

WSR 06-24-023
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed November 29, 2006, 1:48 p.m., effective December 30, 2006]

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

Purpose: The department is amending WAC 388-310-0200 WorkFirst—Activities and 388-310-0700 WorkFirst—Comprehensive evaluation, to add language to comply with state legislature SHB 2394 WorkFirst participants—Financial literacy and RCW 74.08A.250 and 74.08A.260 that expand the definition of work activities to include financial literacy activities. It adds financial literacy evaluation to comprehensive evaluation, foundation part, used to develop the individual responsibility plan (IRP) for WorkFirst participants.

Citation of Existing Rules Affected by this Order: Amending WAC 388-310-0200 and 388-310-0700.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090, 74.08A.340.

Other Authority: Chapter 107, Laws of 2006.

Adopted under notice filed as WSR 06-20-105 on October 3, 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: November 27, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-15-067, filed 7/11/02, effective 8/1/02)

WAC 388-310-0200 WorkFirst—Activities. (1) Who is required to participate in WorkFirst activities?

(a) You are required to participate in WorkFirst activities, and become what is called a "mandatory participant," if you:

- (i) Receive TANF or SFA cash assistance; and
- (ii) Are a custodial parent or age sixteen or older; and
- (iii) Are not exempt. For exemptions see WAC 388-310-0300 and 388-310-0350.

(b) Participation is voluntary for all other WorkFirst participants (those who no longer receive or have never received TANF or SFA cash assistance).

(2) What activities do I participate in when I enter the WorkFirst program?

When you enter the WorkFirst program, you will participate in one or more of the following activities (which are described in more detail in other sections of this chapter):

- (a) Paid employment (see WAC 388-310-0400 (2)(a) and 388-310-1500);
- (b) Self employment (see WAC 388-310-1700);
- (c) Job search (see WAC 388-310-0600);
- (d) Community jobs (see WAC 388-310-1300)
- (e) Work experience (see WAC 388-310-1100);
- (f) On-the-job training (see WAC 388-310-1200);
- (g) Vocational educational training (see WAC 388-310-1000);
- (h) Basic education activities (see WAC 388-310-0900);
- (i) Job skills training (see WAC 388-310-1050);
- (j) Community service (see WAC 388-310-1400);
- (k) Activities provided by tribal governments for tribal members and other American Indians (see WAC 388-310-1400(1) and 388-310-1900);
- (l) Other activities identified by your case manager on your individual responsibility plan that will help you with situations such as drug and/or alcohol abuse, homelessness, or mental health issues; and/or

(m) Activities identified by your case manager on your individual responsibility plan to help you cope with family violence as defined in WAC 388-61-001; and/or

(n) Up to ten hours of financial literacy activities to help you become self-sufficient and financially stable.

(3) If I am a mandatory participant, how much time must I spend doing WorkFirst activities?

If you are a mandatory participant, you will be required to participate full time, working, looking for work or preparing for work. You might be required to participate in more than one part-time activity at the same time that add up to full time participation. You will have an individual responsibility plan (described in WAC 388-310-0500) that includes the specific activities and requirements of your participation.

(4) What activities do I participate in after I get a job?

You will participate in other activities, such as job search or training once you are working twenty hours or more a week in a paid unsubsidized job, to bring your participation up to full time.

You may also engage in activities if you are working full time and want to get a better job.

Post employment services (described in WAC 388-310-1800) include:

- (a) Activities that help you keep a job (called an "employment retention" service); and/or
- (b) Activities that help you get a better job or better wages (called a "wage and skill progression" service).

AMENDATORY SECTION (Amending WSR 06-08-044, filed 3/30/06, effective 6/1/06)

WAC 388-310-0700 WorkFirst—Comprehensive evaluation. (1) Why do I receive a comprehensive evaluation?

You participate in a comprehensive evaluation with your case manager and other WorkFirst staff to determine:

(a) Your employment strengths, your educational background, family situation and other factors; and

(b) Which WorkFirst activities you need to become employed.

(2) **What is the comprehensive evaluation and when will it be used?**

(a) The comprehensive evaluation is a series of questions, answers and evaluations focused on your strengths, job skills, education and other relevant elements. The results of the comprehensive evaluation are used to determine your ability to find and keep a job in your local labor market and what WorkFirst activities will help you prepare for and find work. It includes:

(i) An employability evaluation with your case manager, discussing important issues that can affect your ability to find a job, like child care, family violence or substance abuse. Your case manager will also ask you a few questions to find out if you might benefit from engaging in financial literacy activities such as money management training or any other type of credit counseling service. If so, we will tell you how to get this information;

(ii) A work skills assessment to review your education, employment history, employment strengths and job skills; and

(iii) Educational and other evaluations.

(b) You and your case manager and/or social worker use the information and recommendations from these evaluations to create or modify your individual responsibility plan, adding activities that help you become employable.

(c) After your comprehensive evaluation, you may receive more assessments to find out if you need additional services.

WSR 06-24-024
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed November 29, 2006, 1:50 p.m., effective January 1, 2007]

Effective Date of Rule: January 1, 2007.

Purpose: The department is amending WAC 388-408-0040 How does living in an institution affect my eligibility for Basic Food?, to update requirements for a resident of a drug or alcohol treatment facility to be eligible for food stamp benefits under the Washington Basic Food program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-408-0040.

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

Other Authority: 7 U.S.C. 2012 and 7 C.F.R. 273.1.

Adopted under notice filed as WSR 06-21-118 on October 17, 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: November 27, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-19-118, filed 9/16/03, effective 11/1/03)

WAC 388-408-0040 How does living in an institution affect my eligibility for Basic Food? (1) For Basic Food, an "institution" means a place where people live that provides residents more than half of three meals daily as a part of their normal services.

(2) Most residents of institutions are not eligible for Basic Food.

(3) If you live in one of the following institutions, you may be eligible for Basic Food even if the institution provides the majority of your meals:

(a) Federally subsidized housing for the elderly;

(b) Qualified drug and alcohol treatment centers when an employee of the treatment center is the authorized representative as described under WAC 388-460-0010;

(c) Qualified DDD group homes for persons with disabilities;

(d) A shelter for battered women and children when the resident left the home that included the abuser; or

(e) Nonprofit shelters for the homeless.

(4) A qualified DDD group home is a nonprofit residential facility that:

(a) Houses sixteen or fewer persons with disabilities as defined under WAC 388-400-0040(6); and

(b) Is certified by the division of developmental disabilities (DDD).

(5) A qualified drug and alcohol treatment center is a residential facility that is:

(a) ~~((A nonprofit residential facility; and~~

~~(b) Is certified by the division of alcohol and substance abuse (DASA)))~~ Authorized as a retailer by the U.S. Department of Agriculture, Food and Nutrition Service; or

(b) Operated by a private nonprofit organization; and

(c) Certified by the division of alcohol and substance abuse (DASA) as:

(i) Receiving funds under part B of title XIX of the Public Health Service Act;

(ii) Eligible to receive funds under part B of title XIX of the Public Health Service Act, but does not receive these funds; or

(iii) Operating to further the purposes of part B of the Public Health Service Act to provide treatment and rehabilitation of drug addicts or alcoholics.

(6) Elderly or disabled individuals and their spouses may use Basic Food benefits to buy meals from the following meal providers if FNS has approved them to accept Basic Food benefits:

- (a) Communal dining facility; or
- (b) Nonprofit meal delivery service.

(7) If you are homeless, you may use your Basic Food benefits to buy prepared meals from nonprofit organizations the department has certified as meal providers for the homeless.

WSR 06-24-025
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed November 29, 2006, 1:52 p.m., effective January 1, 2007]

Effective Date of Rule: January 1, 2007.

Purpose: To update WAC 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits?, for a mid-certification review to be considered complete for temporary assistance for needy families (TANF) and state family assistance (SFA). The changes are necessary to meet federal work verification requirements under Public Law 109-171 and the TANF interim final rules issued on June 29, 2006.

Citation of Existing Rules Affected by this Order: Amending WAC 388-418-0011.

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 06-21-056 on October 16, 2006.

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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: November 27, 2006.

Andy Fernando, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 06-13-043, filed 6/15/06, effective 7/17/06)

WAC 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits? (1) A **mid-certification review** (MCR) is a form we send you to ask about your current circumstances. We use the answers you give us to decide if you are still eligible for benefits and to calculate your monthly benefits.

(2) If you receive cash assistance, family-related medical, or Basic Food benefits, you must complete a mid-certification review unless you meet one of the exceptions below:

- (a) You **do not** have to complete a mid-certification review for cash assistance if you:
 - (i) Only receive Refugee Cash Assistance as described under WAC 388-400-0030; or
 - (ii) Have a review period of six months or less.
- (b) You **do not** have to complete a mid-certification review for Basic food if:
 - (i) Your assistance unit has a certification period of six months or less; or
 - (ii) All adults in your assistance unit are elderly or disabled and have no earned income.

(3) When we send the review form:

If you must complete a MCR...	We send your review form...
(a) For one program such as Basic Food or Family Medical.	In the fifth month of your certification or review period. You must complete your review by the 10th day of month six.
(b) For two or more programs, and all program have a 12-month certification or review period.	In the fifth month of your certification or review period. You must complete your review by the 10th day of month six.
(c) For Basic Food and another program when either program has a certification or review period between six and twelve months.	In the fifth month of your Basic Food certification period when you receive Basic Food and another program. You must complete your review by the 10th day of month six of your Basic Food certification.

(4) If you must complete a mid-certification review, we send you the review form with questions about your current circumstances. You can choose to complete the review in one of the following ways:

- (a) **Complete the form and return it to us.** For us to count your mid-certification review complete, you must take all of the steps below:
 - (i) Complete the review form, telling us about changes in your circumstances we ask about;
 - (ii) Sign and date the form;
 - (iii) Give us proof of any changes you report. If you report a change that will increase your benefits without giving proof of this change, we will not increase your benefits;

(iv) If you receive family medical benefits, give us proof of your income even if it has not changed; and

(v) Mail or turn in the completed form and any required proof to us by the due date on the review.

(b) Complete the mid-certification review over the phone. For us to count your mid-certification review as complete, you must take all of the steps below:

(i) Contact us at the phone number on the review form, telling us about changes in your circumstances we ask about;

(ii) Give us proof of any changes you report. We may be able to verify some information over the phone. If you report a change that will increase your benefits without giving proof of this change, we will not increase your benefits;

(iii) If you receive family medical benefits, give us proof of your income even if it has not changed; ~~((and))~~

(iv) If you receive Temporary Assistance for Needy Families and you are working or self employed, you must give us proof of your income and the hours you work even if it has not changed; and

(v) Mail or turn in any required proof to us by the due date on the review.

(c) Complete the application process for another program. If we approve an application for another program in the month you must complete your mid-certification review, we use the application to complete your review when the same person is head of household for the application and the mid-certification review.

(5) If your benefits change because of what we learned in your mid-certification review, the change takes effect the next month even if this does not give you ten days notice before we change your benefits.

(6) If you do not complete your required mid-certification review, we stop your benefits at the end of the month the review was due.

(7) **Late reviews.** If you complete the mid-certification review after the last day of the month the review was due, we process the review as described below based on when we receive the review:

(a) Mid-certification reviews you complete by the last day of the month after the month the review was due: We determine your eligibility for ongoing benefits. If you are eligible, we reinstate your benefits based on the information in the review.

(b) Mid-certification reviews you complete after the last day of the month after the month the review was due: We treat this review as a request to send you an application. For us to determine if you are eligible for benefits, you must complete the application process as described in chapter 388-406 WAC.

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

WSR 06-24-026
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed November 29, 2006, 1:55 p.m., effective January 1, 2007]

Effective Date of Rule: January 1, 2007.

Purpose: This filing amends WAC 388-444-0005 The food stamp employment and training (FS E&T) program—General requirements and 388-444-0015 When are clients not required to register for work or participate in FS E&T (exempt clients)?, to update the requirements for the food stamp employment and training program and adopt Work-First participation requirements in place of E&T requirements for persons who must participate in WorkFirst.

The changes also allow the department to use the food stamp allotment and the TANF grant to determine the maximum monthly hours a WorkFirst participant may be engaged in work experience or unpaid work under the Fair Labor Standards Act.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-444-0005 and 388-444-0015.

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

Other Authority: 7 C.F.R. 273.7, 7 C.F.R. 273.25.

Adopted under notice filed as WSR 06-21-119 on October 17, 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 2, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: November 27, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

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

WAC 388-444-0005 ((The)) Food stamp employment and training (FS E&T) program—General requirements.
(1) To receive ~~((food assistance))~~ Basic Food some ~~((clients))~~ people must register for work and ~~((if required by the department, must))~~ participate in the food stamp employment and training (FS E&T) program.

(2) ~~((Clients who must register for work and may be required to participate in FS E&T are called nonexempt clients. All other members of the food assistance unit are called~~

~~exempt clients~~) We determine if you must register for work and participate in FS E&T under WAC 388-444-0010:

(a) If we require you to register for work and participate in FS E&T you are nonexempt from FS E&T.

(b) If you meet one of the conditions under WAC 388-444-0015, you are exempt from FS E&T. If you are exempt, you may choose to receive services through the FS E&T program.

(3) ((All nonexempt members of the food assistance unit are registered for work by the department, at the first food assistance application and once every twelve months thereafter. A person who enters an existing assistance unit will be registered for work and FS E&T, if not exempt)) If you are nonexempt from FS E&T requirements, we register you for work:

(a) When you apply for Basic Food benefits or are added to someone's assistance unit; and

(b) Every twelve months thereafter.

(4) ((Clients must comply with all FS E&T program requirements as provided in subsection (5) of this section. Failure to comply without good cause will disqualify the client from receiving food assistance)) If you are nonexempt, you must meet all the FS E&T program requirements in subsections (5) through (7) of this section. If you fail to meet the requirements without good cause, we disqualify you from receiving Basic Food benefits:

(a) ((Good cause rules are provided in)) We define Good cause for not meeting FS E&T requirements under WAC 388-444-0050; and

(b) ((Disqualification rules are provided in)) We disqualify nonexempt persons who fail to meet E&T requirements as described under WAC 388-444-0055.

(5) ((Nonexempt clients are required to)) If you are non-exempt, you must:

(a) Report to ((DSHS)) us or ((the)) your FS E&T service provider and participate as required;

(b) Provide information regarding your employment status and availability for work ((as requested)) when we ask for it;

(c) Report to an employer when ((referred by DSHS)) we refer you; and

(d) Accept a bona fide offer of suitable employment. ((Unsuitable employment is defined in)) We define unsuitable employment under WAC 388-444-0060.

(6) ((A nonexempt client will participate)) If you are nonexempt, you must participate in one or more of the following FS E&T activities:

(a) Job search;

(b) ((General education development (GED) classes; or)) Paid or unpaid work;

(c) ((English as a second language (ESL) classes)) Training or work experience;

(d) General education development (GED) classes; or

(e) English as a second language (ESL) classes.

(7) ((A client is not required to participate in FS E&T activities more than one hundred twenty hours in a month. Hours of participation may include a combination of FS E&T activities as described in subsection (6) of this section and hours worked for pay, either cash or in-kind)) If you must participate in WorkFirst under WAC 388-310-0200, you

have certain requirements for the Food Stamp Employment and Training Program:

(a) Your FS E&T requirement is to fully participate in the WorkFirst activities approved in your Individual Responsibility Plan (IRP) under WAC 388-310-0500; and

(b) If everyone who receives Basic Food with you receives TANF benefits and your IRP includes unpaid community service or work experience, we use your TANF grant and Basic Food allotment to determine the maximum hours of unpaid work we include in your plan.

(8) Your FS E&T activities including paid or unpaid work will not exceed one hundred twenty hours a month whether you are exempt or nonexempt.

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

WAC 388-444-0015 ((When are clients)) Who is not required to register for work or participate in FS E&T ((exempt clients))? ((You (as a client) are not required to register for work or to participate in FS E&T if you meet any of the following conditions:

(1) Age sixteen or seventeen and not the head of household and:

(a) Attending school (such as high school or GED programs); or

(b) Enrolled at least half time (as defined by the institution) in a program under temporary assistance for needy families (TANF), a program under The Workforce Investment Act, (formerly the Job Training Partnership Act (JTPA)), a program under section 236 of the Trade Act of 1974, or other state or local employment and training programs.

(2) Determined to be physically or mentally unable to work;

(3) Responsible for the care of a dependent child under six years of age or of a person determined to be incapacitated;

(4) Applying for or receiving unemployment compensation (UC);

(5) Participating in an employment and training program under TANF;

(6) Employed or self-employed person working thirty hours or more per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty;

(7) Students eighteen or older enrolled at least half time as defined by the institution in:

(a) Any accredited school;

(b) Training program; or

(c) An institution of higher education. Students enrolled in higher education must follow the student criteria as defined in chapter 388-482 WAC, Student status.

(8) Regularly participating in a drug addiction or alcoholic treatment and rehabilitation program)) Some people do not have to register for work or participate in the Food Stamp Employment and Training Program (FS E&T). These people are exempt from FS E&T.

(1) You are exempt from FS E&T requirements in chapter 388-444 WAC if you meet any of the following conditions:

(a) You are age sixteen or seventeen, not the head-of-household, and:

- (i) Attend school such as high school or GED programs;
or
(ii) Are enrolled at least half time (using the institutions definition) in an employment and training program under:
(A) The Workforce Investment Act (WIA);
(B) Section 236 of the Trade Act of 1974; or
(C) Another state or local employment and training program.
(b) You are a student age eighteen or older enrolled at least half time as defined by the institution in:
(i) Any accredited school;
(ii) A training program; or
(iii) An institution of higher education. If you are enrolled in higher education, you meet the requirements under WAC 388-482-0005 to be eligible for Basic Food benefits.
(c) you are an employed or self-employed person working thirty hours or more per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty.
(d) You receive unemployment compensation (UC) benefits or have an application pending for UC benefits;
(e) You are responsible to care for:
(i) A dependent child under age six; or
(ii) Someone who is incapacitated.
(f) We determine that you are physically or mentally unable to work; or
(g) You regularly participate in a drug addiction or alcoholic treatment and rehabilitation program.
(2) If you are exempt, you may choose to receive services through the FS E&T program.

WSR 06-24-030
PERMANENT RULES
GAMBLING COMMISSION

[Order 605—Filed November 29, 2006, 2:37 p.m., effective January 1, 2008]

Effective Date of Rule: January 1, 2008.

Purpose: Gambling service suppliers: Clarifies which type of financiers need to be licensed and which do not; requires businesses that analyze gambling equipment be licensed; and requires businesses that enter into ongoing financial relationships with manufacturers to provide "gambling related software" to be licensed. "Gambling related software" affects the results/outcome of games or directly interfaces with, or controls, the operation of the gambling equipment.

Citation of Existing Rules Affected by this Order: Amending WAC 230-03-210.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 06-17-084 on August 14, 2006, with a published date of September 6, 2006.

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Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 1, Repealed 0.

Date Adopted: November 29, 2006.

Susan Arland
Rules Coordinator

NEW SECTION

WAC 230-03-212 Defining "regulated lending institution." (1) "Regulated lending institution" means any state or federally regulated organization primarily in the business of lending money for investment purposes.

(2) "Regulated lending institutions" must:

(a) Register with the Securities and Exchange Commission or any United States federal or state governmental banking or financial regulatory agency.

(b) Be actively regulated by the Securities and Exchange Commission or any other United States federal or state governmental banking or financial regulatory agency. "Active regulation" means:

(i) Reporting annually on lending activities to the regulatory agency; and

(ii) Receiving regular audits or inspections by the regulatory agency.

(c) Act as passive investors in the licensee. "Passive investors" mean investors who have no actual or potential influence over the operations of the licensee. A "passive investor" does not:

(i) Appoint or have the right to appoint officers, directors, consultants, or other positions with the licensee;

(ii) Require the licensee to seek approval or authorization in making business decisions;

(iii) Have full access to the records of the licensee;

(iv) Have the ability to convert debt into shares which would result in the lender becoming a substantial interest holder in the licensee; or

(v) Have any other influence or control over the licensee.

(d) Have nongambling-related businesses as a majority of their outstanding loans receivable.

NEW SECTION

WAC 230-03-211 Defining "lending agent," "loan servicer," or "placement agent." (1) "Lending agent," "loan servicer," or "placement agent" means any person or entity, other than a regulated lending institution, that finds, administers, facilitates, or services loans for a licensee.

(2) The services of lending agents, loan servicers, or placement agents include, but are not limited to:

(a) Charging an ongoing fee for their services;

(b) Maintaining rights as the lender;

(c) Determining when the loan is in default; and/or

(d) Maintaining access to collateral.

AMENDATORY SECTION (Amending Order 457, filed 3/22/06, effective 1/1/08)

WAC 230-03-210 Applying for a gambling service supplier license. (1) You must apply for a gambling service supplier license if you perform any of the following gambling-related services for compensation:

(a) Consulting or advisory services regarding gambling activities; or

(b) Gambling management services; or

(c) Financing for purchases or leases of gambling equipment or financing for providing infrastructure or facilities, or equipment that supports gambling operations for more than one licensee; or

(d) Acting as a lending agent, or loan servicer, or placement agent; or

(e) Providing the assembly of components for gambling equipment under a contract with a licensed manufacturer or entering into an ongoing financial arrangement for gambling related software with a licensed manufacturer; or

~~((e))~~ (f) Installing, integrating, maintaining, or servicing digital surveillance systems that allow direct access to the operating system; or

~~((f))~~ (g) Training individuals to conduct authorized gambling activities; or

~~((g))~~ (h) Providing any other service or activity where influence may be exerted over any gambling activity licensed by the commission; or

(i) Performing the testing and certification of tribal lottery systems in meeting requirements specified in the tribal-state compact.

(2) You do not need a gambling service supplier license if you are:

(a) A bank, mutual savings bank, or credit union regulated by the department of financial institutions or any federally regulated commercial lending institution; or

(b) A university or college regulated by the Washington state board of community and technical colleges and the higher education coordinating board that trains individuals to conduct authorized gambling activities; or

(c) An attorney, accountant, or governmental affairs consultant whose primary business is providing professional services that are unrelated to the management or operation of gambling activities; or

(d) A person ~~((that))~~ who only provides nonmanagement-related recordkeeping services for punch board and pull-tab operators, when the combined total gross billings from such services ~~((does))~~ do not exceed twenty-five thousand dollars during any calendar year; or

(e) A person who provides names, images, artwork or associated copyrights, or trademarks, or patent use, or other features that do not affect the results or outcome of the game, for use in gambling equipment; or

(f) Regulated lending institutions.

WSR 06-24-036

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

(Medical Assistance)

[Filed November 30, 2006, 9:33 a.m., effective January 1, 2007]

Effective Date of Rule: January 1, 2007.

Purpose: Adoption of these rules will:

- Improve the quality of care received by DSHS clients by using a consistent, evidence-based approach to making benefit coverage decisions.
- Make health and recovery services administration (HRSA) benefit coverage rules clearer, more transparent, and consistent.
- Establish a clear, transparent process by which HRSA determines what services are included under its benefit coverage.
- Maximize program resources through prudent use of cost-effective practices.

