined to be safe by meeting one of the following:

- Approved, tested, and installed by either:

- The American National Standard for the Storage and Handling of Anhydrous Ammonia (in effect at the time of installation)

- The Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia (in effect at the time of installation)

- Accepted, certified, listed, or labeled, by a nationally recognized testing laboratory

- Inspected or tested by a federal, state, municipal, or local authority responsible for enforcing occupational safety provisions, when no nationally recognized laboratory will provide approval

- Tested and approved by a registered professional engineer or other qualified person if the system is a custom-designed or custom-built unit and no other recognized entity will provide approval

- Keep a document on file signed by the qualified person that indicates the unit is safe. Include the test bases, test data and results and the qualifications of the qualified person.

You must:

- Make sure container appurtenances are both of the following:

- Designed for at least the working pressure for the portion of the system where installed;

AND

- Fabricated from materials suitable for anhydrous ammonia service.

- Make sure fixed liquid level gauges, except on refrigerated storage:

- Are designed so the maximum volume of the container filled by liquid does not exceed eighty-five percent of its water capacity;

AND

- Have a coupling into which it is threaded that is placed at the eighty-five percent level of the container

- If located elsewhere, install the dip tube of this gauge so it can not be easily removed.

- Equip each container, except those filled by weight, with an approved liquid level gauging device that does all of the following:

- Has a design pressure equal to or greater than the design pressure of the container

- Are arranged so the maximum liquid fill level of containers can be readily determined.

- Follow additional requirements found in Table 5, Appurtenance Requirements for all Systems

Table 5
 Appurtenance Requirements for all Systems

If you have:	Then make sure they:
Safety relief devices	Do not have discharge termination in or beneath any building.
Safety relief valves	Have a flow capacity that is not restricted by any connection to it on either the upstream or downstream side.
Connections to containers	Have shut off valves located as close to the container as possible. Exemption: Safety relief devices, gauging devices or devices fitted with a No. 54 drill size hole are not required to have shut off valves located as close to the container as possible.
Connections and the line, including valves and fittings	Have a greater rated flow than the excess flow valves that protects them
Excess flow valves, where required	Meet all of the following: <ul style="list-style-type: none"> • Are designed with a bypass no larger than a No. 60 drill size opening to allow equalization of pressures. • Close automatically at the rated flow of vapor or liquid specified by the manufacturer. • Maintain legible markings.
Excess flow valves provided with shut off valves	Are designed to close if the shut off valve breaks during installation
Excess flow and back pressure check valves, where required	Are located either: <ul style="list-style-type: none"> • Inside the container; OR • Outside the container as long as the excess flow valve is: <ul style="list-style-type: none"> – As close as possible to the entrance of the line; AND

<p>If you have:</p>	<p>Then make sure they:</p> <ul style="list-style-type: none"> - Installed without excessive stress that could result in breakage between the container and the valve.
<p>Liquid level gauging devices that:</p> <ul style="list-style-type: none"> - Require bleeding of the product into the atmosphere such as the rotary tube, fixed tube, and slip tube devices 	<p>Are either:</p> <ul style="list-style-type: none"> • Designed so that the maximum opening of the bleed valve is not larger than No. 54 drill size; OR • Provided with an excess flow valve. <p>Exemption:</p> <ul style="list-style-type: none"> - If openings from the containers or through fittings are attached directly onto the container where pressure gauge connections are made, then there is no need for excess flow valves as long as the openings are not larger than a No. 54 drill size - This requirement does not apply to farm vehicles used for the application of ammonia as covered by WAC 296-826-50030.

You must:

- Follow Table 6, Safety Valve Start to Discharge Rate, and Table 7, Safety Relief Valve Rate of Discharge, for the following systems:

- Nonrefrigerated stationary containers
- Mounted on trucks, semi-trailers, and trailers used for the transportation of ammonia
- Mounted on farm wagons for the transportation of ammonia
- Mounted on farm equipment for the application of ammonia

Exemption: The rate of discharge of spring-loaded safety relief valves installed on underground containers may be reduced to thirty percent of the rate of discharge specified in Table 6, Safety Relief Valve Rate of Discharge so long as the container is not uncovered after installation until the liquid ammonia has been removed.

Table 6
Safety Valve Start to Discharge Rate

Containers	Minimum	Maximum*
ASME U-68, U-69	110%	125%
ASME U-200, U-201	95%	100%
ASME 1952, 1956, 1959, 1962, 1965, 1968, or 1971	95%	100%
API-ASME	95%	100%
U.S. Coast Guard	(As required by U.S.C.G. regulations)	
DOT	(As required by DOT regulations)	

Note: A relief valve manufacturer's tolerance of plus ten percent is permitted.