Note: WAC 388-501-0070 and 388-543-1300, which were part of the rules proposed under WSR 06-19-098 and 06-19-100, have been revised and repropoed under a supplemental rule notice filed as WSR 06-23-124 and are not being adopted at this time.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-501-0050 Healthcare—General coverage, 388-501-0160 Exception to rule—Request for a noncovered healthcare service, 388-531-0100 Scope of coverage for physician-related services—General and administrative, 388-416-0015 Certification periods for CN and SCHIP medical programs, 388-475-1000 Healthcare for workers with disabilities (HWD)—Program description, 388-501-0180 Out-of-state medical care, 388-519-0100 Spenddown of excess income for the medically needy program, 388-530-1000 Drug program, 388-530-1150 Noncovered drugs and pharmaceutical supplies and reimbursement limitations, 388-531-1600 Bariatric surgery, 388-533-0340 Maternity support services—Noncovered services, 388-533-0385 Infant case management—Noncovered services, 388-535-1265 Dental-related services not covered—Adults, 388-535A-0040 Covered and noncovered orthodontic services and limitations to coverage, 388-538-063 Mandatory enrollment in managed care for GAU clients, 388-538-095 Scope of care for managed care enrollees, 388-540-130 Covered services, 388-540-140 Noncovered services, 388-540-150 Reimbursement—General, 388-543-1100 Scope of coverage and limitations for DME, 388-543-1150 Limits and limitation extensions, 388-544-0010 Vision care—General, 388-544-0450 Vision care—Prior authorization, 388-544-1100 Hearing aid services—General, 388-544-1400 Hearing aid services—Noncovered services, 388-545-900 Neurodevelopmental centers, 388-546-0200 Scope of coverage for ambulance transportation, 388-546-0250 Ambulance services the department does not cover, 388-550-2596 Services and equipment covered by the department but not included in LTAC fixed per diem rate, 388-551-2130 Noncovered home health services, 388-551-3000 Private duty nursing services for client seventeen and younger, 388-553-500 Home infusion therapy/parenteral

nutrition program—Coverage, 388-554-500 Orally administered enteral nutrition products—Coverage, 388-554-600 Tube-delivered enteral nutrition products and related equipment and supplies—Coverage, 388-556-0500 Medical care services under state-administered cash programs and 388-800-0045 What services are offered by ADATSA?; new WAC 388-501-0060 Healthcare coverage—Scope of covered categories of service, 388-501-0065 Healthcare coverage—Description of covered categories of service and 388-501-0169 Healthcare coverage—Limitation extension; and repealing WAC 388-501-0300 Limits on scope of medical program services, 388-529-0100 Scope of covered medical services by program and 388-529-0200 Medical services available to eligible clients.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090, 74.09.530, and 74.09.700.

Adopted under notice filed as WSR 06-19-098, 06-19-099, and 06-19-100 on September 19, 2006.

Changes Other than Editing from Proposed to Adopted Version: (New wording from what was originally proposed is underlined, deleted wording is lined through): WAC 388-501-0050 subsections (4) through new (7):

(4) The department's fee-for-service program pays only for services furnished by enrolled providers who meet the requirements of chapter 388-502 WAC.

(5) The department does not pay for any service, treatment, equipment, drug, or supply requiring prior authorization from the department, if prior authorization was not obtained before the service was provided.

(6) Covered services

(a) Covered services are either:

(i) "Federally-mandated" - means the State of Washington is required by federal regulation (42 CFR 440.210 and 220) to cover the service for Medicaid clients; or

(ii) "State-option" - means the State of Washington is not federally-mandated to cover the service but has chose to do so at its own discretion.

(b) The department may limit the scope, amount, duration, and/or frequency of covered services. Limitation extensions are authorized according to WAC 388-501-0169.

~~(7)~~ (7) Noncovered services

WAC 388-501-0060, in the table following subsection (5):

Service Categories	CN*	MN	MCS	AEM
(m) Intermediate care facility/services for mentally retarded	C	C	C	N E
(n) Maternity care and delivery services	C	C	N	E
(o) Medical equipment, durable (DME)	C	C	C	E
(p) Medical equipment, nondurable (MSE)	C	C	C	E
(q) Medical nutrition services	C	C	C	E
(r) Mental health services	C	C	C	E

(s) Nursing facility services	C	C	C	E
(t) Organ transplants	C	C	C	N
(u) Out-of-state services	C	C	N	E
(v) Oxygen/respiratory services	C	C	C	E
(w) Personal care services	C	C	N	N
(x) Prescription drugs	C	C	C	E
(y) Private duty nursing	C	C	N	E
(z) Prosthetic/orthotic devices	C	C	C	E
(aa) School medical services	C	C	N	N
(bb) Substance abuse services	C	C	C	N E
(cc) Therapy - occupational/physical/speech	C	C	C	E
(dd) Vision care (exams/lenses)	C	C	C	E

*Clients enrolled in the State Children's Health Insurance Program and the Children's Health Program receive CN scope of medical care.

WAC 388-501-0065, subsections of subsection (2)

(d) Dental Services-Diagnosis and treatment of dental of dental problems including emergency treatment; and preventive care. [Chapter 388-535 WAC and Chapter 388-535A WAC]

(j) Home health services-Intermittent, short-term skilled nursing care, physical therapy, speech therapy, home infusion therapy, and health aide services, provided in the home. [WAC 388-551-2000 through WAC ~~388-551-3000~~ 388-551-2220]

(k) Hospice services-Physician services, skilled nursing care, medical social services, counseling services for client and family, drugs, medications (including biologicals), medical equipment and supplies needed for palliative care, home health aide, homemaker, personal care services, medical transportation, respite care, and brief inpatient care. This benefit also includes services rendered in a hospice care center and pediatric palliative care services. [WAC 388-551-1210 through WAC 338-551-1850]

(x) Prescription drugs-Outpatient drugs (including in nursing facilities), both generic and brand name; drug devices and supplies; some over-the-counter drugs; oral, topical, injectable drugs; vaccines, immunizations, and biologicals; and family planning drugs, devices, and supplies. [WAC 388-530-1100] Additional coverage for medications and prescriptions is addressed in specific program WAC sections.

(y) Private duty nursing-Continues skilled nursing services provided in the home, including client assessment, administration of treatment, and monitoring of medical equipment and client care for clients seventeen years of age

and under. [WAC 388-551-3000] For benefits for clients eighteen years of age and older, see WAC 388-106-1000 through WAC 388-106-1055.

dd) Vision care - Eye exams, refractions, frames, lenses, ocular prosthetics, and ~~nonselective~~ surgery. [WAC 388-544-0250 through WAC 388-544-0550]

WAC 388-501-0169, subsection (4):

(4) In addition to subsection (3), both the department and MCO consider the following in evaluating a request for a limitation extension:

(a) The level of improvement the client has shown to date related to the requested service and the reasonably calculated probability of continued improvement if the requested service is extended; and

(b) The reasonably calculated probability the client's condition will worsen if the requested service is not extended.

A final cost-benefit analysis is available by contacting Kevin Sullivan, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, e-mail sulikm@dshs.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 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 3, Amended 36, Repealed 3.

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

Date Adopted: November 30, 2006.

Robin Arnold-Williams
Secretary

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 07-01 issue of the Register.

WSR 06-24-038

PERMANENT RULES

OFFICE OF THE

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2006-09—Filed November 30, 2006, 1:21 p.m., effective December 31, 2006]

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

Purpose: The purpose of this rule making is to eliminate the two-denial requirement in the definition of "applicant" because it is now an unnecessary, burdensome, and inappropriate eligibility requirement. This rule making is the result of a petition from the administrator of the United States Longshore and Harbor Workers (USL&H) Plan.

Citation of Existing Rules Affected by this Order:
Amending WAC 284-22-050.

Statutory Authority for Adoption: RCW 48.02.060 and 48.22.070.

Adopted under notice filed as WSR 06-19-104 on September 20, 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 1, Repealed 0.

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

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

Date Adopted: November 29, 2006.

Mike Kreidler
Insurance Commissioner

AMENDATORY SECTION (Amending Matter No. R 2001-10, filed 1/13/03, effective 2/13/03)

WAC 284-22-050 Definitions. (1) "Administrator" means any organization designated by the assigned risk plan and approved by the commissioner to provide administrative support for the plan. Such support shall be defined by the governing committee in its operating plan. It may include, but is not limited to, acceptance, processing, and distribution of incoming applications to the servicing carrier(s), collection of and accounting for premium income, determination of assigned risk plan reserves, investment of assigned risk plan assets, collection of statistical data, actuarial assistance for rate making, development of policy contracts, and auditing the activities of servicing carrier(s) to ensure that the assigned risk plan's rules are being applied properly.

(2) "Applicant" means an employer, seeking coverage from the assigned risk plan, who has, in good faith, ~~((sought))~~ been unable to purchase United States Longshore and Harbor Workers' Compensation Act coverage from ~~((at least two of the))~~ authorized insurers writing such coverage in Washington ~~((and has been declined such coverage by all insurers from which it has sought coverage))~~. "Applicant" does not include employers seeking coverage through the plan solely because of the lack of availability of maritime employers' liability coverage.

(3) "Authorized insurer" means any insurance company licensed to write workers' compensation insurance on a direct basis in this state.

(4) "Commissioner" means the commissioner of insurance of the state of Washington.

(5) "Governing committee" means the committee responsible for administering the assigned risk plan. It shall consist of thirteen members, who shall be appointed by the

commissioner. The director of the department of labor and industries shall be one member. The remaining members shall be selected to insure equal representation of each of the following interest groups; authorized insurers writing primary or excess workers' compensation insurance, insurance producers, organized labor, and maritime employers.

(6) "Maritime employers' liability" means that liability imposed by 46 U.S.C. 688 (the Jones Act) and general maritime law for bodily injury including death of a master or member of the crew of any vessel.

(7) "Servicing carrier" means any authorized insurer designated by the assigned risk plan and approved by the commissioner and the United States Department of Labor to issue workers' compensation policies. It shall issue policies on behalf of the assigned risk plan, provide safety engineering, handle claims incurred by those covered by the assigned risk plan, provide premium audits, perform underwriting functions, and perform other duties as defined by the governing committee in its operating procedures.

(8) "State industrial insurance fund" means that entity defined in RCW 51.08.175 which provides primary workers' compensation insurance on a direct basis in this state.

(9) "United States longshore and harbor workers' compensation coverage" means that workers' compensation coverage required of employers by the United States Longshore and Harbor Workers' Compensation Act, 33 U.S.C. Secs. 901 through 950. It is hereinafter referred to as USL&H coverage.

(10) "Written premium" means gross direct premiums (excluding premiums on risks written ceded to the assigned risk plan), within the state of Washington, charged during the first preceding calendar year with respect to United States Longshore and Harbor Workers' insurance, less return premiums, dividends paid or credited to policyholders, or the unused or unabsorbed portions of premium deposits.

WSR 06-24-039

PERMANENT RULES

OFFICE OF THE

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2006-08—Filed November 30, 2006, 1:23 p.m., effective December 31, 2006]

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

Purpose: This amendment will exempt insurers from medical malpractice cancellation and nonrenewal laws if they provide only identical medical coverage and eliminate the possibility of misunderstanding or ambiguity in this section.

Citation of Existing Rules Affected by this Order: Amending WAC 284-20A-050.

Statutory Authority for Adoption: RCW 48.02.060 and 48.18.547.

Adopted under notice filed as WSR 06-19-103 on September 20, 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 1, Repealed 0.

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

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

Date Adopted: November 29, 2006.

Mike Kreidler

Insurance Commissioner

AMENDATORY SECTION (Amending Matter No. R 2006-01, filed 8/10/06, effective 9/10/06)

WAC 284-20A-050 What constitutes a medical malpractice insurance policy for the purposes of RCW 48.18.290 (1)(b) and 48.18.2901 (1)(a)(ii)? A medical malpractice insurance policy means an insurance policy written with the principal intent to provide medical malpractice insurance. For the purposes of this section, a policy does not include medical malpractice insurance written as ancillary coverage to a general liability or package policy if the principal exposure insured is not medical malpractice.

WSR 06-24-040

PERMANENT RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed November 30, 2006, 1:28 p.m., effective December 31, 2006]

Effective Date of Rule: December 31, 2006

Purpose: The purpose of this rule making is to incorporate amendments to the plumber certification rules from the passage of SSB 6225, which passed during the 2006 legislature. SSB 6225 requires the plumbing program to create specialties for domestic water and farm irrigation systems plumbers.

Citation of Existing Rules Affected by this Order: Amending WAC 296-400A-005 What definitions do I need to know to understand these rules?, 296-400A-020 How do I obtain a certificate of competency?, 296-400A-023 What process is required for renewal of journeyman and residential specialty plumber certificates of competency?, 296-400A-028 What are the requirements for continuing education and classroom training?, 296-400A-030 Do I need a temporary permit?, 296-400A-031 How do I qualify for a temporary permit?, 296-400A-045 What fees will I have to pay?, 296-400A-120 What do I need to know about plumber trainee certificates (excluding backflow assembly maintenance and repair specialty certification)?, 296-400A-121 What do I need to know about trainee experience and plumber examination requirements for the journeyman and specialty plumber (excluding the backflow assembly maintenance and repair specialty)? and 296-400A-135 How does the department

enforce trainee supervision?; and new sections WAC 296-400A-010 Plumbing certificate types and scope of work and 296-400A-036 How can I maintain my plumbing certificate as an honorary accomplishment?

Statutory Authority for Adoption: RCW 18.106.040, 18.106.140.

Adopted under notice filed as WSR 06-18-079 on September 5, 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 2, Amended 10, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 10, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 10, Repealed 0.

Date Adopted: November 30, 2006.

Judy Schurke
Acting Director

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

WAC 296-400A-005 What definitions do I need to know to understand these rules? Unless a different meaning is clearly required by the context, the following terms and definitions are important:

"Advisory board" is the state advisory board of plumbers.

"Audit" means an assessment, evaluation, examination or investigation of, contractor's accounts, books and records for the purpose of verifying the contractor's compliance with RCW 18.106.320.

"Backflow assembly" or "backflow prevention assembly" or "backflow preventer" is a device as described in the Uniform Plumbing Code used to prevent the undesired reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

"Backflow assembly tester" is an individual certified by the department of health to perform tests to backflow assemblies.

"Continuing education" is approved plumbing and electrical courses for journeyman, domestic pump specialty plumber, and residential specialty plumbers, to meet the requirements to maintain their plumbing certification and for trainees or individuals to become certified plumbers in Washington.

"Continuing education course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide continuing education training for journeyman, domestic pump specialty plumbers,

residential specialty (~~(residential)~~) plumbers, and trainees. All training course providers must comply with the requirements in WAC 296-400A-028.

"Continuity affidavit" is a form developed by the department that is used to verify whether medical gas pipe installation work (brazing process) has been performed biannually. This form is provided to the department annually by the person holding the medical gas piping installer endorsement and requires the signature of the employer of the medical gas piping installer or another qualified verifier as determined by the department. Continuity is a visual examination by the employer of the brazing that was performed.

"Contractor" means any person, corporate or otherwise, who engages in, or offers or advertises to engage in, any work covered by the provisions of chapter 18.106 RCW by way of trade or business, or any person, corporate or otherwise, who employs anyone, or offers or advertises to employ anyone, to engage in any work covered by the provisions of chapter 18.106 RCW and is registered as a contractor under chapter 18.27 RCW.

"Dispatcher" means the contractor's employee who authorized the work assignment of the person employed in violation of chapter 18.106 RCW.

"Department" is the department of labor and industries.

"Director" is the director of the department of labor and industries.

"Journeyman plumber" is anyone who has learned the commercial plumbing trade and has been issued a journeyman certificate of competency by the department. A journeyman plumber may work on plumbing projects including residential, commercial and industrial worksite locations.

"Medical gas piping installer" is anyone who has been issued a medical gas piping installer endorsement of competency by the department.

"Medical gas piping systems" are piping systems that convey or involve oxygen, nitrous oxide, high pressure nitrogen, medical compressed air, or medical vacuum systems.

"Plumbing" is that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems and medical gas piping systems within a building. The installation of water softening or water treatment equipment into a water system is not considered plumbing.

"Records" include, but are not limited to, all bids, invoices, billing receipts, time cards and payroll records that show the work was performed, advertised, or bid.

"Specialty plumber" is anyone who has been issued a specialty plumbers certificate of competency by the department limited to:

(a) Installation, maintenance and repair of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three stories; or

(b) Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" includes cleaning and replacing internal parts of an assembly, but does not include installing or replacing backflow assemblies.

(c) "Domestic pump specialty" means the installation, maintenance, and repair of a domestic water pumping system consisting of the pressurization, treatment, and filtration

components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment; if appropriate, a pitless adapter; along with valves, transducers, and other plumbing components that:

(i) Are used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes, including irrigation, to:

(A) A single-family dwelling, duplex, or other similar place of residence;

(B) A public water system, as defined in RCW 70.119.020 and as limited under RCW 70.119.040; or

(C) A farm owned and operated by a person whose primary residence is located within thirty miles of any part of the farm;

(ii) Are located within the interior space, including but not limited to an attic, basement, crawl space, or garage, of a residential structure, which space is separated from the living area of the residence by a lockable entrance and fixed walls, ceiling, or floor;

(iii) If located within the interior space of a residential structure, are connected to a plumbing distribution system supplied and installed into the interior space by either:

(A) A person who, pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary permit or certificate of competency as a journeyman plumber, specialty plumber, or trainee, as defined in this chapter; or

(B) A person exempt from the requirement to obtain a certified plumber to do such plumbing work under RCW 18.106.150.

For the purposes of the domestic pump specialty, residential structure includes any improvement to real property where that property is primarily used as a residence.

"**Supervision**" for the purpose of these rules means within sight or sound. Supervision requirements are met when the supervising plumber is on the premises and within sight or sound of the individual who is being trained.

"**Training course provider**" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide medical gas piping installer training. All training course providers must comply with the requirements in WAC 296-400A-026.

"**Trainee plumber**" is anyone who has been issued a trainee certificate and is learning or being trained in the plumbing trade with direct supervision of either a journeyman plumber or specialty plumber working in their specialty.

NEW SECTION

WAC 296-400A-010 Plumbing certificate types and scope of work. (1) **Journeyman plumber (PL01):** A journeyman plumber may work on all phases of plumbing projects including residential, commercial and industrial worksite locations. A plumber trainee must have a training certificate in order to perform plumbing work under the supervision of a certified journeyman plumber.

(2) **Residential specialty plumber (PL02):** Installation, maintenance and repair of all phases of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three stories. A plumber trainee must

have a training certificate in order to perform plumbing work as a residential specialty plumber under the supervision of a certified residential or journeyman plumber.

(3) **Backflow specialty plumber (PL30):** Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" includes cleaning and replacing internal parts of an assembly, but does not include installing or replacing backflow assemblies. A plumber trainee must have a PT31 certificate in order to do work as a backflow specialty plumber under the supervision of a certified backflow specialty plumber, certified residential specialty plumber or certified journeyman plumber. PT31 trainee requires one hundred percent supervision.

(4) **Pump and irrigation specialty plumber (PL03):** Installation, maintenance and repair of equipment that is used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes, including irrigation or to a domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment. For the purposes of this subsection, if located within the interior space of a residential structure as stated in RCW 18.106.010 (10)(c), only the equipment and piping defined by RCW 18.106.010 (10)(c) are included in this specialty and other parts of the system must be worked on by the appropriate certification.

(5) **Limited volume domestic pump specialty plumber (PL03A):** Installation, maintenance and repair of equipment that is used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes on pumping systems not exceeding one hundred gallons per minute. A domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment. For the purposes of this subsection, if located within the interior space of a residential structure as stated in RCW 18.106.010 (10)(c), only the equipment and piping to stated equipment in this locked room can be worked on by this certification; other parts of the system must be worked on by the appropriate certification.

(6) **Plumber trainee (PT00, PT03, PT03A, and PT31):** Is an individual learning the trade or craft of plumbing. Trainees are required to have and maintain a valid plumber's training certificate. Trainees will be accredited for those hours worked within the scope of their supervising plumber. Any plumber trainee may perform plumbing work within the scope of their supervising journeyman or specialty plumber. A trainee shall keep a record of the hours worked as a trainee as required by WAC 296-400A-120(3).

(7) **Certified journeyman electricians, certified residential specialty electricians, or electrical trainees (EL01 and EL02):** According to RCW 18.106.150 (2)(b), a current plumbing certificate of competency or apprentice permit is not required for: Certified journeyman electricians, certified residential specialty electricians, or electrical trainees working for an electrical contractor and performing exempt work under RCW 18.27.090(18). A plumber trainee must have a

ET00 certificate in order to work with a journeyman electrician, residential specialty electrician, or electrical trainee.

The plumbing work must be directly and immediately appropriate to the like-in-kind replacement of a household fixture or its component(s) that requires limited power and waste/water connections.

An example would be replacing the heating element (a component) of an electric hot water heater. An electrician performing a like-in-kind replacement of an electric hot water tank could only disconnect and then reconnect the water supply lines to the tank and drain line from the temperature and pressure relief valve. Gas hot water tanks are not part of the electrician's exemption.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-020 How do I obtain a certificate of competency? You can obtain a certificate of competency by completing the following requirements for:

(1) Journeyman and specialty plumber certificate (excluding backflow assembly maintenance and repair specialty certification):

(a) Submitting a competency examination application to the department;

(b) Paying the examination fee shown in WAC 296-400A-045(1);

(c) Submitting the required evidence of competency and experience to the department as required under WAC 296-400A-120 and 296-400A-121;

(d) Passing the competency examination; ~~((and))~~

(e) Providing documentation to the department with continuing education requirements;

(f) In lieu of (a), (b) and (c) of this subsection and with the approval of the advisory board, the department may accept the successful passage of an examination administered by a nationally recognized testing entity; and

(g) For domestic pump specialty plumbers, in lieu of (a), (b) and (c) of this subsection and with the approval of the advisory board, the department may accept a certification issued by professional trade association.

(2) Backflow assembly maintenance and repair specialty certificate:

(a) Submitting a competency examination application to the department;

(b) Paying the application and certificate fee shown in WAC 296-400A-045(2); and

(c) Passing the competency examination.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-023 What process is required for renewal of journeyman, domestic pump specialty, and residential specialty plumber certificates of competency?

(1) An individual must apply for renewal of their plumbing certificate before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Journeyman and residential specialty plumber certificates are renewed ~~((certificates are valid~~

~~for)) every two years. Domestic pump specialty plumber certificates are renewed every three years.~~

(2) An individual may renew their certificate within ninety days after the expiration date without reexamination if the individual pays the late renewal fee listed in WAC 296-400A-045.

(3) All applications for renewal received more than ninety days after the expiration date of the plumbing certificate require that the plumber pass the appropriate competency examination before being recertified.