Instructions are found below the table

Table 7
Safety Relief Valve Rate of Discharge

Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air
20	258	145	1,310	340	2,640	1,350	8,160
25	310	150	1,350	350	2,700	1,400	8,410
30	360	155	1,390	360	2,760	1,450	8,650
35	408	160	1,420	370	2,830	1,500	8,900
40	455	165	1,460	380	2,890	1,550	9,140
45	501	170	1,500	390	2,950	1,600	9,380
50	547	175	1,530	400	3,010	1,650	9,620
55	310	180	1,570	450	3,320	1,700	9,860
60	360	185	1,600	500	3,620	1,750	10,090
65	408	190	1,640	550	3,910	1,800	10,330
70	455	195	1,670	600	4,200	1,850	10,560
75	762	200	1,710	650	4,480	1,900	10,800
80	804	210	1,780	700	4,760	1,950	11,030
85	845	220	1,850	750	5,040	2,000	11,260

Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air
90	885	230	1,920	800	5,300	2,050	11,490
95	925	240	1,980	850	5,590	2,100	11,720
100	965	250	2,050	900	5,850	2,150	11,950
105	1,010	260	2,120	950	6,120	2,200	12,180
110	1,050	270	2,180	1,000	6,380	2,250	12,400
115	1,090	280	2,250	1,050	6,640	2,300	12,630
120	1,120	290	2,320	1,100	6,900	2,350	12,850
125	1,160	300	2,380	1,150	7,160	2,400	13,080
130	1,200	310	2,450	1,200	7,410	2,450	13,300
135	1,240	320	2,510	1,250	7,660	2,500	13,520
140	1,280	330	2,570	1,300	7,910		

Table instructions:

- The surface area = the total outside surface area of the container in square feet.
 - When the surface area is not stamped on the name plate or the marking is not legible, calculate the area by using the Table 8, Surface Area

Table 8
Surface Area

If you have:	Then calculate as follows:
Cylindrical container with hemispherical heads	Area = overall length in feet times the outside diameter in feet times 3.1416
Cylindrical container with other than hemispherical heads	Area = (overall length in feet plus 0.3 outside diameter in feet) times outside diameter in feet times 3.1416
Spherical container	Area = outside diameter in feet squared times 3.1416

- Flow rate—CFM air = cubic feet per minute of air required at standard conditions, 60°F and atmospheric pressure (14.7 psia).
 - The rate of discharge may be altered for intermediate values of surface area.
 - For containers with total outside surface area greater than 2,500 sq. ft., the required flow rate can be calculated using the formula, flow rate CFM air = 22.11 A^{0.82} where A = outside surface area of the container in square feet

NEW SECTION

WAC 296-826-50010 Nonrefrigerated stationary containers.

IMPORTANT:

In addition to this section, you need to follow the Appurtenances requirements for all systems, WAC 296-826-50005.

You must:

- Make sure all containers are equipped with all of the following:
 - An approved vapor return valve
 - A fixed maximum liquid level gauge
 - A pressure gauge that is both:
 - Graduated from zero to 400 psig;
 - AND
 - Designed for use in ammonia service

- Provide one or more spring-loaded safety relief valves, or an equivalent type, on all containers.
 - Make sure safety relief valves do all of the following:
 - Discharge in the following ways:
 - Away from the container in an upward, unobstructed manner into the atmosphere
 - Not in or beneath a building
 - Have raincaps that allow free discharge of the vapor and prevent the entrance of water
 - Have a method for draining accumulated condensation
 - Have a start to discharge, related to the design pressure of the container, according to Table 6, Safety Valve Start to Discharge Rate
 - Are arranged to minimize the possibility of tampering
 - Are provided, when the pressure setting adjustment is external, with a means of sealing the adjustment
 - Have direct communication with the vapor space of the container

Note:

- Vent pipes from 2 or more safety relief devices located on the same unit, or similar lines from 2 or more different units, may be run into a common header if:
 - The cross-sectional area of the header is at least equal to the sum of the cross sectional areas of the individual vent pipes.

You must:

- Protect container appurtenances against physical damage and during transit of containers intended for underground installation.
 - Make sure shut off valves are not installed between the safety relief valve and the container or system. A shut off valve may be used if arranged so that the required capacity flow is maintained.

Exemption:

- You are exempt from the requirement not to install the shut off valve between the safety relief valve and the container or systems in the following situations:
 - A three-way valve installed under two safety relief valves, each with
 - The required rate of discharge;
 - AND
 - Installed to allow either of the safety relief valves to be closed off but not at the same time.
 - Two separate relief valves are installed with individual shut off valves.

- The two shut off valve stems must be mechanically interconnected to allow the full required flow of one safety relief valve at all times.
 - When a safety relief valve manifold that allows:
 - One valve of two or more to be closed off;
- AND
- The remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

You must:

- Make sure vapor and liquid connections have either of the following:
 - An approved excess flow valve;
- OR
- An approved quick-closing internal valve that remains closed except during operation.