(4) All applicants for plumbing certificate renewal must:

(a) Submit a complete renewal application;

(b) Pay all appropriate fees; and

(c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-400A-028.

If an individual files inaccurate or false evidence of continuing education information when renewing a plumbing certificate, the individual's plumbing certificate may be suspended or revoked.

(5) A journeyman, domestic pump specialty, or residential specialty plumber certificate holder who has not completed the required hours of continuing education prior to the renewal date must pay a doubled fee according to RCW 18.106.070. Also, if the required hours of continuing education are not completed within ninety days after the expiration date the applicant will be required to retake the examination and pay the appropriate fees prior to being placed in active status.

(6) An individual may renew a suspended plumbing certificate by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(7) An individual may not renew a revoked plumbing certificate.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-028 What are the requirements for continuing education and classroom training?

What are the general and continuing education course requirements for journeyman, residential specialty plumbers, domestic pump specialty plumbers, and plumber trainees?

(1) Journeyman, residential specialty plumber, domestic pump specialty plumber, and plumber trainee.

(a) To be eligible for renewal of a journeyman plumber or residential specialty plumber certificate, the individual must have completed at least sixteen hours of approved continuing education for each two years of the prior certification period. Individuals will be required in the prior two-year period to have completed at least eight hours of plumbing code and at least four hours of electrical code from the currently adopted Washington state plumbing and electrical codes. The remaining four hours may be plumbing or electrical trade related classes.

(b) Domestic pump specialty plumbers shall renew their domestic pump specialty certificate once every three years, on or before the individual's birthday. Individuals will be required to complete at least four hours of approved continuing education in plumbing for each year prior to the certification period and at least four hours of approved continuing education in electrical for each year prior to the certification.

(c) Plumber trainees must complete at least eight hours per year of classroom training from an approved continuing education course for each year of the prior certification period. Trainee will be required during a two-year period to complete at least eight hours of plumbing code and at least four hours of electrical code from the currently adopted Washington state plumbing and electrical codes. The remaining four hours may be plumbing or electrical trade related classes.

((e)) Domestic pump specialty plumber trainee must have eight hours of plumbing continuing education and eight hours of electrical continuing education, which totals sixteen hours of continuing education for a two-year renewal.

(d) Any portion of a year of a prior plumber certification period is equal to one year for the purposes of the required continuing education.

(2) An individual will not be given credit for the same approved continuing education course taken more than once in the two years prior to the renewal date. No credit will be granted for any course not approved by the department.

(3) Continuing education requirements do not apply to backflow specialty plumbers under chapter 18.106 RCW and this chapter.

Note: Subsections (1), (2) and (3) of this section take effect July 1, 2005.

Approval process - continuing education course.

(4) The advisory board of plumbers or plumbing board subcommittee will review each continuing education course. The advisory board of plumbers or plumbing board subcommittee will recommend approval or disapproval to the department. The department will either approve or disapprove the course.

(5) To be considered for approval, a continuing education course must consist of not less than two hours of instruction and must be open to monitoring by a representative of the department and/or the plumbing board at no charge. If the department determines that the continuing education course does not meet or exceed the minimum requirements for approval, the department may revoke the course approval or reduce the number of credited hours.

(6) Approved courses must be based on:

(a) Currently adopted edition of the *Uniform Plumbing Code and National Electrical Code*;

(b) Chapters 18.106 or 19.28 RCW or chapters 296-400A or 296-46B WAC; or

(c) Materials and methods as they pertain to the industrial practices of plumbing or electrical construction, building management systems, plumbing or electrical maintenance, or workplace health and safety.

(7) Code-update courses must be based on the entire currently adopted Uniform Plumbing Code or National Electrical Code.

Application - for continuing education course approval.

(8) All applications for course approval must be on forms provided by the department. The plumbing board and the department will only consider the written information submitted with the application when considering approval of the continuing education training course.

(9) The department will provide continuing education application forms to sponsors upon request. The course sponsor must submit an original completed application for course approval and three copies (unless submitted electronically using department prescribed technology) to the department. The department must receive the complete course application from the sponsor in writing at least forty-five days before the first class requested for approval is offered.

(10) A complete application for course approval must include:

(a) The appropriate course application fee;

(b) Course title, number of classroom instruction hours, and whether the training is open to the public;

(c) Sponsor's name, address, contact's name and phone number;

(d) Course outline (general description of the training, including specific Uniform Plumbing Code or National Electrical Code articles referenced);

(e) Lists of resources (texts, references, visual aids);

(f) Names and qualifications of instructors. Course instructors must show prior instructor qualification and experience similar to that required by the work force training and education coordinating board under chapter 28C.10 RCW;

(g) Any additional documentation to be considered; and

(h) A sample copy of the completion certificate issued to the course participants.

(11) The course sponsor seeking approval of a continuing education course will be notified of the subcommittee's decision within five days of the completed review of the application.

(12) If the application is not approved, the rejection notice will include an explanation of the reason(s) for rejection. If the course sponsor disagrees with the subcommittee's decision, the course sponsor may request a reconsideration hearing by the full plumbing board. A request to appeal course rejection must be received by the department forty-five days before a regularly scheduled board meeting. The course sponsor must submit, to the department, any additional information to be considered during the hearing, in writing, at least thirty days before the board hearing. The course sponsor must provide at least twenty copies of any written information to be submitted to the board.

Offering - continuing education course.

(13) The course sponsor may offer an approved course for up to three years without additional approval. However, if the course is classified as code-update or code-related and a new edition of the *Uniform Plumbing Code* or *National Electrical Code* is adopted within the course approval period, the course approval will be considered automatically revoked and the course sponsor must submit a new application for review by the department and approval by the plumbing board subcommittee.

(14) A continuing education course attended or completed by an individual before final approval by the plumbing board subcommittee cannot be used to meet the plumbing certificate renewal requirements.

Documentation - Washington approved training course attendance/completion.

(15) The department is not responsible for providing verification of an individual's continuing education history with the course sponsor.

(16) The course sponsor must provide the department with an accurate and typed course attendance/completion roster for each course given.

(a) The attendance/completion roster must be provided within thirty days of course completion.

(b) In addition, the course sponsor must provide the attendance/completion roster in an electronic format provided by the department.

(c) The attendance/completion roster must show each participant's name, Washington certificate number, course number, location of course, date of completion, and instructor's name. The typed roster must contain the signature of the course sponsor's authorized representative.

(17) If the course sponsor fails to submit the required attendance/completion rosters within thirty days of the course completion, the department may revoke or suspend the course approval.

(18) Course sponsors must award a certificate to each participant completing the course from which the participant will be able to obtain:

- (a) Name of course sponsor;
- (b) Name of course;
- (c) Date of course;
- (d) Course approval number;
- (e) The number of continuing education units; and
- (f) The type of continuing education units.

(19) The department will only use a copy of the sponsor's attendance/completion roster as final evidence that the participant completed the training course.

(20) The department will keep submitted rosters of the continuing education courses on file only for audit purposes. The department is not responsible for the original of any completion certificate issued.

Documentation - out-of-state training course attendance/completion.

(21) To apply continuing education units earned out-of-state from course sponsors who do not have state of Washington approved courses, one of the following conditions must be met:

(a) The individual must request that the course sponsor submit a complete continuing education course application and requirements as described in this section for in-state courses.

Application for course approval will not be considered more than three years after the date of the course.

(b) The department must have entered into a reciprocal agreement with the state providing course approval.

The participant must provide a copy of an accurate and completed award or certificate from the course sponsor iden-

tifying the course location, date of completion, participant's name, and Washington certificate number. The department will only accept a copy of the sponsor's certificate or form as evidence that the participant attended and completed the course.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-030 Do I need a temporary permit?

You need a temporary permit if you are an active out-of-state journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber residing in a state that does not have a reciprocal agreement with Washington and you would like to work as a plumber in Washington. Temporary permits are not issued for installers of medical gas piping systems.

Temporary permits are not issued for the backflow assembly maintenance and repair specialty. Therefore, WAC 296-400A-030 through 296-400A-033 do not apply to this specialty.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-031 How do I qualify for a temporary permit? To qualify for a temporary permit, you must:

(1) Have an active state-issued journeyman plumber((s)), domestic pump specialty plumber, or a residential specialty plumber certificate;

(2) Give the department sufficient qualifying evidence for a journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber certificate of competency;

(3) Never have taken the journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber competency examination in Washington state; and

(4) Not be an apprentice plumber.

NEW SECTION

WAC 296-400A-036 How can I maintain my plumbing certificate as an honorary accomplishment? (1) To maintain your plumbing certificate as an honorary accomplishment, you must meet the following four requirements:

(a) You must renew your certificate on or before your renewal date and pay the current fee as established in WAC 296-400A-045.

(b) You must provide the department with a signed affidavit stating you aren't working in the plumbing trade.

(c) The affidavit must state you are not acting in a supervisory manner for any person working in the plumbing trade.

(2) If you return to work, you must provide the proper documentation of sixteen hours continuing education with a minimum of eight hours plumbing code, and a minimum of four hours industry-related electrical, and four hours industry-related plumbing from the approved list of courses from the department of labor and industries plumbing certification program.

(3) If you are found working in the plumbing trade while your certificate is in honorary status, your certificate will be revoked.

AMENDATORY SECTION (Amending WSR 06-10-066, filed 5/2/06, effective 6/30/06)

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	\$122.00
<u>Domestic pump specialty application fee*****</u>	<u>Per application</u>	<u>\$122.00</u>
Reciprocity application*	Per application	\$122.00
Trainee certificate**	One year	\$36.50
<u>Domestic pump specialty trainee certificate**</u>	<u>Two years</u>	<u>\$73.00</u>
Temporary permit (not applicable for backflow assembly maintenance and repair specialty)	90 days	\$60.70
Journeyman or residential specialty certificate***	Two years (fee may be prorated based on months)	\$97.70
<u>Domestic pump specialty plumber certificate***</u>	<u>Three years (fee may be prorated based on months)</u>	<u>\$146.55</u>
Backflow assembly maintenance and repair specialty certificate	Two years (fee may be prorated based on months)	\$67.50
Medical gas endorsement application	Per application	\$45.00
Medical gas endorsement***	One year	\$33.60
Medical gas endorsement examination fee****		See note below.
Medical gas endorsement training course fee*****		See note below.
<u>Domestic pump specialty examination fee****</u>		<u>See note below.</u>
Reinstatement fee for residential and journeyman certificates		\$195.80
Reinstatement fee for backflow assembly maintenance and repair specialty certificates		\$112.70
<u>Reinstatement fee for domestic pump</u>		<u>\$293.10</u>
Replacement fee for all certificates		\$16.60
Refund processing fee		\$26.40
Unsupervised trainee endorsement		\$26.40
Inactive status fee		\$26.40
<u>Honorary plumbing certification</u>		<u>\$97.70</u>
Certified letter fee		\$26.40
Continuing education new course fee*****		\$158.80
Continuing education renewal course fee*****		\$79.30
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. The reciprocity application is valid for one year.

** The trainee certificate shall expire one year from the date of issuance and must be renewed on or before the date of expiration. The domestic pump specialty trainee certificate shall expire two years from the date of issuance and must be renewed on or before the date of expiration.

- *** 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.
- **** 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.**
- ***** 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.**
- ***** This fee is for a three-year period or code cycle.
- ***** The domestic pump specialty application is valid for one year.

(2) If your birth year is:

- (a) In an even-numbered year, your certificate will expire on your birth date in the next even-numbered year.
- (b) In an odd-numbered year, your certificate will expire on your birth date in the next odd-numbered year.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-120 What do I need to know about plumber trainee certificates (excluding backflow assembly maintenance and repair specialty certification)? (1) Journeyman and specialty plumber trainee certification:

- (a) The department issues separate trainee certificates once a year.
- (b) The plumbing trainee may not apply for renewal more than ninety days prior to the expiration date. ~~((Renewed))~~ Journeyman, residential specialty, and backflow specialty plumber trainee certificates are valid for one year. Domestic pump specialty plumber trainee certificate is valid for two years.
- (c) All applicants for trainee certificate of renewal must:
- Submit a complete renewal application;
 - Pay all appropriate fees; and
 - Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in chapter 296-400A WAC.
- (d) If an individual files inaccurate or false evidence of continuing education information when renewing a plumbing trainee certificate, the individual's certificate may be suspended or revoked.
- (e) An individual who has not completed the required hours of continuing education cannot renew a trainee certificate.
- (f) Individuals will not be able to apply to test for journeyman plumber, domestic pump specialty plumber, or residential specialty ((residential)) plumber certificates until the continuing education requirements have been met.
- (g) If continuing education hours have not been met, trainee certificates will become expired and any experience obtained by the trainee in expired status will not be credited toward plumbing certificate application.

(h) An individual may renew an expired certificate of competency by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in an expired status for the duration of the expired period.

(i) An individual may not renew a revoked trainee certificate.

(j) Apprentices registered in an approved program according to chapter 49.04 RCW who are obtaining classroom training consistent with the continuing education requirements under chapter 18.106 RCW and this chapter, as approved by the department, are deemed to have met the continuing education requirements necessary to renew a trainee certificate.

(k) If you are a trainee applying for a journeyman certificate, you must complete a minimum of two of the required four years in commercial plumbing experience.

(l) A certified residential specialty plumber or domestic pump specialty plumber working on a commercial job site may work as a journeyman trainee only if they have a current trainee certificate on their person while performing commercial plumbing work.

(m) On a job site, the ratio of certified plumbers to non-certified plumbers must be:

(i) One residential specialty plumber or journeyman working on a residential plumbing job site may supervise no more than two trainees.

(ii) One journeyman plumber working on a commercial job site may supervise no more than one trainee or one residential specialty plumber who holds a current trainee certificate.

(iii) One appropriate domestic pump specialty plumber or one journeyman plumber working on a domestic pump system may supervise no more than two trainees.

(n) A plumber trainee who has a current trainee certificate with the state of Washington and has successfully completed or is enrolled in an approved medical gas piping installer training course may work on medical gas piping systems. Work may only occur when there is direct supervision by an active Washington state certified journeyman plumber with an active medical gas piping installer endorsement issued by the department. Supervision must be one hundred percent of the working day on a one-to-one ratio.

(2) **Trainee work hours.** Journeyman, residential specialty, and backflow specialty plumber trainee((s)) shall renew the certificate annually but not more than ninety days before the expiration date. Domestic pump specialty plumber trainee shall renew the certificate every two years but not more than ninety days before the expiration date.

(a) An annual fee shall be charged for the issuance or renewal of the certificate.

(b) The trainee will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment.

(c) Trainee hours will not be credited if the trainee owes outstanding penalties for violations of this chapter.

(3) At the time of renewal, the holder shall provide the department with an accurate list of the holder's employers in the plumbing construction industry for the previous annual period. The individual must submit a completed, signed, and

notarized affidavit(s) of experience. The affidavit of experience must accurately attest to:

(a) The plumbing installation work performed for each employer the individual worked for in the plumbing trade during the previous period;

(b) The correct plumbing category the individual worked in; and

(c) The actual number of hours worked in each category, worked under the proper supervision of a Washington certified journeyman plumber, certified domestic pump specialty plumber, or residential specialty plumber.

(4) The trainee should ask each employer and/or apprenticeship-training director for an accurately completed, signed, and notarized affidavit of experience for the previous certification period. The employer(s) or apprenticeship training director(s) must provide the previous period's affidavit of experience to the individual within twenty days of the request.

(5) If hours for previous period are not submitted within the thirty days after renewing a plumbing training certificate, the individual may not receive credit for these previous period hours.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-121 What do I need to know about trainee experience and plumber examination requirements for the journeyman and specialty plumber (excluding the backflow assembly maintenance and repair specialty)? (1) If you possess a trainee certificate:

(a) You may take the residential specialty plumber examination after completing 6,000 hours of documented training.

(b) You may take the journeyman examination after completing 8,000 hours of documented training which must include 4,000 hours of commercial plumbing experience.

(2) All journeyman trainees must work under the direct supervision of a journeyman plumber until they have completed 8,000 hours of training.

When 8,000 training hours have been completed, the trainee must take the journeyman examination. Any trainee who has failed the journeyman plumber examination cannot retake the examination for at least one month and must work under the direct supervision of a journeyman plumber until the examination is passed.

(3) To be eligible for the residential specialty plumber's examination, a residential specialty trainee must complete 6,000 hours of training under the direct supervision of either a certified specialty plumber or a journeyman plumber. Any residential specialty trainee who has failed the residential specialty examination, cannot retake the examination for at least one month and must work under the direct supervision of a certified plumber until the examination is passed.

(4) For domestic pump specialty plumbers:

(a) To be eligible for a limited volume domestic pump specialty plumbers examination defined by RCW 18.106.010 (10)(c), the trainee must complete 2,000 hours practical experience working under the direct supervision of a certified limited volume domestic pump specialty plumber, a certified

unrestricted domestic pump specialty plumber, or a journeyman plumber on pumping systems not exceeding one hundred gallons per minute. The experience may be obtained at the same time the individual is meeting the experience required by RCW 19.28.191, or equivalent experience may be accepted as determined by rule by the department in consultation with the advisory board.

(b) To be eligible for an unrestricted domestic pump specialty plumbers examination defined by RCW 18.106.010 (10)(c), the trainee must complete 4,000 hours practical experience working under the direct supervision of a certified unrestricted domestic pump specialty plumber or a journeyman plumber on pumping systems. The experience may be obtained at the same time the individual is meeting the experience required by RCW 19.28.191 or equivalent experience may be accepted as determined by rule by the department in consultation with the advisory board.

(5) Effective January 1, 2005, all plumber trainees will be required to meet the current hour requirements to test.

~~((5))~~ **(6) Apprentice/trade school endorsement requirements.** An individual who has a current journeyman plumber, domestic pump specialty plumber, or residential specialty plumber trainee certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in a technical school program in the plumbing construction trade in a school approved by the work force training and education coordinating board, may work without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter. In order to work without direct on-site supervision applicable to the type (residential or journeyman) of training hours for which certification is being sought by the individual(-), this individual must obtain an apprentice/trade school trainee endorsement by submitting the applicable forms provided by the department and paying the applicable fees. This individual may work without direct on-site supervision until he or she receives the remaining hours required to be eligible to take the applicable examination. This individual may not supervise trainees. (See RCW 18.106.070.)

~~((6))~~ **(7) Any applicant** (trainee, specialty plumber or journeyman) who fails an examination, will be required to wait at least until the next scheduled examination date and location. Examinations are held the first Thursday of every month, unless that date falls on a holiday. Applications shall be submitted and received by the plumbing certification program office two weeks before the next scheduled date.

AMENDATORY SECTION (Amending WSR 04-12-046, filed 5/28/04, effective 6/30/04)

WAC 296-400A-135 How does the department enforce trainee supervision? (1) A journeyman plumber on each and every commercial job site shall supervise either a residential specialty plumber or a domestic pump specialty plumber with a current plumber trainee card or trainee with a current plumber trainee card.

(a) The ratio on each commercial site shall be not more than one residential plumber or one plumber trainee working

on any one job site for every certified journeyman plumber working as a journeyman plumber on that site.

(b) The time of supervision shall be a minimum of seventy-five percent of the time spent on each and every job site.

(2) A journeyman plumber or residential specialty plumber on each and every residential specialty job site shall supervise a plumber trainee with a current plumber trainee card.

(a) The ratio on each residential specialty job site shall be not more than two trainees with current plumber trainee cards on any one residential specialty job site for every certified journeyman plumber or residential specialty plumber on that site.

(b) The time of supervision shall be a minimum of seventy-five percent of the time spent on each and every job site.

(3) A journeyman plumber with current medical gas endorsement may supervise either a residential specialty plumber with a current trainee card or a plumber trainee with a current trainee card.

(a) The residential specialty plumber or the plumber trainee has to have successfully completed or is currently enrolled in an approved medical gas piping installer training course approved by the department.

(b) The residential specialty plumber or other plumber trainee is under the direct supervision of a certified medical gas journeyman plumber on one-to-one ratio for one hundred percent of the time on each and every medical gas site.

(4) A backflow specialty plumber, a journeyman plumber or a residential specialty plumber shall supervise a backflow trainee to do maintenance and repair work on every backflow assembly on potable water systems, inside every commercial or residential building. The ratio shall be one-to-one for one hundred percent of the time on every job site.

(5) A journeyman plumber or appropriate domestic pump specialty plumber on each and every domestic pump job site shall supervise a plumber trainee with a current plumber trainee card.

(a) The ratio on each domestic pump job site shall be not more than two trainees with current plumber trainee cards on any one residential specialty job site for every certified journeyman plumber or appropriate domestic specialty plumber on that site.

(b) The time of supervision shall be a minimum of seventy-five percent of the time spent on each and every job site. Restricted domestic pump specialty trainees who have completed at least seven hundred twenty hours of on-the-job training and passed the competency examination required by WAC 296-400A-020 may work unsupervised for the remainder of the time required for work experience to become a restricted domestic pump specialty plumber.

Purpose: The purpose of this rule making is to review the electrical rules to ensure the rules are consistent with the national consensus standards, industry practice, clear and concise, and for fee changes.

Citation of Existing Rules Affected by this Order: Amending WAC 296-46B-010 General, 296-46B-110 General—Requirements for electrical installations, 296-46B-210 Wiring and protection—Branch circuits, 296-46B-230 Wiring and protection—Services, 296-46B-250 Wiring and protection—Grounding and bonding, 296-46B-300 Wiring methods and materials—Wiring methods, 296-46B-430 Motors, motor circuits, and controllers, 296-46B-517 Special occupancies—Health care facilities, 296-46B-700 Special conditions—Emergency systems, 296-46B-800 Communications systems—Communications circuits, 296-46B-900 Electrical work permits and fees, 296-46B-905 Inspection fees, 296-46B-910 Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, [temporary,] electrician certificate and examination, temporary electrician permit, copy, and miscellaneous fees, 296-46B-920 Electrical/telecommunications license/certificate types and scope of work, 296-46B-925 Electrical/telecommunications contractor's license, 296-46B-935 Administrator certificate, 296-46B-940 Electrician/training/temporary certificate of competency or permit required, 296-46B-945 Qualifying for master, journeyman, specialty electrician examinations, 296-46B-960 Administrator and electrician certificate of competency examinations, 296-46B-965 Training certificate required, 296-46B-970 Continuing education. General requirements - continuing education classes requirements for administrator, master electrician, and electrician renewal, 296-46B-985 Penalties for false statements or material misrepresentations, and 296-46B-995 Electrical board—Appeal rights and hearings; new sections WAC 296-46B-100 General definitions, 296-46B-701 Legally required standby systems, 296-46B-901 General. Inspections, inspectors, city inspection, variance, 296-46B-906 Permanent—Inspection fees, and 296-46B-909 Permanent—Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, electrician certificate and examination, temporary electrician permit, copy, and miscellaneous fees; and repealing WAC 296-46B-005 Chapter 19.28 RCW rule references, 296-46B-020 General definitions, 296-46B-030 Industrial control panel and industrial utilization equipment inspection, and 296-46B-040 Traffic management systems.