Exemption:

- The following do not need to be fitted with excess flow valves:
 - Safety relief valves
 - Liquid level gauging devices that require both of the following:
 - Bleeding of the product into the atmosphere
 - Construction so that outward flow will not exceed that passed by a No. 54 drill size opening
 - Those with openings from the containers or through fittings that are attached directly onto the container where pressure gauge connections are made as long as:
 - The openings are not larger than a No. 54 drill size.

You must:

- Follow additional requirements found in Table 9, Appurtenances for Nonrefrigerated Stationary Containers

Table 9

Appurtenances for Nonrefrigerated Stationary Containers

If you have:	Then make sure they:
Columnar-type gauges	Are restricted to stationary storage installations
	Are shielded against the direct rays of the sun
	Are equipped with all of the following: <ul style="list-style-type: none"> • Shut off valves having metallic hand-wheels • Excess flow valves • Extra heavy glass that is adequately protected with a metal housing applied by the gauge manufacturer
Main shut off valves	Are kept closed and locked when the installation is unattended Exemption: Valve locks are not required if the facility is protected against tampering by fencing or other suitable means.
Filling connections	Are provided with one of the following: <ul style="list-style-type: none"> • Combination back-pressure check valve and excess flow valve

If you have:	Then make sure they:
	<ul style="list-style-type: none"> • One double or two single back-pressure check valves • A positive shut off valve in conjunction with either an internal back-pressure check valve or an internal excess flow valve
Underground installations with a probability of the manhole or housing becoming flooded	Have vent lines located above the high water level
	Have manholes or housings with ventilated louvers or their equivalent with the area of their openings equal or exceeding: <ul style="list-style-type: none"> • The combined discharge areas of the safety relief valves and vent lines which discharge their content into the manhole housing
Hydrostatic relief valves	Are installed between each pair of valves in the liquid ammonia piping or hose.

NEW SECTION

WAC 296-826-50015 Refrigerated tanks.

IMPORTANT:

In addition to this section, you need to follow the Appurtenances requirements for all systems, WAC 296-826-50005.

You must:

- Protect container appurtenances against the following:
 - Physical damage during transit of containers intended for underground installation
 - Damage from vehicles.
- Make sure safety relief devices have a total relieving capacity larger than either of the following:
 - A possible refrigeration system upset such as a cooling water failure, power failure, instrument air or instrument failure, mechanical failure of any equipment, excessive pumping rates or changing atmospheric pressure;

OR

– The amount based on using either one of the following fire exposure formulas (see note below for codes):

■ Valve manufacturers who use weight of vapors to be relieved as the classifying basis, use this formula:

$$W = \frac{34,500 F A (0.82)}{L}$$

OR

■ Valve manufacturers that classify valves based on air flows, use this formula:

$$Q_{(a)} = \frac{633,000 F A O.32}{LC}$$

- Make sure safety relief devices meet the following additional requirements:

- Are set to start-to-discharge at a pressure not in excess of the design pressure of the tank

- Have a total relieving capacity sufficient to prevent a maximum pressure in a tank of more than one hundred twenty percent of the design pressure.

- Provide shut off valves for all connections including plugs, safety valves, and thermometer wells:

- Locate them as close to the tank as is practical.

Exemption: Shut off valves do not need to be provided on connections with a No. 54 drill size restriction

Note: • Install, when operating conditions make it advisable, both of the following:

- A check valve on the fill connection
- A remotely operated shut off valve on other connections located below the maximum liquid level.

You must:

- Follow requirements found in Table 10, Refrigerated Tank Appurtenances

Table 10
Refrigerated Tank Appurtenances

If you have:	Then make sure they:
Shut off valves used as a means of lock out for inspection or repair	Are of adequate flow capacity
	Are arranged to be locked or sealed open and not closed except by an authorized person who does both of the following: <ul style="list-style-type: none"> • Remains there while the valve is closed • Locks or seals the valve open when leaving the station.
Discharge line and header	Are designed to accommodate the maximum flow.
	Have a back pressure not greater than ten percent of the design pressure of the storage container
	Include the back pressure in the one hundred twenty percent of the maximum pressure of the design pressure.
	Do not have other containers or systems that exhaust into the discharge line or header.
	Have vent lines installed to prevent the accumulation of liquid in the lines Note: Multiple safety relief valves on the same storage unit may be run through a common discharge header.
Vacuum breakers	Are provided with atmospheric storage
Stacks	Do both of the following: <ul style="list-style-type: none"> • Prevent any obstructions by rain, snow, ice, or condensation; <p>AND</p>

If you have:	Then make sure they:
	<ul style="list-style-type: none"> • Have an outlet size not smaller than the size of the safety relief valve outlet connection

You must:

- Make sure appurtenances meet all of the requirements found in the following:

- ANSI CGA C-7 2004
- ANSI CGA G2.1 1999
- API Standard 620 4th Edition, 2002
- ASHRAE 15 2004
- ASME 2001, Section VIII, Division 1
- ANSI B95.1 1977

NEW SECTION

WAC 296-826-50020 Systems mounted on trucks, semi-trailers and trailers.