Statutory Authority for Adoption: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.281, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551.

Adopted under notice filed as WSR 06-18-077 on September 5, 2006.

Changes Other than Editing from Proposed to Adopted Version: The following sections were amended between the proposed and adopted versions (bold and italics indicate change):

WSR 06-24-041
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed November 30, 2006, 1:32 p.m., effective December 31, 2006]

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

WAC 296-46B-900(4):

Each person, firm, partnership, corporation, or other entity must furnish a valid electrical work permit for the installation, alteration, or other electrical work performed or to be performed *solely* by that entity. *When the permitted work is performed solely or in part by another entity, the electrical work permit purchaser must request approval from the Chief Electrical Inspector to take responsibility for the work of the original installing entity.* Each electrical work permit application must be signed by the electrical contractor's administrator (or designee) or the person, or authorized representative of the firm, partnership, corporation, or other entity that is performing the electrical installation or alteration. Permits purchased electronically do not require a handwritten signature. An entity designated to sign electrical permits must provide written authorization of the purchaser's designation when requested by the department.

WAC 296-46B-910:

Temporary fees—Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, temporary electrician certificate and examination, temporary electrician permit, copy, and miscellaneous fees. Effective January 1, 2007. If the fee is reduced from the permanent fee in WAC 296-46B-~~911~~909, the temporary fee is valid through the date indicated for the specific fee.

WAC 296-46B-920(2):

Pump and irrigation (03): Limited to the electrical connection of circuits, feeders, controls, low voltage, related telecommunications, and services to supply: Domestic *water systems and public water systems include but not limited to pumps, pressurization, filtration, treatment, or other equipment and controls*, and irrigation water pumps, circular irrigating system's pumps and pump houses. This specialty may also perform the work defined in (c) of this subsection. Also see RCW 18.106.010 (10)(c).

(c) Domestic ((weH)) pump (03A): Limited to the extension of a branch circuit, which is supplied and installed by others, to signaling circuits, motor control circuits, motor control devices, and pumps which do not exceed 7 1/2 horsepower at 250 volts AC single phase input power, regardless of motor controller output or motor voltage/phase, used in residential potable water or residential sewage disposal systems. *Domestic water systems and public water systems include but not limited to pumps, pressurization, filtration, treatment, or other equipment and controls.*

WAC 296-46B-970 (4)(b)(ii)(A):

The minimum allowed length of a class is two hours; however, the minimum length for a basic classroom electrical trainee classroom training or plumbing industry basic classroom trainee classroom training class is eight hours that can be delivered in multiple classroom sessions of not less than two hours each.

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 5, Amended 23, Repealed 4.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 5, Amended 23, Repealed 4.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 5, Amended 23, Repealed 4.

Date Adopted: November 30, 2006.

Judy Schurke
Director

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-210 Wiring and protection—Branch circuits.

008B Other than dwelling units - GFCI requirements.

(1) GFCI requirements.

All 125-volt, 15- and 20-ampere receptacles installed in wet locations must have Class A ground-fault circuit interrupter protections for personnel.

011 Branch circuits.

(2) Circuits must be taken to all unfinished spaces adaptable to future dwelling unit living areas that are not readily accessible to the service or branch circuit panelboard. The circuits must terminate in a suitable box(es). The box must contain an identification of the intended purpose of the circuit(s). The branch circuit panelboard must have adequate space and capacity for the intended load(s).

012 Arc-fault circuit-interrupter protection.

(3) For the purpose of NEC 210.12(B), Dwelling Unit Bedroom spaces that:

- (a) Are accessed only through the bedroom;
- (b) Are ancillary to the bedroom's function; and
- (c) Contain branch circuits that supply 125-volt, 15- and 20-ampere, outlets must be protected by an arc-fault circuit interrupter listed to provide protection per NEC 210.12.

For the purposes of this section, such spaces will include, but not be limited to, spaces such as closets and sitting areas, but will not include bathrooms.

025 Common area branch circuits.

(4) For the purpose of NEC 210.25, loads for septic or water well systems that are shared by no more than two dwelling units may be supplied from either of the two dwelling units if approved by the local building official and local health department.

051(B)(5) Receptacle outlet locations.

((4)) (5) Receptacle outlets installed in appliance garages may be counted as a required countertop outlet.

052(A)(2) Dwelling unit receptacle outlets.

((5)) (6) For the purpose of NEC 210.52 (A)(2)(1), "similar openings" include the following configurations that are a permanent part of the dwelling configuration or finish:

- (a) Window seating; and

(b) Bookcases or cabinets that extend from the floor to a level at least 1.7 meters (five (5) feet six (6) inches) above the floor.

Any outlets eliminated by such window seating, bookcases, or cabinets must be installed elsewhere within the room.

052(C) Countertops.

~~((6))~~ (7) A receptacle(s) is not required to be installed in the area directly behind a sink or range as shown in NEC 210.52, Figure 210.52. Outlets must be installed within 24" on either side of a sink or range as shown in Figure 210.52.

~~((7))~~ (8) If it is impracticable to install the outlet(s) required in NEC 21.52 (C)(3), a receptacle is not required on any peninsular counter surface as required by NEC 210.52 (C)(3) so long as the peninsular counter area extends no farther than 6' from the face of the adjoining countertop. Any outlet(s) eliminated using this subsection must be installed in the wall space at the point where the peninsula connects to the wall countertop in addition to the outlets required by NEC 210.52 (C)(1).

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-230 Wiring and protection—Services.

001 General service requirements.

(1) The owner, the owner's agent, or the electrical contractor making the installation must consult the serving utility regarding the utility's service entrance requirements for equipment location and meter equipment requirements before installing the service and equipment. Provisions for a meter and related equipment, an attachment of a service drop, or an underground service lateral must be made at a location acceptable to the serving utility. The point of contact for a service drop must permit the clearances required by the NEC.

(2) A firewall must have a minimum two-hour rating as defined by the local building official to be considered a building separation in accordance with Article 100 NEC.

(3) The height of the center of the service meter must be as required by the serving utility. Secondary instrument transformer metering conductor(s) are not permitted in the service raceway.

028 Service or other masts.

(4) Conduit extended through the roof to provide means of attaching:

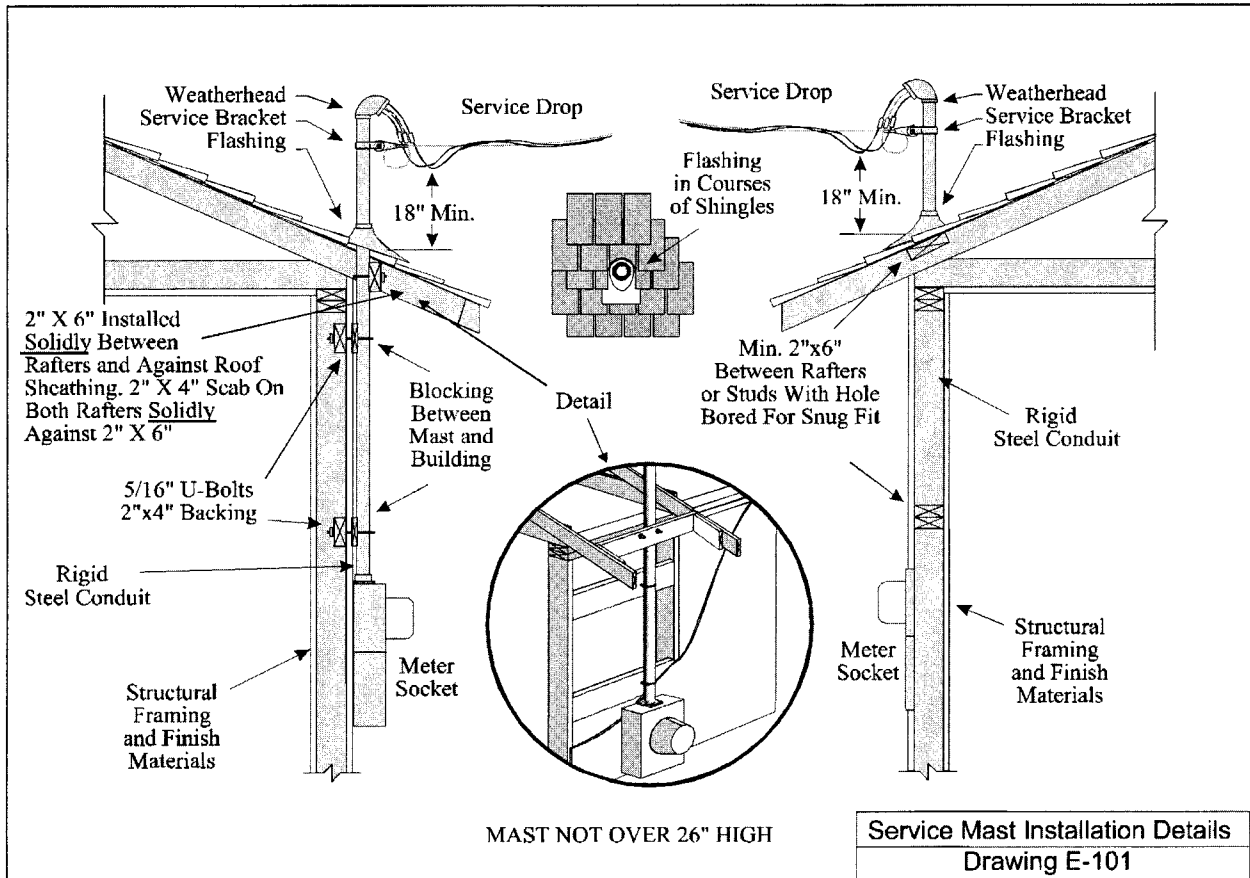
(a) All overhead drops for service, feeder, or branch circuits exceeding #1 AWG aluminum or #3 AWG copper must be rigid steel galvanized conduit no smaller than two inches.

(b) All overhead drops for service, feeder or branch circuits not exceeding #1 AWG aluminum or #3 AWG copper must be rigid steel galvanized conduit no smaller than one and one-quarter inch. The installation must comply with drawings E-101 and/or E-102, or must provide equivalent strength by other approved means. Masts for altered or relocated installations will be permitted to comply with drawing E-103.

(c) For the purposes of NEC 225.19 and 230.24, a residential patio cover, that is not over one story and not over twelve feet in height and is used only for recreation or out-

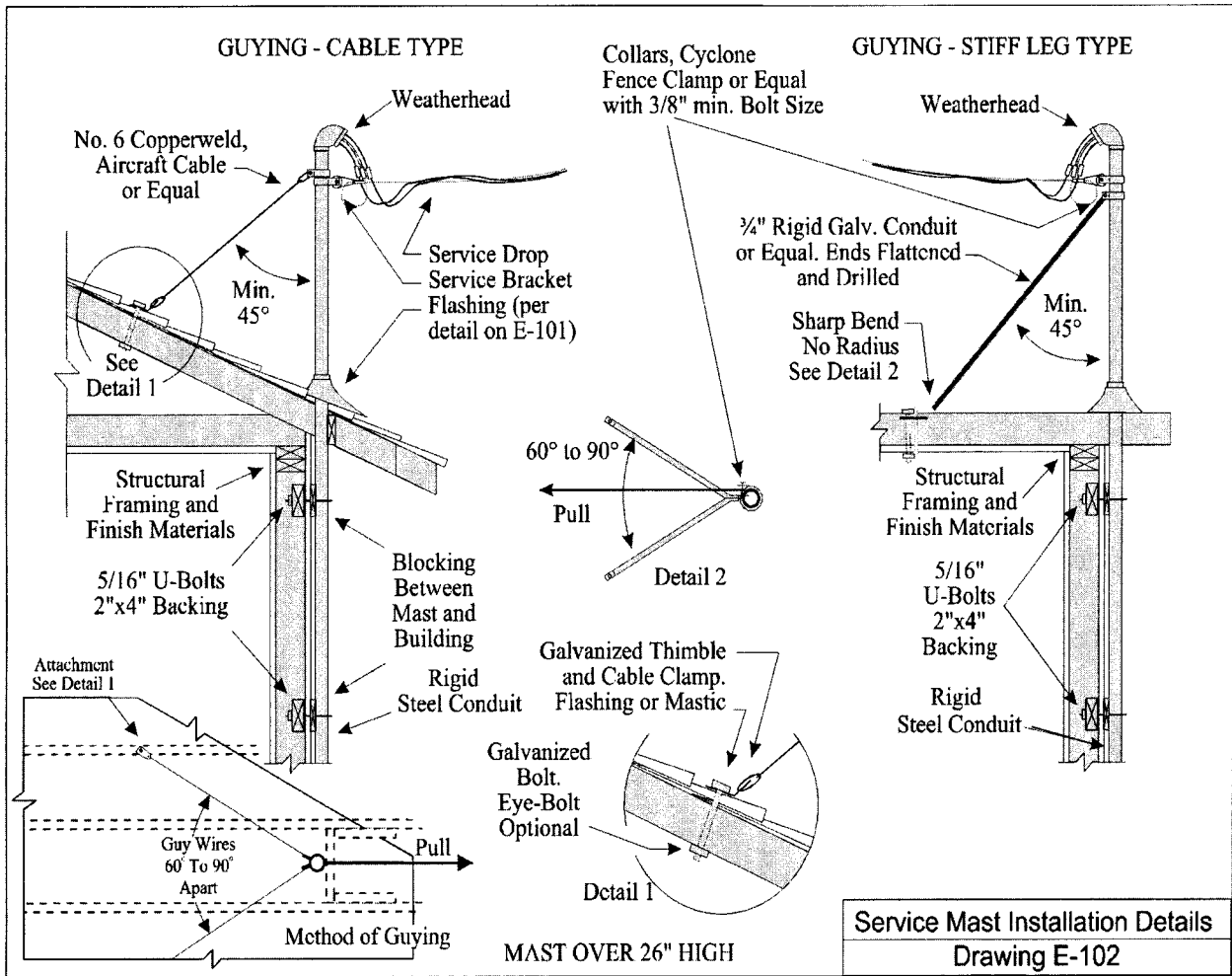
door living purposes and not as a carport, garage, storage room or habitable room as described in Appendix Chapter 1 in the IBC and Appendix Chapter H in the IRC, is not considered a roof. Overhead conductor spans must maintain a minimum 900 mm (36") clearance above these covers.

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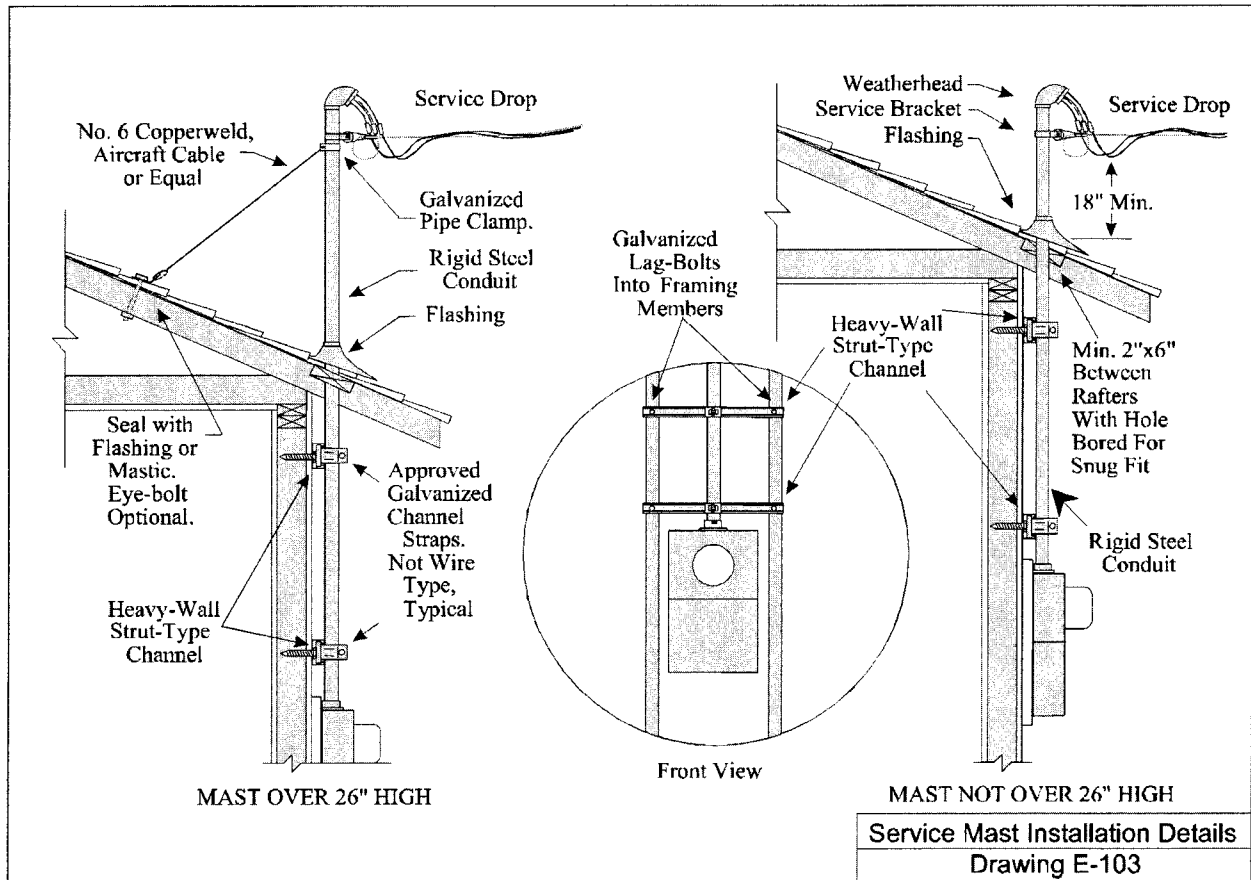
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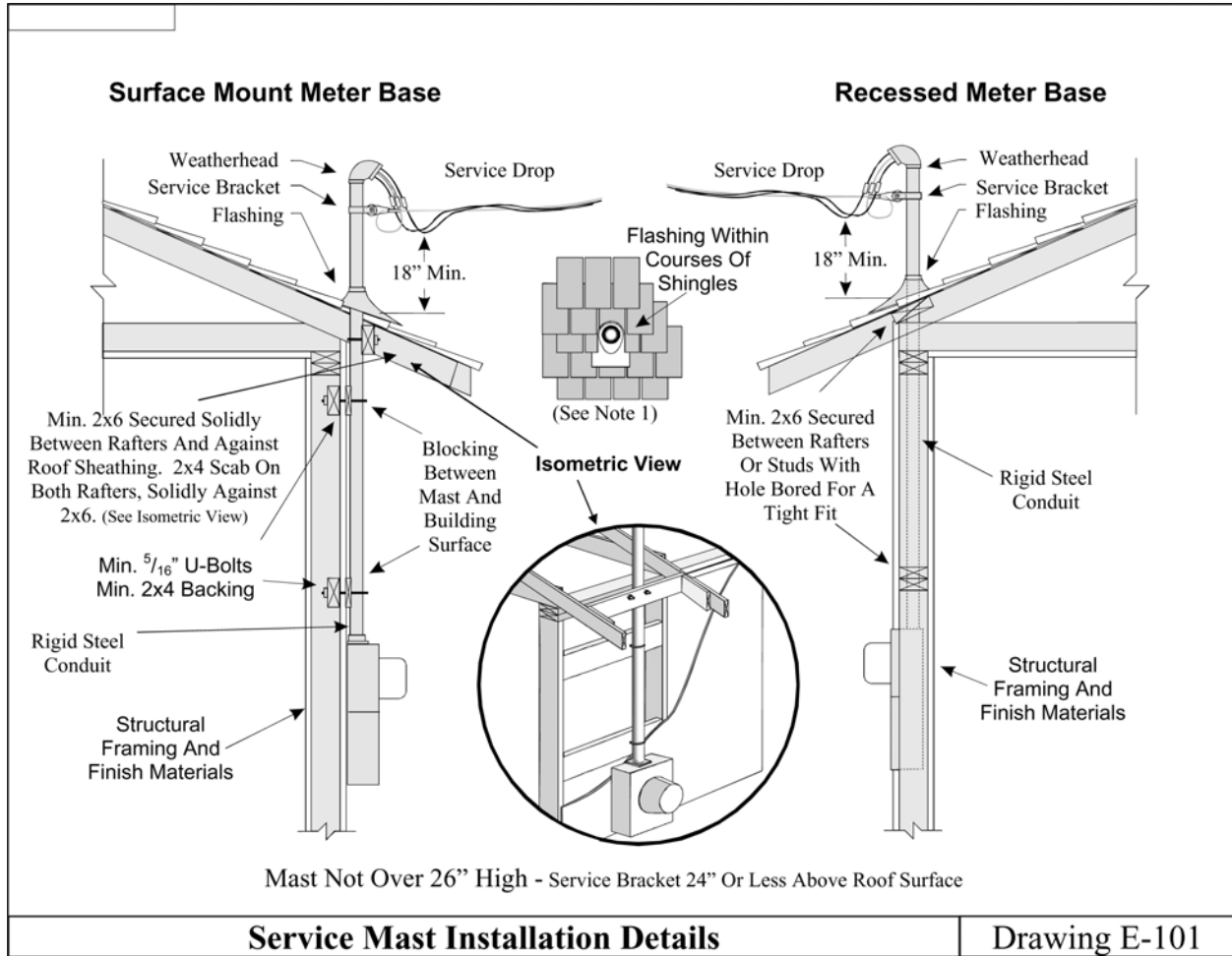