IMPORTANT:

In addition to this section, you need to follow the Appurtenances requirements for all systems, WAC 296-826-50005.

You must:

- Make sure each container has all of the following
 - Fixed maximum liquid level gauging devices
 - Pressure-indicator gauges with a dial graduated from zero to 400 psig

- Either of the following:

- Equipped for spray-loading, which fills in vapor space;

OR

- Has an approved vapor return valve of adequate capacity.

- Provide one or more spring-loaded safety relief valves, or an equivalent type, on all containers, that do all of the following:

- Discharges in the following ways:

- Away from the container in an upward, unobstructed manner into the atmosphere

- Not in or beneath a building.

- Has raincaps that allow free discharge of the vapor and prevent the entrance of water

- Has a method for draining accumulated condensation

- Has a start to discharge, related to the design pressure of the container, according to Table 6, Safety Valve Start to Discharge Rate

- Are arranged to minimize the possibility of tampering

- Provided, when the pressure setting adjustment is external, with a means of sealing the adjustment

- Has direct communication with the vapor space of the container

- Make sure shut off valves are not installed between the safety relief valve and the container or system. A shut off valve may be used if arranged so that the required capacity flow is maintained.

Exemption:

- You are exempt from the requirement not to install the shut off valve between the safety relief valve and the container or systems in the following situations:
 - A three-way valve installed under two safety relief valves, each with

- The required rate of discharge;

- AND**
- Installed to allow either of the safety relief valves to be closed off but not at the same time.
 - Two separate relief valves are installed with individual shut off valves.
 - The two shut off valve stems must be mechanically interconnected to allow the full required flow of one safety relief valve at all times.
 - When a safety relief valve manifold that allows:
 - One valve of two or more to be closed off
- AND**
- The remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

- Follow additional requirements found in Table 11, Appurtenances for Systems Mounted on Trucks, Semi-Trailers and Trailers

Table 11

Appurtenances for Systems Mounted on Trucks, Semi-Trailers and Trailers

If you have:	Then make sure they:
All container connections	Are provided with either of the following: Automatic excess flow valves; OR Quick-closing internal valves that remain closed except during delivery operations Note: If the control mechanism is provided with a secondary control remote from the delivery connection, then a fusible section (melting point 208°F to 220°F) is required to permit the internal valve to close automatically in case of fire. Exemption: Filling connections, safety relief devices, and liquid level and pressure gauge connections are exempt from automatic excess flow valves and quick-closing internal valves.
Filling connections	Prevent back-flow in the event the filling connection breaks with at least one of the following: <ul style="list-style-type: none"> • Automatic back pressure check valves • Excess flow check valves • Quick closing internal valves Exemption: • An automatic valve is not required if: <ul style="list-style-type: none"> – The filling and discharge connect to a common opening in the container shell; AND <ul style="list-style-type: none"> – The opening is fitted with a quick-closing internal valve

If you have:	Then make sure they:
Nonrecessed container fittings and appurtenances	Are protected against physical damage by one of the following methods: <ul style="list-style-type: none"> • A protected location • The vehicle frame or bumper • A protective housing that meets the following: <ul style="list-style-type: none"> – Is fabricated from material that is compatible with the containers design and construction requirements – Designed to withstand static loadings in any direction equal to twice the weight of the container and attachments when filled using a safety factor of not less than 4, based on the ultimate strength of the material used Note: Protect nonrecessed container fittings and appurtenances with a weather cover as needed for proper operation of valves and safety relief devices
Columnar-type gauges	Are restricted to stationary storage installations
	Are shielded against the direct rays of the sun
	Are equipped with all of the following: <ul style="list-style-type: none"> – Shut off valves having metallic hand-wheels – Excess flow valves – Extra heavy glass that is adequately protected with a metal housing applied by the gauge manufacturer
Hydrostatic relief valves	Are installed between each pair of valves in the liquid ammonia piping or hose.

NEW SECTION

WAC 296-826-50025 Systems mounted on farm trucks or trailers for transportation of ammonia.

IMPORTANT:

- This section applies to containers of three thousand gallons capacity or less and pertinent equipment mounted on farm trucks or trailers used for the transportation of ammonia.
- In addition to this section, you need to follow the Appurtenances requirements for all systems, WAC 296-826-50005.

You must:

- Make sure all containers are equipped with a fixed maximum liquid level gauge.
- Make sure vapor and liquid connections have either of the following:

- An approved excess flow valve;

OR

- An approved quick-closing internal valve that remains closed except during operation.

- Exemption:**
- The following do not need to be fitted with excess flow valves:
 - Safety relief valves
 - Those with openings from the containers or through fittings that are attached directly onto the container where pressure gauge connections are made as long as the openings are not larger than a No. 54 drill size.

- Provide one or more spring-loaded safety relief valves, or an equivalent type, on all containers, that do all of the following:

- Discharges in the following ways:

- Away from the container in an upward, unobstructed manner into the atmosphere
- Has raincaps that allow free discharge of the vapor and prevent the entrance of water
- Has a method for draining accumulated condensation
- Has a start to discharge, related to the design pressure of the container, according to Table 6, Safety Valve Start to Discharge Rate
- Are arranged to minimize the possibility of tampering
- Provided, when the pressure setting adjustment is external, with a means of sealing the adjustment
- Has direct communication with the vapor space of the container

- Make sure shut off valves are not installed between the safety relief valve and the container or system. A shut off valve may be used if arranged so that the required capacity flow is maintained.

- Exemption:**
- You are exempt from the requirement not to install the shut off valve between the safety relief valve and the container or systems in the following situations:
 - A three-way valve installed under two safety relief valves, each with

- The required rate of discharge;

AND

- Installed to allow either of the safety relief valves to be closed off but not at the same time.

- Two separate relief valves are installed with individual shut off valves.

- The two shut off valve stems must be mechanically interconnected to allow the full required flow of one safety relief valve at all times.

- When a safety relief valve manifold that allows:

- One valve of two or more to be closed off

AND

- The remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

- Secure both ends of the hose while in transit
- Make sure all containers with a capacity exceeding two hundred fifty gallons are equipped with both of the following:

- A pressure gauge with a dial graduated from 0-400

psig;

AND

- A method for spray loading or with an approved vapor return valve

- Follow additional requirements found in Table 12, Appurtenances for Systems Mounted on Farm Trucks or Trailers

Table 12

Appurtenances for Systems Mounted on Farm Trucks or Trailers

If you have:	Then make sure they:
Filling connections	Are fitted with one of the following: <ul style="list-style-type: none"> – A combination back-pressure check valve and excess flow valve – One double or two single back-pressure check valves – A positive shut off valve used with either an: <ul style="list-style-type: none"> ■ Internal back-pressure check valve; OR ■ Internal excess flow valve
A fully enclosed guard	Have properly vented safety relief valves.
Fittings	Are protected from physical damage by a rigid guard designed: <ul style="list-style-type: none"> – To withstand static loading in any direction equal to twice the weight of the container and loading – With a safety factor of four based on the maximum strength of the material used
Liquid withdrawal lines installed in the bottom of the container	Have connections, including the hose, that are not lower than the lowest horizontal edge of the truck axle
Columnar-type gauges	Are shielded against the direct rays of the sun Are equipped with all of the following: <ul style="list-style-type: none"> – Shut off valves having metallic hand-wheels – Excess flow valves – Extra heavy glass that is adequately protected with a metal housing applied by the gauge manufacturer
Hydrostatic relief valves	Are installed between each pair of valves in the liquid ammonia piping or hose.

NEW SECTION

WAC 296-826-50030 Systems mounted on farm equipment for ammonia application.

IMPORTANT:

- This section applies to systems mounted on farm equipment and used for the filed application of ammonia.
- In addition to this section, you need to follow the Appurtenances requirements for all systems, WAC 296-826-50005.

You must:

- Make sure each container has a fixed maximum liquid-level gauge.
- Provide one or more spring-loaded safety relief valves, or an equivalent type, on all containers, that do all of the following:
 - Discharges in the following ways:
 - Away from the container in an upward, unobstructed manner into the atmosphere
 - Not in or beneath a building.
 - Has raincaps that allow free discharge of the vapor and prevent the entrance of water
 - Has a method for draining accumulated condensation
 - Has a start to discharge, related to the design pressure of the container, according to Table 6, Safety Valve Start to Discharge Rate
 - Are arranged to minimize the possibility of tampering
 - Provided, when the pressure setting adjustment is external, with a means of sealing the adjustment
 - Has direct communication with the vapor space of the container

You must:

- Make sure shut off valves are not installed between the safety relief valve and the container or system. A shut off valve may be used if arranged so that the required capacity flow is maintained.

Exemption: • You are exempt from the requirement not to install the shut off valve between the safety relief valve and the container or systems in the following situations:

- A three-way valve installed under two safety relief valves, each with

- The required rate of discharge;

AND

- Installed to allow either of the safety relief valves to be closed off but not at the same time.

- Two separate relief valves are installed with individual shut off valves.

- The two shut off valve stems must be mechanically interconnected to allow the full required flow of one safety relief valve at all times.