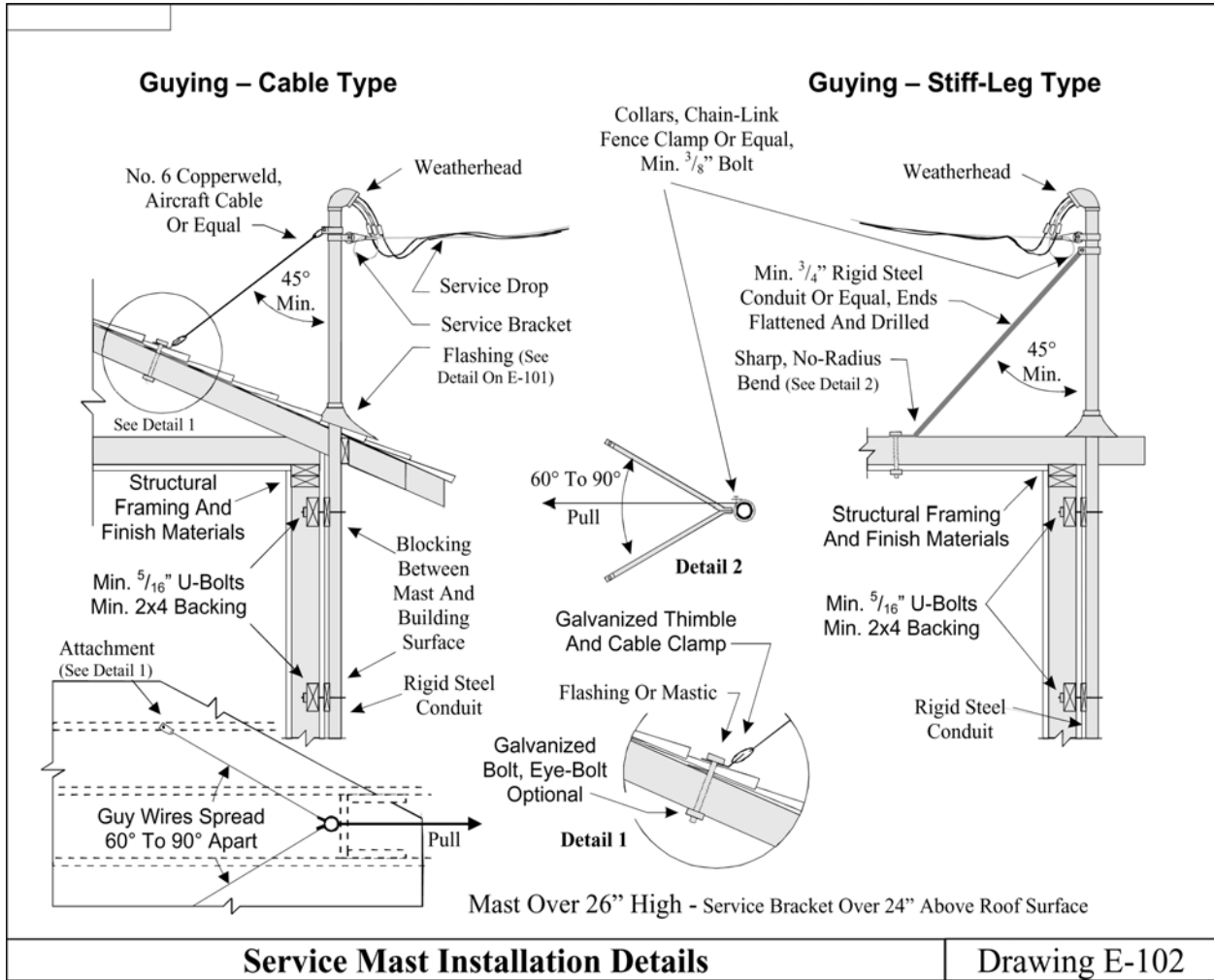
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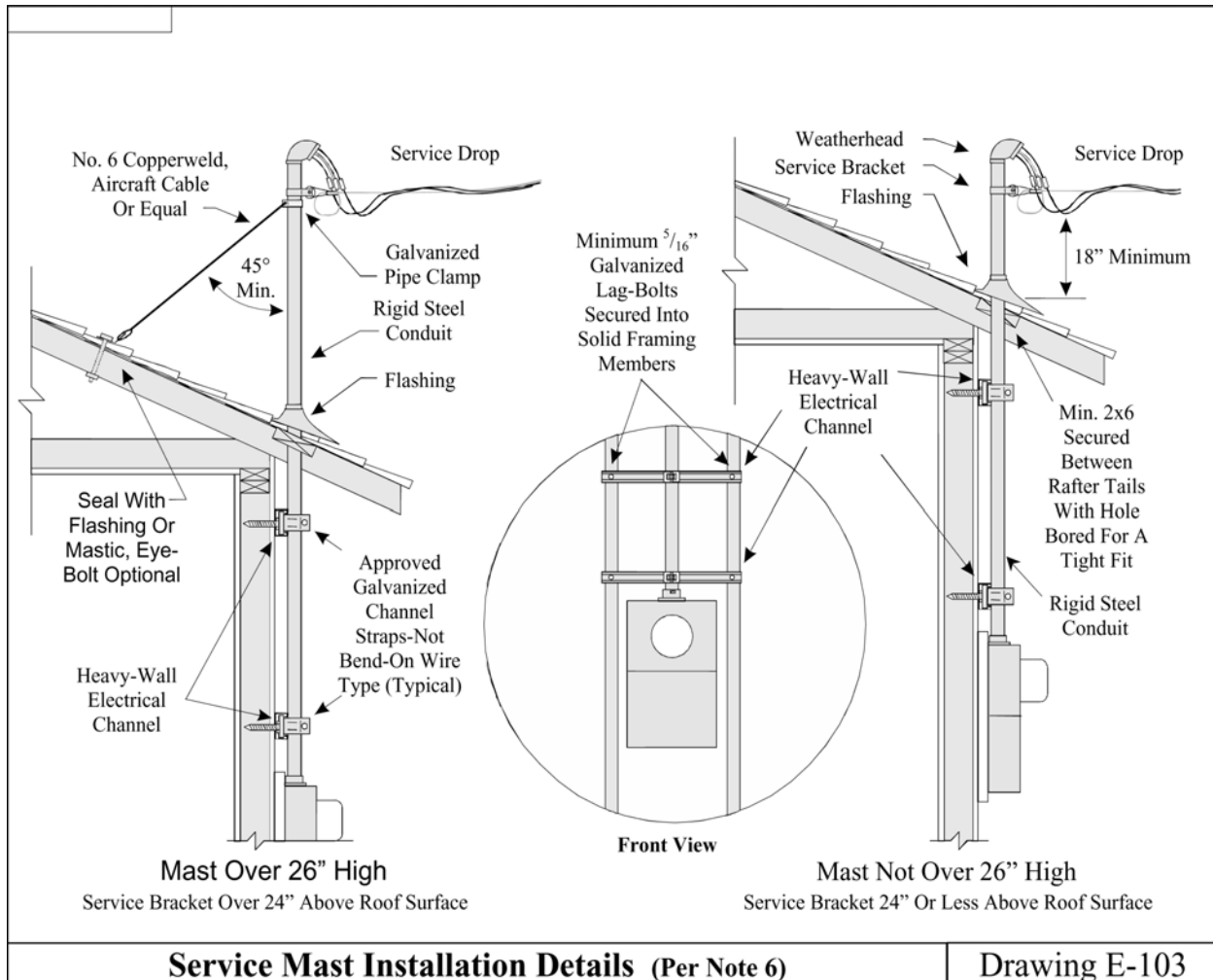
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Notes to drawings E-101, E-102, and E-103

- (1) An approved roof flashing must be installed on each mast where it passes through a roof. Plastic, nonhardening mastic must be placed between lead-type flashings and the conduit. Neoprene type flashings will also be permitted to be used.
- (2) Masts must be braced, secured, and supported in such a manner that no pressure from the attached conductors will be exerted on a roof flashing, meter base, or other enclosures.
- (3) Utilization of couplings for a mast are permitted only below the point the mast is braced, secured, or supported.
- (4) Except as otherwise required by the serving utility, service mast support guys must be installed if the service drop attaches to the mast more than twenty-four inches above the roof line or if the service drop is greater than one hundred feet in length from the pole or support. Masts for support of other than service drops must comply with this requirement as well.

(5) Intermediate support masts must be installed in an approved manner with methods identical or equal to those required for service masts.

(6) For altered services, where it is impractical to install U bolt mast supports due to interior walls remaining closed, it will be permissible to use other alternate mast support methods such as heavy gauge, galvanized, electrical channel material that is secured to two or more wooden studs with five-sixteenths inch diameter or larger galvanized lag bolts.

(7) Conductors must extend at least eighteen inches from all mastheads to permit connection to the connecting overhead wiring.

040 Service conductors - two-family and multiple-occupancy buildings.

(5) Two-family and multiple-occupancy buildings. A second or additional service drop or lateral to a building having more than one occupancy will be permitted to be installed at a location separate from other service drops or laterals to the building provided that all the following conditions are complied with:

(a) Each service drop or lateral must be sized in accordance with the NEC for the calculated load to be served by the conductors;

(b) Each service drop or lateral must terminate in listed metering/service equipment;

(c) Each occupant must have access to the occupant's service disconnecting means;

(d) No more than six service disconnects may be supplied from a single transformer;

(e) All service drops or laterals supplying a building must originate at the same transformer or power supply;

(f) A permanent identification plate must be placed at each service disconnect location that identifies all other service disconnect locations in or on the building, the area or units served by each, the total number of service disconnecting means on the building/structure and the area or units served. If a structure consists of multiple buildings (i.e., by virtue of fire separation), all service disconnects in or on the entire structure must be labeled to identify all service disconnects in or on the structure; and

(g) A permanent identification plate must be placed at each feeder disconnecting means identifying the area or units served if the feeder disconnecting means is remote from the area or unit served.

042 Service conductor - size and rating.

(6) If the service conductors have a lesser ampacity than the overcurrent protection or the equipment rating that they terminate in or on, an identification plate showing the ampacity of the conductors must be installed on the service equipment.

043 Wiring methods for 600 volts, nominal or less.

(7) The installation of service conductors not exceeding 600 volts, nominal, within a building or structure is limited to the following methods: Galvanized or aluminum rigid metal conduit; galvanized intermediate metal conduit; wireways; busways; auxiliary gutters; rigid nonmetallic conduit; cablebus; or mineral-insulated, metal-sheathed cable (type MI).

(8) Electrical metallic tubing must not be installed as the wiring method for service entrance conductors inside a building. Existing electrical metallic tubing, installed prior to October 1984, which is properly grounded and used for service entrance conductors may be permitted to remain if the conduit is installed in a nonaccessible location and is the proper size for the installed conductors.

(9) In addition to methods allowed in the NEC, the grounded service conductor is permitted to be identified with a yellow jacket or with one or more yellow stripes.

062 Service equipment - general.

(10) Service equipment, subpanels, and similar electrical equipment must be installed so that they are readily accessible and may not be installed in bathrooms, clothes closets, or shower rooms. All indoor service equipment and subpanel equipment must have adequate working space and be adequately illuminated.

(11) Temporary construction service equipment may only be used for construction purposes and must be disconnected when the permanent service is connected unless the department grants an extension of time.

070 Service disconnecting means.

(12) The service disconnecting means must be installed at a readily accessible location in accordance with (a) or (b) of this subsection.

(a) Outside location: Service disconnecting means will be permitted on the building or structure or within sight and within fifteen feet of the building or structure served. The building disconnecting means may supply only one building/structure. The service disconnecting means must have an identification plate with one-half-inch high letters identifying:

(i) The building/structure served; and

(ii) Its function as the building/structure main service disconnect(s).

(b) Inside location: When the service disconnecting means is installed inside the building or structure, it must be located so that the service raceway extends no more than fifteen feet inside the building/structure.

095 Ground-fault protection of equipment.

(13) Equipment ground-fault protection systems required by the NEC must be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. This test or a subsequent test must include all service voltage feeders. A firm having qualified personnel and proper equipment must perform the tests required. A copy of the manufacturer's performance testing instructions and a written performance acceptance test record signed by the person performing the test must be provided for the inspector's records at the time of inspection. The performance acceptance test record must include test details including, but not limited to, all trip settings and measurements taken during the test.

200 Wiring methods exceeding 600 volts.

(14) The installation of service conductors exceeding 600 volts, nominal, within a building or structure must be limited to the following methods: Galvanized rigid metal conduit, galvanized intermediate metal conduit, schedule 80 rigid nonmetallic conduit, metal-clad cable that is exposed for its entire length, cablebus, or busways.

(15) In addition to methods allowed in the NEC, the grounded service conductor is permitted to be identified with a yellow jacket or with one or more yellow stripes.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-250 Wiring and protection—Grounding and bonding.

032 Two or more buildings or structures.

(1) Effective August 1, 2003, an equipment grounding conductor must be installed with the circuit conductors between buildings and/or structures. A grounded conductor (i.e., neutral) is not permitted to be used in place of a separate equipment grounding conductor between buildings and/or structures.

052 Grounding electrodes.

(2) If a ground resistance test is not performed to ensure a resistance to ground of twenty-five ohms or less, two or more electrodes as specified in NEC 250.52 must be installed a minimum of six feet apart. However, a temporary construc-

tion service is not required to have more than one made electrode.

(3) If a concrete encased electrode is installed, inspection may be accomplished by the following methods:

(a) At the time of inspection of other work on the project, providing the concrete encased electrode is accessible for a visual inspection:

(b) At the time of the service inspection providing the installer has provided a method so the inspector can verify the continuity of the electrode conductor along its entire length (e.g., attaching a length of copper wire to one end of the electrode that reaches the location of the grounding electrode conductor that will enable the inspector to measure the resistance with a standard resistance tester). The concrete encased electrode does not have to be accessible for a visual inspection; or

(c) Other method when prior approval, on a job site basis, is given by the inspector.

If a special inspection trip is required to inspect a grounding electrode conductor, a trip fee will be charged for that inspection in addition to the normal permit fee.

056 Resistance of rod, pipe, and plate electrodes.

(4) For services only, when multiple buildings or structures are located adjacent, but structurally separate from each other, any installed rod, pipe, or plate electrodes used for those services must be installed so that each building's or structure's electrodes are not less than 1.8 m (6 ft) apart from the adjacent building's or structure's electrodes.

090 Bonding.

~~((3))~~ (5) Metallic stubs or valves used in nonmetallic plumbing systems are not required to be bonded to the electrical system unless required by an electrical equipment manufacturer's instructions.

~~((4))~~ (6) Hot and cold water plumbing lines are not required to be bonded together if, at the time of inspection, the inspector can determine the lines are mechanically and electrically joined by one or more metallic mixing valves.

184 Solidly grounded neutral systems over 1 kV.

~~((5))~~ (7) In addition to the requirements of NEC 250.184(A), the following applies for:

(a) Existing installations.

(i) The use of a concentric shield will be allowed for use as a neutral conductor for extension, replacement, or repair, if all of the following are complied with:

(A) The existing system uses the concentric shield as a neutral conductor;

(B) Each individual conductor contains a separate concentric shield sized to no less than thirty-three and one-half percent of the ampacity of the phase conductor for three-phase systems or one hundred percent of the ampacity of the phase conductor for single-phase systems;

(C) The new or replacement cable's concentric shield is enclosed inside an outer insulating jacket; and

(D) Existing cable (i.e., existing cable installed directly in the circuit between the work and the circuit's overcurrent device) successfully passes the following tests:

- A cable maintenance high potential dielectric test. The test must be performed in accordance with the cable manufacturer's instruction or the 2001 NETA maintenance test specifications; and

- A resistance test of the cable shield. Resistance must be based on the type, size, and length of the conductor used as the cable shield using the conductor properties described in NEC Table 8 Conductor Properties.

An electrical engineer must provide a specific certification to the electrical plan review supervisor in writing that the test results of the maintenance high potential dielectric test and the resistance test have been reviewed by the electrical engineer and that the cable shield is appropriate for the installation. The electrical engineer must stamp the certification document with the engineer's stamp and signature. The document may be in the form of a letter or electrical plans.

Testing results are valid for a period of seven years from the date of testing. Cable will not be required to be tested at a shorter interval.

(ii) A concentric shield used as a neutral conductor in a multigrounded system fulfills the requirements of an equipment grounding conductor.

(b) New installations.

(i) New installations do not include extensions of existing circuits.

(ii) The use of the concentric shield will not be allowed for use as a neutral conductor for new installations. A listed separate neutral conductor meeting the requirements of NEC 250.184(A) must be installed.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-300 Wiring methods and materials—Wiring methods.

001 Wiring methods.

(1) Cables and raceways for telecommunications, power limited, NEC Class 2 and Class 3 conductors must be installed in compliance with Chapter 3 NEC unless other methods are specifically allowed elsewhere in the NEC, chapter 19.28 RCW, or this chapter.

005 Underground installations.

(2) Induction loops.

See WAC ~~((296-46B-040))~~ 296-46B-901(23) for induction detection loops that are made in a public roadway and regulated by a governmental agency.

~~((The department will inspect induction loops that are not installed in public roadways regulated by a governmental agency. These))~~ Other induction loops must comply with the following requirements:

(a) General:

(i) A preformed direct burial induction loop is designed to be installed within the road surface base (e.g., concrete or asphalt) or below the road surface of a road with an unpaved surface (e.g., gravel or brick pavers);

(ii) A saw-cut induction detection loop is designed to be installed into a groove saw-cut into an existing paved road surface (e.g., concrete or asphalt);

(iii) The loop system includes the loop and the lead-in conductor;

(iv) The loop system must be:

(A) Tested to assure that at 500 volts DC, the resistance between the conductor and ground equals or exceeds 50 megohms; and

(B) Without splice; or

(C) If spliced, the splice must be soldered and appropriately insulated;

(v) The lead-in conductor must comply with the following:

(A) Must be stranded and have a lay (i.e., twist) of two turns per foot; and

(B) If installed in an electrical raceway;

• Are not required to be listed or suitable for wet locations; and

• Must have a burial cover of at least 6"; or

(C) If direct buried;

• Must be listed for the use; and

• Must have a burial cover of at least 18".

(b) Preformed direct burial induction detection loops must conform with the following:

(i) The loop conductor must be rated for direct burial and be a minimum of No. 16 AWG;

(ii) The loop design must not allow movement of the loop conductor within the outer jacket. The outer jacket containing the loop conductor is not required to be listed;

(iii) The loop yoke casing (i.e., the location where the lead-in conductor is connected to the loop):

(A) Includes any device used to house the "loop to lead-in splice" or to otherwise couple the loop with the lead-in electrical raceway;

(B) Is not required to be listed; and

(C) Must have a coupler that will create a waterproof bond with the electrical raceway, containing the lead-in conductor, or a direct buried lead-in conductor.

(c) Saw-cut induction detection loops:

(i) The loop conductor must be cross-linked polyethylene or EPR Type USE insulation and be a minimum of No. 18 AWG stranded;

(ii) The saw-cut groove must not cut into rebar installed within the roadway.

011 Support of raceways, cables, or boxes in suspended ceilings.

(3) NEC power limited, Class 2, and Class 3 cables must be secured in compliance with NEC 334.30 and must be secured to boxes in compliance with NEC 314.17.

(4) Telecommunications cables must be secured in a manner that will not cause damage to the cables and at intervals not exceeding five feet. Cables are considered adequately supported when run through holes in building structural elements or other supporting elements. Telecommunications cables may be fished into inaccessible hollow spaces of finished buildings. Clamps or fittings are not required where telecommunications cables enter boxes.

(5) Optical fiber cables must be secured in a manner that will not cause damage to the cables and at intervals not exceeding five feet. Cables are considered adequately supported when run through holes in building structural elements or other supporting elements. Optical fiber cables may be fished into inaccessible hollow spaces of finished buildings. Supports must allow a bending radius that will not cause damage to the cables.

(6) Where not restricted by the building code official or Article 300 NEC, the wires required in NEC 300.11(A) may

support raceways, cables, or boxes under the following conditions:

(a) Raceways and/or cables are not larger than three-quarter-inch trade size;

(b) No more than two raceways or cables are supported by a support wire. The two-cable limitation does not apply to telecommunications cables, Class 2 cables, or Class 3 cables on support wires installed exclusively for such cables. The support wire must be adequate to carry the cable(s) weight and all attached cables must be secured with approved fittings; or

(c) Raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose.

In addition to (a), (b), and (c) of this subsection, the following conditions must be complied with:

(d) The support wires are minimum #12 AWG and are securely fastened to the structural ceiling and to the ceiling grid system; and

(e) The raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system. Telecommunications cables, Class 2 cables, or Class 3 cables supported as required by this section, may pass through ceiling cavities without serving equipment mounted on or supported by the ceiling grid system.

017 Conductors in raceway.

(7) Cables will be permitted in all raceway systems if:

(a) The cable is appropriate for the environment; and

(b) The percentage fill does not exceed that allowed in NEC Chapter 9, Table 1.

AMENDATORY SECTION (Amending WSR 04-12-049, filed 5/28/04, effective 6/30/04)

WAC 296-46B-430 Motors, motor circuits, and controllers. 007 Marking on motors and multimotor equipment.

Except as required by the National Electrical Code, there is no requirement for motors to be identified for use or listed/field evaluated by a laboratory. All motors must be manufactured according to National Electrical Manufacturer's Association (NEMA) standards for motors except motors that:

(1) Are a component part of equipment listed or field evaluated by a laboratory; or

(2) Are a component part of industrial utilization equipment approved by the department per WAC ((~~296-46B-030~~) 296-46B-901).

AMENDATORY SECTION (Amending WSR 03-09-111, filed 4/22/03, effective 5/23/03)

WAC 296-46B-517 Special occupancies—Health care facilities.

001 Health care facilities.

In health care facilities, the following methods must be used to determine adequate capacity and ratings of equipment providing electrical power for the essential electrical systems defined in Article 517 NEC:

(1) Systems in new facilities:

(a) Emergency system: The emergency branch must consist of two branches known as:

(i) Life safety system: The feeder conductors and equipment used to supply electrical power to the life safety branch must be determined by summation of the connected loads as determined by Article 220 NEC and may not be subjected to any reduction due to the diversity of the loads. Feeder and equipment will be subject to a one hundred twenty-five percent multiplier for continuous loads in accordance with Article 220 NEC.

(ii) Critical branch system: The feeder conductors and equipment must be calculated in accordance with Article 220 NEC, including a level of diversity as determined by such article.

(b) Equipment branch: The feeder conductors and equipment used to supply electrical power to the equipment branch of the essential electrical system must be calculated in accordance with Article 220 NEC, including a level of diversity as determined by such article.

(c) Generator sizing: The rating of the generator(s) supplying electrical power to the essential system of a health care facility must meet or exceed the summation of the loads determined in (a) and (b) of this subsection with no additional demand factors applied. Momentary X-ray loads may be ignored if the generator is rated at least three hundred percent of the largest momentary X-ray load connected.

(2) Existing essential systems in facilities to which additional load is to be added:

(a) Existing loads: The existing loads of the separate branches of the essential electrical system may be determined by WAC ~~((296-46B-010(20)))~~ 296-46B-901 (15)(j).

(b) Added loads: Added loads to the separate branches of the essential electrical system must be determined by subsection (1) of this section.

(c) Generator sizing: The rating of the generator(s) supplying electrical power to the essential electrical system must meet or exceed the summation of the loads determined by (a) and (b) of this subsection with no additional demand factors applied.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-700 ((Special conditions—))Emergency systems.

001 Emergency systems - general.

(1) In all health or personal care facilities defined in this chapter, educational facilities, institutional facilities, hotels, motels, and places of assembly for one hundred or more persons, all exit and emergency lights must be installed in accordance with Article 700 NEC and located as required in standards adopted by the state building code council under chapter 19.27 RCW.

009 Emergency systems - equipment identification.

(2) All exit and emergency lights, whether or not required by the NEC, must be installed in accordance with Article 700 NEC.

(3) All boxes and enclosures, for Article 700 NEC systems, larger than six inches by six inches, including transfer switches, generators, and power panels for emergency sys-

tems and circuits must be permanently identified with an identification plate that is substantially orange in color. All other device and junction boxes for emergency systems and circuits must be substantially orange in color, both inside and outside.

027 Coordination.

(4) The requirements for selective coordination described in NEC 700.27 are not required where the emergency system was installed prior to June 1, 2006. For new emergency systems that are supplied from an existing emergency system installed prior to June 1, 2006, the new portion of the emergency system must comply with NEC 700.27. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other overcurrent protective devices.

NEW SECTION

WAC 296-46B-701 Legally required standby systems.

018 Coordination.

The requirements for selective coordination described in NEC 701.18 are not required where the legally required standby system was installed prior to June 1, 2006. For new legally required standby systems that are supplied from an existing legally required standby system installed prior to June 1, 2006, the new portion of the legally required standby system must comply with NEC 701.18. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other overcurrent protective devices.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-800 Communications systems—Communications circuits.

001 Installation.

(1) All telecommunications installations on an end-user's property, beyond the end-user's telecommunications network demarcation point, made by a telecommunications service provider, both inside and outside of a building or structure, must conform to all licensing, certification, installation, permitting, and inspection requirements described in chapter 19.28 RCW and this chapter.

~~((002 Designation of demarcation point.~~

~~(2) At the point of demarcation, the telecommunications installer must install an identification plate with the following information:~~

- ~~(a) "Point of demarcation";~~
- ~~(b) Name of telecommunications utility; and~~
- ~~(c) Name of customer/end user of the system.~~

~~(3) The telecommunications installer must confer with the telecommunications utility when determining the point of demarcation.)~~ (2) Telecommunications service providers including its subcontractors and agents must install and maintain points of demarcation in conformance with Code of Federal Regulations (CFR), Title 47, Chapter 1, Part 68, Subpart B, Sec. 68.105 and may not place a point of demarcation further than twelve inches within an end-user's occupied space.

(3) The telecommunications service provider must identify the telecommunications network demarcation point(s) with an identification plate or label having:

- (a) The provider's name;
- (b) Customer/end-user's name; and
- (c) If a CWSTP is used, the option type used.

(4) The CFR prescribes that telecommunications service providers must choose either a MPOE (minimum point of entry) or CWSTP (cable wire service termination policy) which regulates where demarcations are placed within a multitenant environment.

(5) A telecommunications service provider, including its subcontractors and agents provisioning service for a second provider who is not the end-user of the service, must place the point of demarcation no further than twelve inches from the nearest POP (point of presence), of the serving provider, to the eventual end-user.

(6) Telecommunications service providers must designate each building that they provide services to with labeling at the terminating point(s) of their facilities indicating:

- (a) Whether the building is under a MPOE policy; or
- (b) Which option of a CWSTP is in effect.

(7) The CWSTP options for demarcation placement are as follows:

(a) All telecommunications service provider facilities will terminate at one location, mutually agreed upon by the provider and the building owner or designee, upon entry into the building, normally at the lowest common serving point. All demarcations will be placed no more than twelve inches from this point. The building owner and/or tenants will provide, manage and maintain building wire and cable placed beyond this demarcation point location.

(b) The telecommunications service provider's facilities will terminate at common locations, mutually agreed upon by the provider and the building owner or designee, throughout the building (terminal rooms, utility closets, etc.). The telecommunications service provider will provide, manage and maintain the building cable and registration jacks that denote the demarcation points. The demarcation points will be placed at these locations and will be accessible to end-users at these locations. This (b) is not an option for single tenant buildings.

(c) The telecommunications service provider will terminate facilities and place demarcations at locations, mutually agreed upon by the provider and the building owner or designee, within the individually occupied units, within twelve inches or a similarly reasonable distance of cable/wire entry. The provider will provide, manage and maintain the building cable, network terminating wire and registration jacks that denote the demarcation point. This (c) is not an option for single tenant buildings.

(d) All telecommunications service provider facilities and demarcations will terminate at one location on the property, mutually agreed upon by the provider and the building owner or designee. The building owner and/or tenants will provide, manage and maintain building wire and cable placed beyond the demarcation point location.

(8) The telecommunications installer must confer with the telecommunications provider when determining the point of demarcation.

002 Definitions.

(9) "CWSTP (cable, wire and service termination policy)" is the policy of the Federal Communications Commission (FCC) and the Washington utilities and transportation commission (WUTC) prescribed by tariff that governs negotiations between building owners and telecommunications service providers regarding the configuration of POP(s) and demarcation point(s) in multitenant buildings when a MPOE policy is not elected by the telecommunications service provider.

(10) "MPOE (minimum point of entry)" is a building wiring policy of the FCC and WUTC for multitenant environment locations that can be elected by telecommunications service providers. It prescribes that the telecommunications service provider will provide a single POP for access to its network and is located either at the closest practicable point to where a telecommunications service provider's facilities (fiber, coax, or copper) cross a property line or at the closest practicable point to where the wiring enters a multiunit building or buildings. All demarcations provided for customers and end-users by the provider will be placed within twelve inches of that POP.

(11) "POP (point-of-presence)," also called a "POT (point-of-termination)," is a designated point at or near a customer premise at which a telecommunications service provider's facilities for the provision of access service ends. This can be a fiber, coax, or copper connection point. Depending on the telecommunications service provider's CWSTP with the individual building owner, demarcations may be established at the POP or at other designated locations. When the customer of a telecommunications service provider is another carrier, the demarcation will be at the closest POP to the end-user. A telecommunications service provider may have multiple POPs within a multiple tenant environment.

NEW SECTION

WAC 296-46B-901 General inspections, inspectors, city inspection, variance. (1) Electrical inspectors will give information as to the interpretation or application of the standards in this chapter, but will not lay out work or act as consultants for contractors, owners, or users.

(2) The department may enforce city electrical ordinances where those governmental agencies do not make electrical inspections under an established program.

(3) A variance from the electrical installation requirements of chapter 19.28 RCW or this chapter may be granted by the department when it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

(a) Any electrical permit holder may request a variance.

(b) The permit holder must make the request in writing, using a form provided by the department, to the chief electrical inspector. The request must include:

(i) A description of the installation as installed or proposed;

(ii) A detailed list of the applicable code violations;

(iii) A detailed list of safety violations;

(iv) A description of the proposal for meeting equivalent objectives for code and/or safety violations; and

(v) Appropriate variance application fee as listed in WAC 296-46B-905.

Inspection.

(4) Electrical wiring or equipment subject to this chapter must be sufficiently accessible, at the time of inspection, to allow the inspector to visually inspect the installation to verify conformance with the NEC and any other electrical requirements of this chapter.

(5) Cables or raceways, fished according to the NEC, do not require visual inspection.

(6) All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

(7) The installation of all structural elements and mechanical systems (e.g., framing, plumbing, ducting, etc.) must be complete in the area(s) where electrical inspection is requested. Prior to completion of an exterior wall cover inspection, either:

(a) The exterior shear panel/sheathing nail inspection must be completed by the building code inspector; or

(b) All wiring and device boxes must be a minimum of 63 mm (2 1/2") from the exterior surface of the framing member; or

(c) All wiring and device boxes must be protected by a steel plate a minimum of 1.6 mm (1/16") thick and of appropriate width and height installed to cover the area of the wiring or box.

(8) In order to meet the minimum electrical safety standards for installations, all materials, devices, appliances, and equipment, not exempted in chapter 19.28 RCW, must conform to applicable standards recognized by the department, be listed, or field evaluated. Other than as allowed in subsection (20) of this section, equipment must not be energized until such standards are met unless specific permission has been granted by the chief electrical inspector.

(9) The department will recognize the state department of transportation as the inspection authority for telecommunications systems installation within the rights of way of state highways provided the department of transportation maintains and enforces an equal, higher or better standard of construction and of materials, devices, appliances and equipment than is required for telecommunications systems installations by chapter 19.28 RCW and this chapter.

Inspection move on buildings and structures.

(10) All buildings or structures relocated into or within the state:

(a) Other than residential, wired inside the United States (U.S.) must be inspected to ensure compliance with current requirements of chapter 19.28 RCW and the rules developed by the department.

(b) Wired outside the U.S. or Canada must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department.

(11) Residential buildings or structures wired in the U.S., to NEC requirements, and moved into or within a county, city, or town must be inspected to ensure compliance with the NEC requirements in effect at the time and place the original

wiring was made. The building or structure must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department if:

(a) The original occupancy classification of the building or structure is changed as a result of the move; or

(b) The building or structure has been substantially remodeled or rehabilitated as a result of the move.

(12) Residential buildings or structures wired in Canada to Canadian Electrical Code (CEC) standards and moved into or within a county, city, or town, must be inspected to ensure compliance with the following minimum safety requirements:

(a) Service, service grounding, and service bonding must comply with the current chapter 19.28 RCW and rules adopted by the department.

(b) Canadian Standards Association (CSA) listed Type NMD cable is allowed with the following qualifications:

(i) CSA listed Type NMD cable, American Wire Gauge #10 and smaller installed after 1964 utilizing an equipment grounding conductor smaller than the phase conductors, must be:

(A) Replaced with a cable utilizing a full-size equipment grounding conductor; or

(B) Protected by a ground fault circuit interrupter protection device.

(ii) CSA listed Type NMD cable, #8 AWG and larger, must:

(A) Utilize an equipment grounding conductor sized according to the requirements of the NEC in effect at the time of the installation;

(B) Be protected by a ground fault circuit interrupter protection device; or

(C) Be replaced.

(c) Other types of wiring and cable must be:

(i) Replaced with wiring listed or field evaluated in accordance with U.S. standards by a laboratory approved by the department; or

(ii) Protected by a ground fault circuit interrupter protection device and arc fault circuit protection device.

(d) Equipment, other than wiring or panelboards, manufactured and installed prior to 1997, must be listed and identified by laboratory labels approved by the department or CSA labels.

(e) All panelboards must be listed and identified by testing laboratory labels approved by the department with the following qualifications:

(i) CSA listed panelboards labeled "Suitable for Use as Service Equipment" will be considered to be approved as "Suitable for Use only as Service Equipment."

(ii) CSA listed panelboards must be limited to a maximum of 42 circuits.

(iii) CSA listed panelboards used as lighting and appliance panelboards as described in the NEC, must meet all current requirements of the NEC and this chapter.

(f) Any wiring or panelboards replaced or changed as a result of the move must meet current requirements of chapter 19.28 RCW and this chapter.

(g) The location, type, and ground fault circuit interrupter protection of receptacles and equipment in a bathroom,

kitchen, basement, garage, or outdoor area must meet the Washington requirements in effect at the time the wiring was installed.

(h) 4, 15-ampere, kitchen small appliance circuits will be accepted in lieu of 2, 20-ampere, kitchen small appliance circuits. Receptacles will not be required to be added on kitchen peninsular or island counters.

(i) Spacing requirements for all other receptacles must meet the Washington requirements in effect at the time the wiring was installed.

(j) Receptacles installed above baseboard or fixed wall space heaters must be removed and the outlet box covered with a blank cover. The receptacle is required to be relocated as closely as possible to the existing location.

(k) Lighting outlet and switch locations must meet the Washington requirements in effect at the time the wiring was installed.

(l) Dedicated 20-ampere small appliance circuits are not required in dining rooms.

(m) Electric water heater branch circuits must be adequate for the load.

(n) The location, type, and circuit protection of feeders must meet the Washington requirements in effect at the time the wiring was installed.

Classification or definition of occupancies.

(13) Occupancies are classified and defined as follows:

(a) Educational facility refers to a building or portion of a building used primarily for educational purposes by six or more persons at one time for twelve hours per week or four hours in any one day. Educational occupancy includes: Schools (preschool through grade twelve), colleges, academies, universities, and trade schools.

(b) Institutional facility refers to a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required for a time period of twenty-four or more hours. Such occupancies include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

(c) Health or personal care facility. Health or personal care facility refers to buildings or parts of buildings that contain, but are not limited to, facilities that are required to be licensed by the department of social and health services or the department of health (e.g., hospitals, nursing homes, private alcoholism hospitals, private psychiatric hospitals, boarding homes, alcoholism treatment facilities, maternity homes, birth centers or childbirth centers, residential treatment facilities for psychiatrically impaired children and youths, and renal hemodialysis clinics) and medical, dental or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated.

(i) "Hospital" means any institution, place, building, or agency providing accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for

which obstetrical, medical, or surgical services would be appropriate for care or diagnosis.

(ii) "Nursing home," "nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities, require skilled nursing care and related medical services but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

(iii) "Boarding home" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to seven or more aged persons not related by blood or marriage to the operator. It must not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

(iv) "Private alcoholism hospital" means an institution, facility, building, or equivalent designed, organized, maintained, and operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, and other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter will not apply to any facility, agency, or other entity which is owned and operated by a public or governmental body.

(v) "Alcoholism treatment facility" means a private place or establishment, other than a licensed hospital, operated primarily for the treatment of alcoholism.

(vi) "Private psychiatric hospital" means a privately owned and operated establishment or institution which: Provides accommodations and services over a continuous period of twenty-four hours or more, and is expressly and exclusively for observing, diagnosing, or caring for two or more individuals with signs or symptoms of mental illness, who are not related to the licensee.

(vii) "Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, that this definition will not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(viii) "Birth center" or "childbirth center" means a type of maternity home which is a house, building, or equivalent organized to provide facilities and staff to support a birth service, provided that the birth service is limited to low-risk maternal clients during the intrapartum period.

(ix) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice. (NEC; Ambulatory Health Care Center.)

(x) "Hospice care center" means any building, facility, place, or equivalent, organized, maintained, and operated specifically to provide beds, accommodations, facilities, and services over a continuous period of twenty-four hours or more for palliative care of two or more individuals, not related to the operator, who are diagnosed as being in the latter stages of an advanced disease which is expected to lead to death.

(xi) "Renal hemodialysis clinic" means a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, and rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement). (NEC; Ambulatory Health Care Center.)

(xii) "Medical, dental, and chiropractic clinic" means any clinic or physicians' office where patients are not regularly kept as bed patients for twenty-four hours or more. Electrical plan review not required.

(xiii) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place, or facility designed and organized to provide twenty-four-hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(xiv) "Adult residential rehabilitation center" means a residence, place, or facility designed and organized primarily to provide twenty-four-hour residential care, crisis and short-term care and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 71.24 RCW.

(xv) "Group care facility" means a facility other than a foster-family home maintained and operated for the care of a group of children on a twenty-four-hour basis.

(d) Licensed day care centers.

(i) "Child day care center" means a facility providing regularly scheduled care for a group of children one month of age through twelve years of age for periods less than twenty-four hours; except, a program meeting the definition of a family child care home will not be licensed as a day care center without meeting the requirements of WAC 388-150-020(5).

(ii) "School-age child care center" means a program operating in a facility other than a private residence accountable for school-age children when school is not in session. The facility must meet department of licensing requirements and provide adult supervised care and a variety of developmentally appropriate activities.

(iii) "Family child day care home" means the same as "family child care home" and "a child day care facility" licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home. Electrical plan review not required.

Plan review for educational, institutional or health care facilities and other buildings.

(14) Plan review is a part of the electrical inspection process; its primary purpose is to determine:

(a) That service/feeder conductors are calculated and sized according to the proper NEC or WAC article or section;

(b) The classification of hazardous locations; and

(c) The proper design of emergency and standby systems.

(15) Electrical plan review.

(a) Electrical plan review is not required for:

(i) Lighting specific projects that result in an electrical load reduction on each feeder involved in the project;

(ii) Low voltage systems;

(iii) Modifications to existing electrical installations where all of the following conditions are met:

- Service or distribution equipment involved is rated not more than 400 amperes and does not exceed 250 volts;

- Does not involve emergency systems other than listed unit equipment per NEC 700.12(F);

- Does not involve branch circuits or feeders of an essential electrical system as defined in NEC 517.2; and

- Service and feeder load calculations are increased by 5% or less.

(iv) Stand-alone utility fed services that do not exceed 250 volts, 400 amperes where the project's distribution system does not include:

- Emergency systems other than listed unit equipment per NEC 700.12(F);

- Critical branch circuits or feeders as defined in NEC 517.2; or

- A required fire pump system.

(b) Electrical plan review is required for all other new or altered electrical projects in educational, institutional, or health care occupancies classified or defined in this chapter.

(c) If a review is required, the electrical plan must be submitted for review and approval before the electrical work is begun.

(d) Electrical plans.

(i) The plan must be submitted for plan review prior to beginning any electrical inspection. If a plan is rejected during the plan review process, no electrical inspection(s) may proceed until the plan is resubmitted and a conditional acceptance is granted.

(ii) The submitted plan will receive a preliminary review within seven business days after receipt by the department.

(iii) If the submitted plan:

- Is rejected at the preliminary review, no inspection(s) will be made on the project.

- Receives conditional acceptance, the permit holder may request a preliminary inspection(s) in writing to the department. The request must note that the preliminary inspection(s) is conditional and subject to any alterations required from the final plan review process.

(iv) Once the submitted plan has plan review approval, the approved plan must be available on the job site for use by the electrical inspector.

(v) The approved plan must be available on the job site, for use by the electrical inspector, prior to the final electrical inspection.

(vi) If the approved plan requires changes from the conditionally accepted plan, alterations to the project may be required to make the project comply with the approved plan.

(e) All electrical plans for educational facilities, hospitals and nursing homes must be prepared by, or under the direction of, a consulting engineer registered under chapter 18.43 RCW, and chapters 246-320, 180-29, and 388-97 WAC and stamped with the engineer's mark and signature.

(f) Refer plans for department review to the Electrical Section, Department of Labor and Industries, P.O. Box 44460, Olympia, Washington 98504-4460.

(g) Plans for projects within cities that perform electrical inspections within their jurisdiction, and provide an electrical plan review program that equals or exceeds the department's program in plans examiner minimum qualifications per chapter 19.28 RCW, must be submitted to that city for review, unless the agency regulating the installation specifically requires review by the department.

(h) Plans to be reviewed by the department must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans must clearly show the electrical installation or alteration in floor plan view, include switchboard and/or panel-board schedules and when a service or feeder is to be installed or altered, must include a riser diagram, load calculation, fault current calculation and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans must include documentation that proves adequate capacity and ratings. The plans must be submitted with a plan review submittal form available from the department. Plan review fees are not required to be paid until the review is completed. Plans will not be returned until all fees are paid. Fees will be calculated based on the date the plans are received by the department.

(i) The department may perform the plan review for new or altered electrical installations of other types of construction when the owner or electrical contractor makes a voluntary request for review.

(j) For existing structures where additions or alterations to feeders and services are proposed, Article 220.87(1) NEC may be used. If Article 220.87(1) NEC is used, the following is required:

- (i) The date of the measurements.
- (ii) A statement attesting to the validity of the demand data, signed by a professional electrical engineer or the electrical administrator of the electrical contractor performing the work.
- (iii) A diagram of the electrical system identifying the point(s) of measurement.
- (iv) Building demand measured continuously on the highest-loaded phase of the feeder or service over a thirty-day period, with demand peak clearly identified. (Demand peak is defined as the maximum average demand over a fifteen-minute interval.)

Wiring methods for designated building occupancies.

(16) Wiring methods, equipment and devices for health or personal care, educational and institutional facilities as defined or classified in this chapter and for places of assembly for one hundred or more persons must comply with Tables 901-1 and 901-2 of this chapter and the notes thereto. The local building authority will determine the occupant load of places of assembly.

(17) Listed tamper-resistant receptacles or listed tamper-resistant receptacle cover plates are required in all licensed day care centers, all licensed children group care facilities and psychiatric patient care facilities where accessible to children five years of age and under. Listed tamper-resistant receptacles are required in psychiatric patient care facilities where accessible to psychiatric patients over five years of age.

Notes to Tables 901-1 and 901-2.
1. Wiring methods in accordance with the NEC unless otherwise noted.
2. Metallic or nonmetallic raceways, MI, MC, or AC cable, except that in places of assembly located within educational or institutional facilities, wiring methods must conform to NEC 518.4(A). Places of assembly located within educational or institutional facilities may not be wired according to NEC 518.4 (B) or (C).
3. Limited energy system may use wiring methods in accordance with the NEC.

Table 901-1 Health or Personal Care Facilities

Health or Personal Care Facility Type ⁽¹⁾	Plan Review Required
Hospital	Yes
Nursing home unit or long-term care unit	Yes
Boarding home or assisted living facility	Yes
Private alcoholism hospital	Yes
Alcoholism treatment facility	Yes
Private psychiatric hospital	Yes
Maternity home	Yes
Birth center or childbirth center	No
Ambulatory surgery facility	Yes
Hospice care center	No
Renal hemodialysis clinic	Yes
Medical, dental, and chiropractic clinic	No
Residential treatment facility for psychiatrically impaired children and youth	Yes
Adult residential rehabilitation center	Yes
Group care facility	No

Table 901-2 Educational and Institutional Facilities, Places of Assembly or Other Facilities

Educational, Institutional or Other Facility Types	Plan Review Required
Educational ⁽²⁾⁽³⁾	Yes
Institutional ⁽²⁾⁽³⁾	Yes
Places of Assembly for 100 or more persons ⁽¹⁾	No

Table 901-2 Educational and Institutional Facilities, Places of Assembly or Other Facilities

Educational, Institutional or Other Facility Types	Plan Review Required
Child day care center ⁽¹⁾	No
School-age child care center ⁽¹⁾	No
Family child day care home, family child care home, or child day care facility ⁽¹⁾	No

Industrial control panel and industrial utilization equipment inspection.

(18) Specific definitions for this section:

(a) "Department evaluation" means a review in accordance with subsection (19)(c) of this section.

(b) "Engineering evaluation" means a review in accordance with subsection (19)(d) of this section.

(c) "Food processing plants" include buildings or facilities used in a manufacturing process, but do not include:

- (i) Municipal or other government facilities;
- (ii) Educational facilities or portions thereof;
- (iii) Institutional facilities or portions thereof;
- (iv) Restaurants;
- (v) Farming, ranching, or dairy farming operations;
- (vi) Residential uses; or
- (vii) Other installations not used for direct manufacturing purposes.

(d) In RCW 19.28.901, "industrial control panel" means a factory or user wired assembly of industrial control equipment such as motor controllers, switches, relays, power supplies, computers, cathode ray tubes, transducers, and auxiliary devices used in the manufacturing process to control industrial utilization equipment. The panel may include disconnecting means and motor branch circuit protective devices. Industrial control panels include only those used in a manufacturing process in a food processing or industrial plant.

(e) "Industrial plants" include buildings or facilities used in a manufacturing process or a manufacturing training facility (e.g., educational shop area in an educational or institutional facility), but do not include:

- (i) Municipal or other government facilities;
- (ii) Other educational facilities or portions thereof;
- (iii) Other institutional facilities or portions thereof;
- (iv) Restaurants;
- (v) Farming, ranching, or dairy farming operations;
- (vi) Residential uses; or
- (vii) Other installations not used for direct manufacturing purposes.

(f) "Industrial utilization equipment" means equipment directly used in a manufacturing process in a food processing or industrial plant, in particular the processing, treatment, moving, or packaging of a material. Industrial utilization equipment does not include: Cold storage, warehousing, or similar storage equipment.

(g) "Manufacturing process" means to make or process a raw material or part into a finished product for sale using industrial utilization equipment. A manufacturing process does not include the storage of a product for future distribu-

tion (e.g., cold storage, warehousing, and similar storage activity).