- When a safety relief valve manifold that allows:

- One valve of two or more to be closed off;

AND

- The remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

- Follow additional requirements found in Table 13, Appurtenances for Systems Mounted on Farm Equipment for Ammonia Application

Table 13

Appurtenances for Systems Mounted on Farm Equipment for Ammonia Application

If you have:	Then make sure they:
Filling connections	Are fitted with one of the following: <ul style="list-style-type: none"> – A combination back-pressure check valve and excess flow valve – One double or two single back-pressure check valves – A positive shut off valve used with either an: <ul style="list-style-type: none"> ■ Internal back-pressure check valve; <p>OR</p> <ul style="list-style-type: none"> ■ Internal excess flow valve Exemption: • An excess-flow valve is not required in either of the following: <ul style="list-style-type: none"> – Vapor connection providing you meet both of the following: <ul style="list-style-type: none"> ■ The controlling orifice is not in excess of seven-sixteenths of an inch in diameter; <p>AND</p> <ul style="list-style-type: none"> ■ The valve is hand-operated (attached hand-wheel or equivalent) shut off valve; <p>OR</p> <ul style="list-style-type: none"> – In the liquid withdrawal line if the controlling opening between the contents of the container and the outlet of the shut off valve do not exceed 7/16 inch in diameter. Note: To assist in filling applicator tanks, you are allowed to bleed vapors into the open air if you meet the above requirements.
Columnar-type gauges	Are shielded against the direct rays of the sun Are equipped with all of the following: <ul style="list-style-type: none"> – Shut off valves having metallic hand-wheels – Excess flow valves – Extra heavy glass that is adequately protected with a metal housing applied by the gauge manufacturer

If you have:	Then make sure they:
An applicator tank that is both of the following: Trailed; AND The metering device is remotely mounted (for example on a tractor tool bar)	Use an automatic break-away type, self-closing, coupling
Hydrostatic relief valves	Are installed between each pair of valves in the liquid ammonia piping or hose.

- Note:**
- Metering devices may be connected directly to the tank withdrawal valve.
 - A union type connection is acceptable between the tank valve and metering device

NEW SECTION

WAC 296-826-50035 Portable DOT containers.

IMPORTANT:

- This section applies to systems that use cylinders, portable tanks (DOT-51), or ton containers (DOT-106A, DOT-110A).

- In addition to this section, you need to follow the Appurtenances requirements for all systems, WAC 296-826-50005.

You must:

- Make sure safety relief devices meet DOT specifications.

- Provide the following protection:

- To valves and pressure regulating equipment from tampering once installed for use

- To containers:

- From heat sources such as radiant flame and steam pipes. Do not apply heat directly to containers to raise the pressure

- From moving vehicles or external damage while being stored

- From ignitable debris and to prevent external corrosion while being stored. Storage can be indoors or outdoors.

- Protect container valves while in transit, in storage, and while being moved into final use by doing either of the following:

- Setting them into the recess of the container;

OR

- By fastening a ventilated cap or collar to the container that can withstand a blow from any direction equivalent to a thirty-pound weight being dropped four feet

- Construction should be such that a blow will not be transmitted to the valves or other connections.

- Keep outlet valves tightly closed when containers are not connected for service on all empty or loaded containers

- Secure the valve protection cap, if the container is designed for one, when the container is not in service.

NEW SECTION

WAC 296-826-600 Operations.

Your responsibility:

To protect employees while transporting, transferring, loading and unloading anhydrous ammonia.

Mounting containers on trucks, semi-trailers and trailers
WAC 296-826-60005

Mounting containers on farm trucks or trailers for transporting ammonia

WAC 296-826-60010

Tank car loading or unloading

WAC 296-826-60015

Transferring liquids

General specifications

WAC 296-826-60020

Additional requirements for systems mounted on trucks, semi-trailers, and trailers for transporting ammonia

WAC 296-826-60025

Filling densities

Nonrefrigerated containers

WAC 296-826-60030

Refrigerated tanks

WAC 296-826-60035

Welding

WAC 296-826-60040

NEW SECTION

WAC 296-826-60005 Mounting containers on trucks, semi-trailers and trailers.

You must:

- Make sure the method for attaching any container to the cradle, frame, or chassis of a vehicle is based on both of the following:

- Two "g" loading in either direction

- Using a safety factor of at least four based on the maximum strength of the material used.

Note:

- Two "g" is either of the following:

- For load support it is equivalent to three times the static weight of the supported articles

- For loading and bending, acceleration, and torsion it is equivalent to twice the static weight support applied horizontally at the road surface.

You must:

- Secure both ends of the hose during transit.

- Follow the requirements in Table 14, Additional Container Mounting Requirements.

Table 14
Additional Container Mounting Requirements

If you have:	Then:
"Hold-down" devices	Anchor the container to the cradle, frame, or chassis so there is no area of unnecessary stress
	Lock the container down tightly
	Provide stops or anchors to minimize movement between the container and the framing

If you have:	Then:
	Note: Movement could be the result of stopping, starting or changing direction.
Vehicles with cargo tanks designed with stress members instead of a frame	<p>Support the tank with external cradles suspended at least one hundred twenty degrees of the shell circumference</p> <p>The design calculation needs to include all of the following stressors:</p> <ul style="list-style-type: none"> - Beam - Shear - Torsion - Bending moment - Acceleration - Any other stresses covered by the code of the cargo tank design.
A liquid withdrawal line installed in the bottom of a container	Then make sure the connections to the container, including the hose, are not lower than the lowest horizontal edge of the trailer axle.
A cradle and container that are not welded together	Use suitable material between them to eliminate metal-to-metal friction.

NEW SECTION

WAC 296-826-60010 Mounting containers on farm trucks or trailers for transporting ammonia.

You must:

- Make sure tanks mounted on farm trucks and trailers meet all of the following:
 - Are securely attached using drawbars and safety chains
 - Follow behind the towing vehicle without swerving
 - Have at least five gallons of readily available clean water.
- Do all of the following when mounting containers on farm trucks:
 - Use suitable material between the cradle and the container to eliminate metal-to-metal friction
 - This is not necessary if the cradle and container are welded together
 - Use stops and hold down devices to prevent displacement.
- Distribute the container's weight, when mounted on four-wheel farm trucks or trailers, evenly over both axles.

NEW SECTION

WAC 296-826-60015 Tank car loading or unloading.

You must:

- Establish a location for tank car loading and unloading operations.

- Assign employees and instruct them in the unloading of tank cars.
- Make sure, when unloading cars, to set the brake and block the wheels.
- Make sure the track of tank siding is level.
- Place caution signs on the track or car to warn approaching persons of loading and unloading operations that are:
 - Kept in place until the car is unloaded and disconnected from discharge connections.
- Make sure these caution signs meet all of the following:
 - Are made of metal or other suitable material
 - Are at least twelve to fifteen inches in size
 - Read either "STOP-Tank Car Connected" or "STOP-Men at Work" meeting the following criteria:
 - "STOP" at least four inches high
 - All other words at least two inches high
 - All with white letters on a blue background.

TRANSFERRING LIQUIDS

NEW SECTION

WAC 296-826-60020 General specifications.

You must:

- Get owner authorization to use transfer containers.
- Make sure transfer containers are gauged and filled in either:
 - Open atmospheres;
- OR**
- Buildings approved for that purpose.
- Make sure pumps used to transfer ammonia meet all of the following:
 - Have a manufacturer's label for ammonia service
 - Are designed for at least 250 psig working pressure
 - Have a constant differential relief valve discharging into the suction port that:
 - Is installed on positive displacement pumps;
- AND**
- Meets the pump manufacturer's recommendation for the settings and installation
 - Have a pressure gauge graduated zero to 400 psig installed on the discharge side before the relief valve line.
- Make sure plant pipes with shut off valves are located as close as possible to the pump connections.
- Make sure meters used for measuring liquid anhydrous ammonia:
 - Are recommended and labeled for ammonia service by the manufacturer
 - Are designed for a minimum working pressure of 250 psig
 - Incorporate devices that prevent unintended measurement of vapor.
- Do the following when transferring ammonia:
 - Maintain ammonia at a temperature suitable for the receiving container
 - Have at least one attendant supervise the transfer from the time connections are made to when disconnection occurs

- Do NOT use flammable gases or gases that will react with ammonia, such as air to unload tank cars or transport trucks.

- Make sure compressors used for transferring ammonia meet all of the following:

- Have a working pressure of at least 250 psig when transferring ammonia.

- If crank cases of compressors are not designed to withstand system pressure, then provide protection with a suitable safety relief valve

- Are connected to plant piping with shut off valves located as close as practical to compressor connections

- Have a safety relief valve that is both:

- Large enough to discharge the full capacity of the compressor;

AND

- Connected to the discharge before any shut off valve

- Have an oil separator on the discharge side, where necessary to prevent contamination

- Have a drainable liquid trap or other adequate method on the compressor suction to minimize the entry of liquids into the compressor

- Pressure gauges on the suction and discharge ends graduated to at least one and one-half times the maximum pressure that can develop.

- Protect loading and unloading systems in the event of hose severance by suitable devices where necessary, such as:

- Backflow check valves;

OR

- Properly sized excess flow valves.

Note: If such valves are not practical, remotely operated shut off valves may be installed.

NEW SECTION

WAC 296-826-60025 Additional requirements for systems mounted on trucks, semi-trailers, and trailers for transporting ammonia.

You must:

- Make sure the content of vehicle containers is determined by one of the following:

- Weight

- Liquid-level gauging devices

- Meters

OR

- Other approved methods.

- Use a thermometer well when the content of a container is determined by liquid-level measurement. Make sure of the following:

- The volume, when converted to weight, does not exceed the DOT filling density requirement.