(h) "Normal department inspection" is a part of the department electrical inspection process included with the general wiring inspection of a building, structure, or other electrical installation. Normal department inspection will only be made for equipment solely using listed or field evaluated components and wired to the requirements of the NEC. Fees for the normal department inspections required under this chapter are included in the electrical work permit fee calculated for the installation and are not a separate inspection fee. However, inspection time associated with such equipment is subject to the progress inspection rates in WAC 296-46B-905.

(i) For the purposes of this section, "panel" means a single box or enclosure containing the components comprising an industrial control panel. A panel does not include any wiring methods connecting multiple panels or connecting a panel(s) and other electrical equipment.

(19) Industrial control panels and industrial utilization equipment will be determined to meet the minimum electrical safety standards for installations by:

(a) Listing or field evaluation of the entire panel or equipment;

(b) Normal department inspection for compliance with codes and rules adopted under this chapter; or

(c) By engineer review (see (d) of this subsection) or through June 30, 2007, by department evaluation showing compliance with appropriate standards. Appropriate standards are NEMA, ANSI, NFPA 79, UL 508A, International Electrotechnical Commission 60204, or their equivalent. Industrial utilization equipment is required to conform to a nationally or internationally recognized standard applicable for the particular industrial utilization equipment. Compliance must be shown as follows:

(i) The equipment's manufacturer must document, by letter to the equipment owner, the equipment's conformity to an appropriate standard(s). The letter must state:

- (A) The equipment manufacturer's name;
- (B) The type of equipment;
- (C) The equipment model number;
- (D) The equipment serial number;
- (E) The equipment supply voltage, amperes, phasing;
- (F) The standard(s) used to manufacture the equipment.

Except for the reference of construction requirements to ensure the product can be installed in accordance with the National Electrical Code, the National Electrical Code is not considered a standard for the purposes of this section;

(G) Fault current interrupting rating of the equipment or the owner may provide documentation showing that the fault current available at the point where the building wiring connects to the equipment is less than 5,000 AIC; and

(H) The date the equipment was manufactured. Equipment that was manufactured prior to January 1, 1985, is not required to meet (c)(i)(F) of this subsection.

(ii) The equipment owner must document, by letter to the chief electrical inspector, the equipment's usage as industrial utilization equipment as described in this section and provide a copy of the equipment manufacturer's letter described in

(c)(i) of this subsection. The owner's letter must be accompanied by the fee required in WAC 296-46B-905(14).

For the purposes of this section, the owner must be a food processing or industrial plant as described in this section.

(iii) The chief electrical inspector will evaluate the equipment manufacturer's letter, equipment owner's letter, and the individual equipment.

If the equipment is determined to have had electrical modifications since the date of manufacture, the chief electrical inspector will not approve equipment using this method.

(iv) If required by the chief electrical inspector, the owner must provide the department with a copy, in English, of the standard(s) used and any documentation required by the chief electrical inspector to support the claims made in the equipment manufacturer's or owner's letter. At the request of the owner, the department will obtain a copy of any necessary standard to complete the review. If, per the owner's request, the department obtains the copy of the standard, the owner will be billed for all costs associated with obtaining the standard.

If the industrial utilization equipment has been determined to be manufactured to a standard(s) appropriate for industrial utilization equipment as determined by the chief electrical inspector per RCW 19.28.901(1), the equipment will be marked with a department label.

The department will charge a marking fee as required in WAC 296-46B-905(14). Once marked by the department, the equipment is suitable for installation anywhere within the state without modification so long as the equipment is being used as industrial utilization equipment. If payment for marking is not received by the department within thirty days of marking the equipment, the department's mark(s) will be removed and the equipment ordered removed from service.

(v) If the equipment usage is changed to other than industrial utilization equipment or electrical modifications are made to the equipment, the equipment must be successfully listed or field evaluated by a laboratory approved by the department.

(vi) The equipment must be permanently installed at the owner's facility and inspected per the requirements of RCW 19.28.101.

(d) An engineering review where an engineer, accredited by the department, shows the equipment to be in compliance with appropriate standards in (c) of this subsection. See WAC 296-46B-997 for the requirements to become an accredited engineer. Appropriate standards are NEMA, ANSI, NFPA 79, UL 508A, International Electrotechnical Commission 60204, or their equivalent. Industrial utilization equipment is required to conform to a nationally or internationally recognized standard applicable for the particular industrial utilization equipment. The engineer must:

(i) Document, by letter to the chief electrical inspector, the equipment's conformity to an appropriate standard(s) and the fault current interrupting rating of the equipment.

(ii) Affix a permanent label to the equipment showing:

(A) Engineer's name;

(B) Date of approval;

(C) Equipment serial number; and

(D) The following statement: "This equipment meets appropriate standards for industrial utilization equipment."

(20) The department may authorize, on a case-by-case basis, use of the industrial control panel or equipment, for a period not to exceed six months or as approved by the chief electrical inspector after use is begun, before its final inspection, listing, or evaluation.

Traffic management systems.

(21) The department will perform the electrical inspection and acceptance of traffic management systems within its jurisdiction. A traffic management system includes:

(a) Traffic illumination systems;

(b) Traffic signal systems;

(c) Traffic monitoring systems;

(d) The electrical service cabinet and all related components and equipment installed on the load side of the service cabinet supplying electrical power to the traffic management system; and

(e) Signalization system(s) necessary for the operation of a light rail system.

A traffic management system can provide signalization for controlling vehicular traffic, pedestrian traffic, or rolling stock.

(22) The department recognizes that traffic signal conductors, pole and bracket cables, signal displays, and traffic signal controllers/cabinets and associated components used in traffic management systems are acceptable for the purpose of meeting the requirements of chapter 19.28 RCW provided they conform with the following standards or are listed on the Washington state department of transportation (WSDOT) qualified products list.

(a) WSDOT/APWA Standard Specifications and Plans;

(b) WSDOT Design Manual;

(c) International Municipal Signal Association (IMSA);

(d) National Electrical Manufacturer's Association (NEMA);

(e) Federal Standards 170/Controller Cabinets;

(f) Manual for Uniform Road, Bridge, and Municipal Construction;

(g) Institute of Transportation Engineers (ITE); or

(h) Manual of Uniform Traffic Control Devices (MUTCD).

(23) Associated induction detection loop or similar circuits will be accepted by the department without inspection.

(24) For the licensing requirements of chapter 19.28 RCW, jurisdictions will be considered owners of traffic management systems when doing electrical work for other jurisdiction(s) under a valid interlocal agreement, as permitted by chapter 39.34 RCW. Interlocal agreements for traffic management systems must be filed with the department prior to work being performed for this provision to apply.

(25) Jurisdictions, with an established electrical inspection authority, and WSDOT may perform electrical inspection on their rights of way for each other by interlocal agreement. They may not perform electrical inspection on other rights of way except as allowed in chapter 19.28 or 39.34 RCW.

(26) Underground installations.

(a) In other than open trenching, raceways will be considered "fished" according to the NEC and do not require visual inspection.

(b) The department will conduct inspections in open trenching within its jurisdiction. The electrical work permit purchaser must coordinate the electrical inspection. A written request (e.g., letter, e-mail, fax, etc.) for inspection, made to the department office having the responsibility to perform the inspection, must be made a minimum of two working days prior to the day inspection is needed (e.g., two working days—10:00 a.m. Tuesday request for a 10:00 a.m. Thursday inspection, excluding holidays and weekends).

If, after proper written request, the department fails to make an electrical inspection at the time requested, underground conduit may be covered after inspection by the local government jurisdiction's project inspector/designee. Written documentation of a local government jurisdiction inspection must be provided to the department when requested. Written documentation will include:

- (i) Date and time of inspection;
- (ii) Location;
- (iii) Installing firm;
- (iv) Owner;
- (v) Type of conduit;
- (vi) Size of conduit;
- (vii) Depth of conduit; and
- (viii) Project inspector/designee name and contact information.

(27) Identification of traffic management system components. Local government jurisdictions or WSDOT may act as the certifying authority for the safety evaluation of all components.

(a) An electrical service cabinet must contain only listed components. The electrical service cabinet enclosure is not required to be listed but will conform to the standards in subsection (2) of this section.

(b) The local government jurisdiction must identify, as acceptable, the controller cabinet or system component(s) with an identification plate. The identification plate must be located inside the cabinet and may be attached with adhesive.

(28) Conductors of different circuits in same cable, enclosure, or raceway. All traffic management system circuits will be permitted to occupy the same cable, enclosure, or raceway without regard to voltage characteristics, provided all conductors are insulated for the maximum voltage of any conductor in the cable, enclosure, or raceway.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-920 Electrical/telecommunications license/certificate types and scope of work. (1) **General electrical (01):** A general electrical license and/or certificate encompasses all phases and all types of electrical and telecommunications installations and minor plumbing under RCW 18.106.150. For the purposes of RCW 18.106.150, the like-in-kind replacement includes the appliance or any component part of the appliance (e.g., such as, but not limited to, the thermostat in a water heater).

(2) All specialties listed in this subsection may perform the electrical work described within their specific specialty as allowed by the occupancy and location described within the specialty's scope of work. Except for residential (02), the scope of work for these specialties does not include plumbing work regulated under chapter 18.106 RCW. See RCW 18.106.150 for plumbing exceptions for the residential (02) specialty. For the purposes of RCW 18.106.150, the like-in-kind replacement includes the appliance or any component part of the appliance (e.g., such as, but not limited to, the thermostat in a water heater). **Specialty** (limited) electrical licenses and/or certificates are as follows:

(a) **Residential (02):** Limited to the telecommunications, low voltage, and line voltage wiring of one- and two-family dwellings, or multifamily dwellings not exceeding three stories above grade. All wiring is limited to nonmetallic sheathed cable, except for services and/or feeders, exposed installations where physical protection is required, and for wiring buried below grade.

(i) This specialty also includes the wiring for ancillary structures such as, but not limited to: Appliances, equipment, swimming pools, septic pumping systems, domestic water systems, limited energy systems (e.g., doorbells, intercoms, fire alarm, burglar alarm, energy control, HVAC/refrigeration, etc.), multifamily complex offices/garages, site lighting when supplied from the residence or ancillary structure, and other structures directly associated with the functionality of the residential units.

(ii) This specialty does not include wiring occupancies defined in WAC (~~(296-46B-010(14))~~) 296-46B-901(13), or commercial occupancies such as: Motels, hotels, offices, assisted living facilities, or stores.

(iii) See RCW 18.106.150 for plumbing exceptions for the residential (02) specialty.

(b) **Pump and irrigation (03):** Limited to the electrical connection of circuits, feeders, controls, low voltage, related telecommunications, and services to supply: Domestic water systems and public water systems include but are not limited to pumps, pressurization, filtration, treatment, or other equipment and controls, and irrigation water pumps, circular irrigating system's pumps and pump houses.

This specialty may also perform the work defined in (c) of this subsection.

Also see RCW 18.106.010 (10)(c).

(c) **Domestic (~~well~~) pump (03A):** Limited to the extension of a branch circuit, which is supplied and installed by others, to signaling circuits, motor control circuits, motor control devices, and pumps which do not exceed 7 1/2 horsepower at 250 volts AC single phase input power, regardless of motor controller output or motor voltage/phase, used in residential potable water or residential sewage disposal systems. Domestic water systems and public water systems include but are not limited to pumps, pressurization, filtration, treatment, or other equipment and controls.

Also see RCW 18.106.010 (10)(c).

(d) **Signs (04):** Limited to placement and connection of signs and outline lighting, the electrical supply, related telecommunications, controls and associated circuit extensions thereto; and the installation of a maximum 60 ampere, 120/240 volt single phase service to supply power to a remote

sign only. This specialty may service, maintain, or repair exterior luminaires that are mounted on a pole or other structure with like-in-kind components.

(i) Electrical licensing/certification is not required to:

(A) Clean the nonelectrical parts of an electric sign;

(B) To form or pour a concrete pole base used to support a sign;

(C) To operate machinery used to assist an electrician in mounting an electric sign or sign supporting pole; or

(D) To assemble the structural parts of a billboard.

(ii) Electrical licensing/certification is required to: Install, modify, or maintain a sign, sign supporting pole, sign face, sign ballast, lamp socket, lamp holder, disconnect switch, or any other part of a listed electric sign.

(e) **Limited energy system (06):** Limited to the installation of signaling and power limited circuits and related equipment. This specialty is restricted to low-voltage circuits. This specialty includes the installation of telecommunications, HVAC/refrigeration low-voltage wiring, fire protection signaling systems, intrusion alarms, energy management and control systems, industrial and automation control systems, lighting control systems, commercial and residential amplified sound, public address systems, and such similar low-energy circuits and equipment in all occupancies and locations.

(i) For the purposes of this section, when a line voltage connection is removed and reconnected to a replacement component located inside the control cabinet, the replacement must be like-in-kind or replaced using the equipment manufacturer's authorized replacement component. The line voltage circuit is limited to 120 volts 20 amps maximum and must have a means of disconnect.

(ii) The limited energy systems (06) specialty may repair or replace line voltage connections terminated inside the cabinet to power supplies internal to the low voltage equipment provided there are no modifications to the characteristics of the branch circuit/feeder load being supplied by the circuit.

(iii) The limited energy systems (06) specialty may not replace or modify the line voltage circuit or cabling or alter the means of connection of the line voltage circuit to the power supply or to the control cabinet.

Limited energy electrical contractors may perform all telecommunications work under their specialty (06) electrical license and administrator's certificate.

(f) **HVAC/refrigeration systems:**

(i) See WAC ((296-46B-020)) 296-46B-100 for specific HVAC/refrigeration definitions.

(ii) For the purposes of this section when a component is replaced, the replacement must be like-in-kind or made using the equipment manufacturer's authorized replacement component.

(iii) The HVAC/refrigeration specialties described in (f)(v) and (vi) of this subsection may:

(A) Install HVAC/refrigeration: Telecommunications, Class 2 low-voltage control circuit wiring/components in all residential occupancies;

(B) Install, repair, replace, and maintain line voltage components within HVAC/refrigeration equipment. Such line voltage components include product illumination luminaires installed within and powered from the HVAC/refrigeration

system (e.g., reach-in beverage coolers, frozen food cases, produce cases, etc.) and new or replaced factory authorized accessories such as internally mounted outlets;

(C) Repair, replace, or maintain the internal components of the HVAC/refrigeration equipment disconnecting means or controller so long as the disconnecting means or controller is not located within a motor control center or panelboard (see Figure 920-1 and Figure 920-2);

(D) Install, repair, replace, and maintain short sections of raceway to provide physical protection for low-voltage cables. For the purposes of this section a short section cannot mechanically interconnect two devices, junction boxes, or other equipment or components; and

(E) Repair, replace, or maintain line voltage flexible supply whips not over six feet in length, provided there are no modifications to the characteristics of the branch circuit/feeder load being supplied by the whip. There is no limitation on the whip raceway method (e.g., metallic replaced by nonmetallic).

(iv) The HVAC/refrigeration specialties described in (f)(v) and (vi) of this subsection may not:

(A) Install line voltage controllers or disconnect switches external to HVAC/refrigeration equipment;

(B) Install, repair, replace, or maintain:

- Integrated building control systems, other than HVAC/refrigeration systems;

- Single stand-alone line voltage equipment or components (e.g., heat cable, wall heaters, radiant panel heaters, baseboard heaters, contactors, motor starters, and similar equipment) unless the equipment or component:

Is exclusively controlled by the HVAC/refrigeration system and requires the additional external connection to a mechanical system(s) (e.g., connection to water piping, gas piping, refrigerant system, ducting for the HVAC/refrigeration system, gas fireplace flume, ventilating systems, etc. (i.e., as in the ducting connection to a bathroom fan)). The external connection of the equipment/component to the mechanical system must be required as an integral component allowing the operation of the HVAC/refrigeration system; or

Contains a HVAC/refrigeration mechanical system(s) (e.g., water piping, gas piping, refrigerant system, etc.) within the equipment (e.g., "through-the-wall" air conditioning units, self-contained refrigeration equipment, etc.);

- Luminaires that serve as a building or structure lighting source, even if mechanically connected to a HVAC/refrigeration system (e.g., troffer luminaire used as a return air device, lighting within a walk-in cooler/freezer used for personnel illumination);

- Raceway/conduit systems;

- Line voltage: Service, feeder, or branch circuit conductors. However, if a structure's feeder/branch circuit supplies HVAC/refrigeration equipment containing a supplementary overcurrent protection device(s), this specialty may install the conductors from the supplementary overcurrent device(s) to the supplemental HVAC/refrigeration equipment if the supplementary overcurrent device and the HVAC/refrigeration equipment being supplied are located within sight of each other (see Figure 920-2); or

- Panelboards, switchboards, or motor control centers external to HVAC/refrigeration system.

(v) HVAC/refrigeration (06A):

(A) This specialty is not limited by voltage, phase, or amperage.

(B) No unsupervised electrical trainee can install, repair, replace, or maintain any part of a HVAC/refrigeration system that contains any circuit rated over 600 volts whether the circuit is energized or deenergized.

(C) This specialty may:

- Install HVAC/refrigeration: Telecommunications, Class 2 low-voltage control circuit wiring/components in other than residential occupancies:

That have no more than three stories on/above grade; or

Regardless of the number of stories above grade if the installation:

- Does not pass between stories;
- Is made in a previously occupied and wired space; and
- Is restricted to the HVAC/refrigeration system;
- Repair, replace, and maintain HVAC/refrigeration:

Telecommunications, Class 2 low-voltage control circuit wiring/components in all occupancies regardless of the number of stories on/above grade.

- Install a bonding conductor for metal gas piping to an existing accessible grounding electrode conductor or ground-

ing electrode only when terminations can be made external to electrical panelboards, switchboards, or other distribution equipment.

(D) This specialty may not install, repair, replace, or maintain: Any electrical wiring governed under article(s) 500, 501, 502, 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations) located outside the HVAC/refrigeration equipment.

(vi) HVAC/refrigeration - restricted (06B):

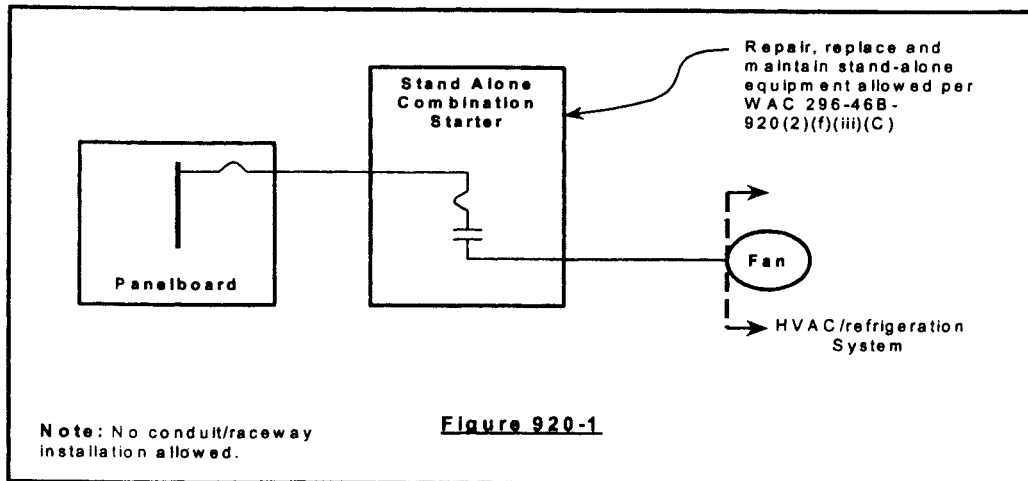
(A) This specialty may not perform any electrical work where the primary electrical power connection to the HVAC/refrigeration system exceeds: 250 volts, single phase, or 120 amps.

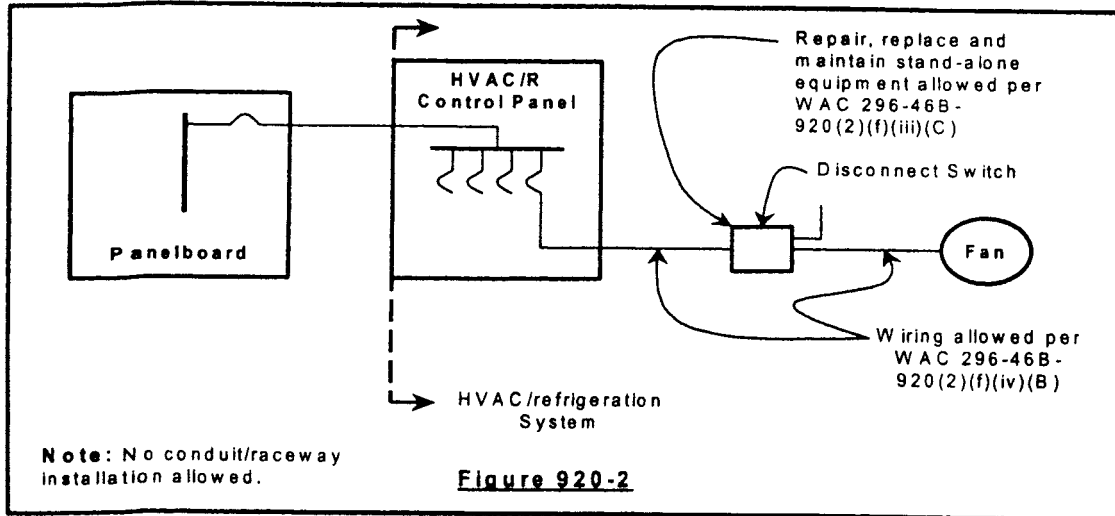
(B) This specialty may install, repair, replace, or maintain HVAC/refrigeration: Telecommunications, Class 2 low-voltage control circuit wiring/components in other than residential occupancies that have no more than three stories on/above grade.

(C) This specialty may not install, repair, replace, or maintain:

- The allowed telecommunications/low-voltage HVAC/refrigeration wiring in a conduit/raceway system; or

- Any electrical work governed under article(s) 500, 501, 502, 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations).





(g) **Nonresidential maintenance (07):** Limited to maintenance, repair and replacement of like-in-kind existing electrical equipment and conductors. This specialty does not include maintenance activities in residential dwellings defined in (a) of this subsection for the purposes of accumulating training experience toward qualification for the residential (02) specialty electrician examination.

This specialty may perform the work defined in (h), (i), (j), (k), and (l) of this subsection.

(h) **Nonresidential lighting maintenance and lighting retrofit (07A):** Limited to working within the housing of existing nonresidential luminaires for work related to repair, service, maintenance of luminaires and installation of energy efficiency lighting retrofit upgrades. This specialty includes replacement of lamps, ballasts, sockets and the installation of listed lighting retrofit reflectors and kits. All work is limited to the luminaire body, except remote located ballasts may be replaced or retrofitted with approved products. This specialty does not include installing new luminaires or branch circuits; moving or relocating existing luminaires; or altering existing branch circuits.