- Protect pumps and compressors against physical damage when mounted on trucks or trailers.

- Unload tank motor vehicles with a water capacity greater than 3500 gallons at approved locations.

FILLING DENSITIES

NEW SECTION

WAC 296-826-60030 Nonrefrigerated containers.

You must:

- Make sure filling densities for nonrefrigerated containers are below or equal to the requirements in Table 15, Filling Densities.

Table 15
Filling Densities

Containers	Aboveground Containers	Underground Containers
Uninsulated	56%	58%
Insulated	57%	—

Note:

- For uninsulated, aboveground containers, the 56% corresponds to:
 - 82% by volume at -28°F.
 - 85% by volume at 5°F
 - 87.5% by volume at 30°F
 - 90.6% by volume at 60°F.

NEW SECTION

WAC 296-826-60035 Refrigerated tanks.

You must:

Make sure refrigerated tanks are not liquid full at a liquid temperature so that the vapor pressure is below the "start-to-discharge" pressure setting of the safety relief valve.

NEW SECTION

WAC 296-826-60040 Welding.

You must:

Permit welding only on the saddle plates, lugs, or brackets attached to the container by the manufacturer.

NEW SECTION

WAC 296-826-900 Definitions.

Appurtenance

All devices that are added onto the system such as pumps, compressors, safety relief devices, liquid-level gauging devices, valves, and pressure gauges.

Capacity

The total volume of the container measured in U.S. gallons, unless otherwise specified.

Container

All vessels, tanks, cylinders or spheres used for transportation, storage or application of anhydrous ammonia.

Cylinder

A container constructed according to the United States Department of Transportation Specifications with a water capacity of one thousand pounds or less.

Design pressure

The same as the "maximum allowable working pressure" as used in the Unfired Pressure Vessel Code.

DOT regulations

The department of transportation (DOT) hazardous materials regulations and Specifications for Shipping Containers found in:

– Title 49—Transportation, Code of Federal Regulations, Parts 171 to 190, inclusive.

Filling density

The ratio of the weight of the gas in a container to the weight of water at 60°F that the container will hold. One lb. H₂O = 27.737 cu. in. at 60°F

– For determining the weight capacity of the tank in pounds, the weight of a gallon (231 cubic inches) of water at 60°F in air is 8.32828 pounds.

Gas

Anhydrous ammonia in either the gaseous or liquefied state.

Hydrostatic relief valve

An automatic pressure activated valve for liquid service

– It is characterized by a throttle or slow weep opening, a nonpop action.

– Refer to American National Standards Institute, Terminology for Pressure Relief Devices, B95.1 for more information.

"psig" and "psia"

Abbreviations that mean the following:

– "psig" refers to pounds per square inch gauge

– "psia" refers to absolute pounds per square inch.

Safety relief valve

An automatic spring loaded or equivalent type pressure activated device for gas or vapor service

– It is characterized by a pop action upon opening, and is sometimes referred to as a pop valve.

– Refer to American National Standards Institute, Terminology for Pressure Relief Devices, B95.1 for more information.

Semi-trailer

Every vehicle that meets both of the following:

– Designed for carrying property and for being drawn by a motor vehicle

– Constructed so that some part of its weight and the weight of its load rests upon or is carried by another vehicle.

Systems

An assembly of equipment consisting of the container or containers, appurtenances, pumps, compressors, and interconnecting piping.

Tank motor vehicle

Any motor vehicle designed or used for the transportation of anhydrous ammonia that has either:

– A tank designed to be permanently attached to any motor vehicle;

OR

– A container that is not permanently attached but needs to be loaded and unloaded without being removed from the motor vehicle due to its size, construction, or means of attachment.

Trailer

Every vehicle meeting all of the following:

– Designed for carrying property and for being drawn by a motor vehicle

– Constructed so that no part of its weight except the towing device rests on the towing vehicle.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-24-510	Storage and handling of anhydrous ammonia.
WAC 296-24-51001	Scope.
WAC 296-24-51003	General.
WAC 296-24-51005	Definitions.
WAC 296-24-51007	Use of water in emergencies.
WAC 296-24-51009	Basic rules.
WAC 296-24-51011	Systems utilizing stationary, pier-mounted or skid-mounted aboveground or underground, nonrefrigerated storage.
WAC 296-24-51013	Refrigerated storage.
WAC 296-24-51015	Systems utilizing portable DOT containers.
WAC 296-24-51017	Systems mounted on trucks, semi-trailers, and trailers for transportation of ammonia.
WAC 296-24-51019	Systems mounted on farm wagons (implements of husbandry) for the transportation of ammonia.
WAC 296-24-51021	Systems mounted on farm equipment (implements of husbandry) for the application of ammonia.
WAC 296-24-51099	Appendix C—Availability of reference material.