(i) **Residential maintenance (07B):** This specialty is limited to residential dwellings as defined in WAC 296-46B-920 (2)(a), multistory dwelling structures with no commercial facilities, and the interior of dwelling units in multistory structures with commercial facilities. This specialty may maintain, repair, or replace (like-in-kind) existing electrical utilization equipment, and all permit exempted work as defined in WAC 296-46B-900.

This specialty is limited to equipment and circuits to a maximum of 250 volts, 60 amperes, and single phase maximum.

This specialty may disconnect and reconnect low-voltage control and line voltage supply whips not over six feet in length provided there are no modifications to the characteristics of the branch circuit or whip.

For the purpose of this specialty, "electrical equipment" does not include electrical conductors, raceway or conduit systems external to the equipment or whip. This specialty

cannot perform any plumbing work regulated under chapter 18.106 RCW.

(j) **Restricted nonresidential maintenance (07C):** This specialty may maintain, repair, or replace (like-in-kind) existing electrical utilization equipment, and all permit exempted work as defined in WAC 296-46B-900 except for the replacement or repair of circuit breakers.

This specialty is limited to equipment and circuits to a maximum of 277 volts and 20 amperes for lighting branch circuits only and/or maximum 250 volts and 60 amperes for other circuits.

The replacement of luminaires is limited to in-place replacement required by failure of the luminaire to operate. Luminaires installed in suspended lay-in tile ceilings may be relocated providing: The original field installed luminaire supply whip is not extended or relocated to a new supply point; or if a manufactured wiring assembly supplies luminaire power, a luminaire may be relocated no more than eight feet providing the manufactured wiring assembly circuiting is not changed.

This specialty may disconnect and reconnect low-voltage control and line voltage supply whips not over six feet in length provided there are no modifications to the characteristics of the branch circuit. For the purpose of this specialty, "electrical equipment" does not include electrical conductors, raceway or conduit systems external to the equipment or whip.

This specialty may perform the work defined in (h) and (i) of this subsection.

This specialty cannot perform any work governed under Article(s) 500, 501, 502, 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations). This specialty cannot perform any plumbing work regulated under chapter 18.106 RCW.

(k) **Appliance repair (07D):** Servicing, maintaining, repairing, or replacing household appliances, small commercial/industrial appliances, and other small electrical utilization equipment.

(i) For the purposes of this subsection:

(A) The appliance or electrical utilization equipment must be self-contained and built to standardized sizes or types. The appliance/equipment must be connected as a single unit to a single source of electrical power limited to a maximum of 250 volts, 60 amperes, single phase.

(B) Appliances and electrical utilization equipment include, but are not limited to: Ovens, office equipment, vehicle repair equipment, commercial kitchen equipment, self-contained hot tubs and spas, grinders, and scales.

(C) Appliances and utilization equipment do not include systems and equipment such as: Alarm/energy management/similar systems, luminaires, furnaces/heaters/air conditioners/heat pumps, sewage disposal equipment, door/gate/similar equipment, or individual components installed so as to create a system (e.g., pumps, switches, controllers, etc.).

(ii) This specialty includes:

(A) The in-place like-in-kind replacement of the appliance or equipment if the same unmodified electrical circuit is used to supply the equipment being replaced. This specialty also includes the like-in-kind replacement of electrical components within the appliance or equipment;

(B) The disconnection and reconnection of low-voltage control and line voltage supply whips not over six feet in length provided there are no modifications to the characteristics of the branch circuit; and

(C) The installation of an outlet box and outlet at an existing appliance or equipment location when converting the appliance from a permanent electrical connection to a plug and cord connection. Other than the installation of the outlet box and outlet, there can be no modification to the existing branch circuit supplying the appliance or equipment.

(iii) This specialty does not include:

(A) The installation, repair, or modification of branch circuits conductors, services, feeders, panelboards, disconnect switches, or raceway/conductor systems interconnecting multiple appliances, equipment, or other electrical components.

(B) Any work governed under Article(s) 500, 501, 502, 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations).

(C) Any plumbing work regulated under chapter 18.106 RCW.

(l) **Equipment repair (07E):** Servicing, maintaining, repairing, or replacing utilization equipment.

See RCW 19.28.095 for the equipment repair scope of work and definitions. This specialty cannot perform any plumbing work regulated under chapter 18.106 RCW.

(m) **Telecommunications (09):** Limited to the installation, maintenance, and testing of telecommunications systems, equipment, and associated hardware, pathway systems, and cable management systems.

(i) This specialty includes:

(A) Installation of open wiring systems of telecommunications cables.

(B) Surface nonmetallic raceways designated and used exclusively for telecommunications.

(C) Optical fiber innerduct raceway.

(D) Underground raceways designated and used exclusively for telecommunications and installed for additions or

extensions to existing telecommunications systems not to exceed fifty feet inside the building.

(E) Incidental short sections of circular or surface metal raceway, not to exceed ten feet, for access or protection of telecommunications cabling and installation of cable trays and ladder racks in telecommunications service entrance rooms, spaces, or closets.

(F) Audio or paging systems where the amplification is integrated into the telephone system equipment.

(G) Audio or paging systems where the amplification is provided by equipment listed as an accessory to the telephone system equipment and requires the telephone system for the audio or paging system to function.

(H) Closed circuit video monitoring systems if there is no integration of line or low-voltage controls for cameras and equipment. Remote controlled cameras and equipment are considered (intrusion) security systems and must be installed by appropriately licensed electrical contractors and certified electricians.

(I) Customer satellite and conventional antenna systems receiving a telecommunications service provider's signal. All receiving equipment is on the customer side of the telecommunications network demarcation point.

(ii) This specialty does not include horizontal cabling used for fire protection signaling systems, intrusion alarms, access control systems, patient monitoring systems, energy management control systems, industrial and automation control systems, HVAC/refrigeration control systems, lighting control systems, and stand-alone amplified sound or public address systems. Telecommunications systems may interface with other building signal systems including security, alarms, and energy management at cross-connection junctions within telecommunications closets or at extended points of demarcation. Telecommunications systems do not include the installation or termination of premises line voltage service, feeder, or branch circuit conductors or equipment. Horizontal cabling for a telecommunications outlet, necessary to interface with any of these systems outside of a telecommunications closet, is the work of the telecommunications contractor.

(n) **Door, gate, and similar systems (10):** This specialty may install, service, maintain, repair, or replace door/gate/similar systems electrical operator wiring and equipment.

(i) For the purposes of this subsection, door/gate/similar systems electrical operator systems include electric gates, doors, windows, awnings, movable partitions, curtains and similar systems. These systems include, but are not limited to: Electric gate/door/similar systems operators, control push buttons, key switches, key pads, pull cords, air and electric treadle, air and electric sensing edges, coil cords, take-up reels, clocks, photo electric cells, loop detectors, motion detectors, remote radio and receivers, antenna, timers, lock-out switches, stand-alone release device with smoke detection, strobe light, annunciator, control panels, wiring and termination of conductors.

(ii) This specialty includes:

(A) Low-voltage, NEC Class 2, door/gate/similar systems electrical operator systems where the door/gate/similar

systems electrical operator system is not connected to other systems.

(B) Branch circuits originating in a listed door/gate/similar systems electric operator control panel that supplies only door/gate/similar systems system components providing: The branch circuit does not exceed 600 volts, 20 amperes and the component is within sight of the listed door/gate/similar systems electric operator control panel.

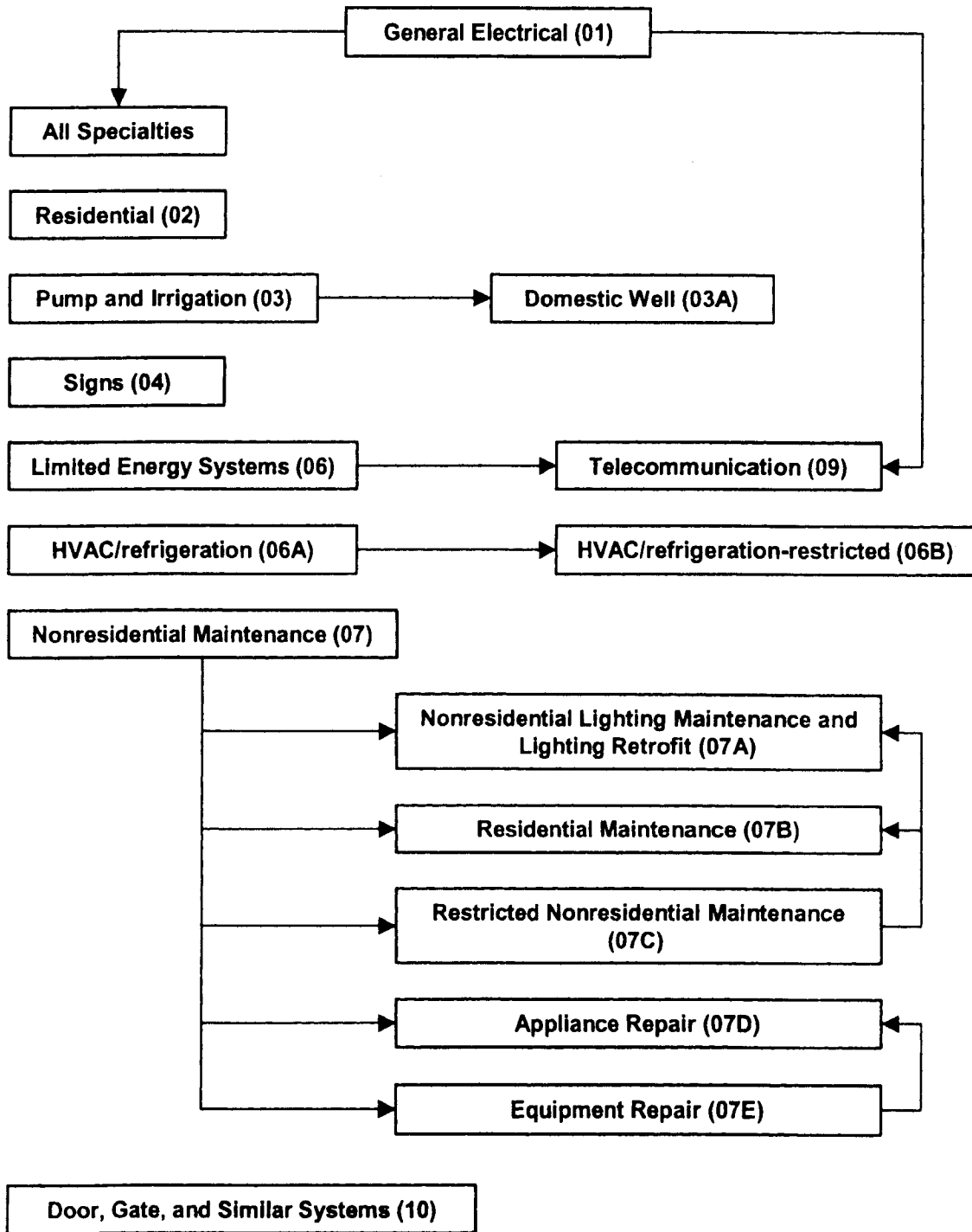
(C) Reconnection of line voltage power to a listed door/gate/similar systems electric operator control panel is permitted provided:

- There are no modifications to the characteristics of the branch circuit/feeder;
- The circuit/feeder does not exceed 600 volts, 20 amperes; and
- The conductor or conduit extending from the branch circuit/feeder disconnecting means or junction box does not exceed six feet in length.

(iii) This specialty does not include any work governed under Article(s) 500, 501, 502, 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations). This specialty may not install, repair, or replace branch circuit (line voltage) conductors, services, feeders, panelboards, or disconnect switches supplying the door/gate/similar systems electric operator control panel.

(3) A specialty electrical contractor, other than the **(06)** limited energy specialty electrical contractor, may only perform telecommunications work within the equipment or occupancy limitations of their specialty electrical contractor's license. Any other telecommunications work requires a telecommunications contractor's license.

Table 920-1 Allowed Scope of Work Crossover



AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-925 Electrical/telecommunications contractor's license. General.

(1) The department will issue an electrical/telecommunications contractor's license that will expire twenty-four months following the date of issue to a person, firm, partnership, corporation or other entity that complies with require-

ments for such license in chapter 19.28 RCW. An electrical/telecommunications contractor's license will not be issued to or renewed for a person, firm, or partnership unless the Social Security number, date of birth, and legal address of the individual legal owner(s) are submitted with the application. The department may issue an electrical/telecommunications contractor's license for a period greater or less than twenty-four months for the purpose of equalizing the number

of electrical contractor's licenses that expire each month. The department may prorate the electrical/telecommunications contractor's license fee according to the license period.

(2) Combination specialty contractor's license. The department may issue a combination specialty contractor's license to a firm that qualifies for more than one specialty electrical contractor's license. The assigned administrator must be certified in all specialties applicable to the combination specialty contractor's license. The license will plainly indicate the specialty licenses' codes included in the combination license. An administrator assigned to a telecommunications contractor must be certified as a telecommunications administrator. A combination license will not be issued for telecommunications (09).

(3) See RCW 19.28.041(1) for a contractor doing domestic pumping work as defined in RCW 18.106.010 (10)(c).

(4) The department may deny renewal of an electrical/telecommunications contractor's license if a firm, an owner, partner, member, or corporate officer owes money as a result of an outstanding final judgment(s) to the department.

Electrical/telecommunications contractor bond, cash or securities deposit.

~~((4))~~ (5) Bond, cash, or securities deposit.

(a) The electrical/telecommunications contractor may furnish the department with a cash or security deposit to meet the bond requirements in lieu of posting a bond. A cash or security deposit assigned to the department for bond requirements will be held in place for one year after the contractor's license is expired, revoked, or the owner notifies the department in writing that the company is no longer doing business in the state of Washington as an electrical/telecommunications contractor. Upon written request, the cash or security deposit will then be released by the department providing there is no pending legal action against the contractor under chapter 19.28 RCW of which the department has been notified.

(b) See RCW 19.28.041(7) for a contractor doing domestic pumping work as defined in RCW 18.106.010 (10)(c).

Telecommunications contractor insurance.

~~((5))~~ (6) To obtain a telecommunications contractor's license, the applicant must provide the department with an original certificate of insurance naming the department of labor and industries, electrical section as the certificate holder. Insurance coverage must be no less than twenty thousand dollars for injury or damages to property, fifty thousand dollars for injury or damage including death to any one person, and one hundred thousand dollars for injury or damage including death to more than one person. The insurance will be considered a continuing obligation unless canceled by the insurance company. The insurance company must notify the department in writing ten days prior to the effective date of said cancellation or failure to renew.

~~((6))~~ (7) The telecommunications contractor may furnish the department with an assigned account to meet the insurance requirements in lieu of a certificate of insurance. An account assigned to the department for insurance requirements will be held in place for three years after the contractor's license is expired, revoked, or the owner notifies the

department in writing that the company is no longer doing business in the state of Washington as a telecommunications contractor. Upon written request, the account then will be released by the department providing there is no pending legal action against the contractor under chapter 19.28 RCW of which the department has been notified.

Electrical/telecommunications contractor exemptions.

~~((7))~~ (8) The following types of systems and circuits are considered exempt from the requirements for licensing and permitting described in chapter 19.28 RCW. The electrical failure of these systems does not inherently or functionally compromise safety to life or property.

Low-voltage thermocouple derived circuits and low-voltage circuits for:

- (a) Built-in residential vacuum systems;
- (b) Underground landscape sprinkler systems;
- (c) Underground landscape lighting; and
- (d) Residential garage doors.

For these types of systems and circuits to be considered exempt, the following conditions must be met:

(e) The power supplying the installation must be derived from a listed Class 2 power supply;

(f) The installation and termination of line voltage equipment and conductors supplying these systems is performed by appropriately licensed and certified electrical contractors and electricians;

(g) The conductors of these systems do not pass through fire-rated walls, fire-rated ceilings or fire-rated floors in other than residential units; and

(h) Conductors or luminaires are not installed in installations covered by the scope of Article 680 NEC (swimming pools, fountains, and similar installations).

~~((8))~~ (9) Firms who clean and/or replace lamps in luminaires are not included in the requirements for licensing in chapter 19.28 RCW. This exemption does not apply to electric signs as defined in the NEC.

~~((9))~~ (10) Firms who install listed plug and cord connected utilization equipment are not included in the requirements for licensing in chapter 19.28 RCW. The plug and cord must be a single listed unit consisting of a molded plug and cord and not exceeding 250 volt 60 ampere single phase. The plug and cord can be field installed per the manufacturer's instructions and the product listing requirements. The utilization equipment must be a single manufactured unit that does not require any electrical field assembly except for the installation of the plug and cord.

~~((10))~~ (11) Firms regulated by the Federal Communications Commission or the utilities and transportation commission, supplying telecommunications service to an end-user's property, are not required to be licensed as a telecommunications contractor under chapter 19.28 RCW for telecommunications installations made ahead of the telecommunications network demarcation point.

~~((11))~~ (12) Unregulated firms, supplying telecommunications service to an end-user's property, are not required to be licensed as a telecommunications contractor under chapter 19.28 RCW for telecommunications installations made ahead of the telecommunications network demarcation point.

~~((12))~~ (13) Leaseholders. For electrical installations, maintenance, or alterations to existing buildings only, any person, firm, partnership, corporation, or other entity holding a valid, signed lease from the property owner authorizing the leaseholder to perform electrical work, on the property the leaseholder occupies, will be allowed to purchase an electrical permit(s) and do electrical work on or within the property described in the lease. The lessee and/or his or her regularly employed employees must perform the electrical installation, maintenance and alteration.

The lessee who performs the electrical maintenance or installation work must be the sole occupant of the property or space. Property owners or leaseholders cannot perform electrical work on new buildings for rent, sale, or lease, without the proper electrical licensing and certification. Refer to RCW 19.28.261 for exemptions from licensing and certification.

~~((13))~~ (14) Assisting a householder. A friend, neighbor, relative, or other person (including a certified electrician) may assist a householder, at his/her residence in the performance of electrical work on the condition that the householder is present when the work is performed and the person assisting the householder does not accept money or other forms of compensation for the volunteer work. For the purposes of this subsection, a residence is a single-family residence.

~~((14))~~ (15) Volunteering to do electrical work. There are no exceptions from the electrical contractor's license or electrician certification requirements to allow persons to perform volunteer electrical work for anyone other than a householder or a nonprofit organization as allowed by RCW 19.28.091(7). For the purpose of this section, volunteer means that there is no remuneration or receiving of goods or services in return for electrical installations performed.

~~((15))~~ (16) Farms or place of business. See RCW 19.28.261 for licensing/certification exemptions allowed for the owner(s) of a farm or other place of business and for the employees of the owner.

Exemptions - electrical utility and electrical utility's contractor.

~~((16))~~ (17) Electrical utility system exemption. Neither a serving electrical utility nor a contractor employed by the serving electrical utility is required to have an electrical contractor's license for work on the "utility system" or on service connections or on meters and other apparatus or appliances used to measure the consumption of electricity.

(a) Street lighting exemption. A serving electrical utility is not required to have an electrical contractor's license or electrical permit to work on electrical equipment used in the lighting of streets, alleys, ways, or public areas or squares.

Utilities are allowed to install outside area lighting on privately owned property where the lighting fixture(s) is installed on a utility owned pole(s) used to support utility owned electric distribution wiring or equipment designed to supply electrical power to a customer's property.

Utilities are allowed to install area lighting outside and not attached to a building or other customer owned structure when the areas are outside publicly owned buildings such as: Publicly owned/operated parking lots, parks, schools, play

fields, beaches, and similar areas; or the areas are privately owned where the public has general, clear and unrestricted access such as: Church parking lots, and commercial property public parking areas and similar areas.

Utilities are not allowed to install area lighting when the area is privately owned and the public does not have general, clear, and unrestricted access such as industrial property, residential property and controlled commercial property where the public's access is otherwise restricted.

Utilities are not allowed to install area lighting where the lighting is supplied from a source of power derived from a customer owned electrical system.

(b) Customer-owned equipment exemption. A serving electrical utility is not required to have an electrical contractor's license to work on electrical equipment owned by a commercial, industrial, or public institution customer if:

(i) The utility has not solicited such work; and

(ii) Such equipment:

(A) Is located outside a building or structure; and

(B) The work performed is on the primary side of the customer's transformer(s) which supplies power at the customer's utilization voltage.

(c) Exempted equipment and installations. No person, firm, partnership, corporation, or other entity is required to have an electrical contractor's license for work on electrical equipment and installations thereof that are exempted by RCW 19.28.091.

(d) Exemption from inspection.

(i) The work of a serving electrical utility and its contractors on the utility system is not subject to inspection. The utility is responsible for inspection and approval for the installation.

(ii) Work exempted by NEC 90.2 (B)(5), 1981 edition, is not subject to inspection.

Exemptions - electrical utility telecommunications transition equipment installations, maintenance and repair.

~~((17))~~ (18) No license, inspection or other permit will be required by the department of any electric utility or, of any person, firm, partnership or corporation or other entity employed or retained by an electric utility or its contractor, because of work in connection with the installation, maintenance, or repair of telecommunications transition equipment located ahead of the utility's telecommunications network demarcation point on the outside of a building or other structure when the work is performed by a qualified person consistent with the requirements of the National Electric Code (NEC) except as provided in (a) and (b) of this subsection:

(a) The following exceptions to the NEC shall be permitted:

(i) An additional service disconnect supplying power to the transition equipment can be connected on the supply side of the main service disconnect supplying general power to the building;

(ii) Service entrance disconnects may be separated when clearly labeled;

(iii) The service disconnect used for supplying power to the transition equipment must be connected to the grounding electrode system using:

(A) # 8 AWG copper or larger grounding electrode conductor if protected from physical damage; or

(B) # 6 AWG copper or larger grounding electrode conductor if not protected from physical damage;

(iv) Use of equipment or materials that have been listed/field evaluated by a recognized independent testing laboratory or the department;

(v) Low-voltage circuits do not require a separate disconnecting means and may be grounded to the transition equipment grounding system;

(vi) Any other variance to the NEC must be approved by the department.

(b) A variance recommended by a joint utility standards group composed of representatives of both public and private utilities or certified by a professional engineer will be approved by the department unless the recommendation is inconsistent with meeting equivalent objectives for public safety.

(c) For the purposes of this section, a qualified worker is employed by a utility or its contractor and is familiar with the construction or operation of such lines and/or equipment that concerns his/her position and who is proficient with respect to the safety hazards connected therewith, or, one who has passed a journey status examination for the particular branch of the electrical trades with which he/she may be connected or is in a recognized training or apprenticeship course and is supervised by a journey level person.

(d) Although the utility is responsible for inspection and approval of the installation, including the selection of material and equipment, the department reserves the right to audit worker qualifications and inspect such installations semi-annually for conformance with the requirements of (a), (b) and (c) of this subsection but shall not collect a permit fee for such inspection or audit.

(e) If a utility fails to meet the requirements of this section, the department may require the utility to develop and submit a remedial action plan and schedule to attain compliance with this section which may be enforced by the department.

(f) This exemption shall be in addition to any other exemption provided in chapter 19.28 RCW, this chapter or other applicable law.

Exemptions - independent electrical power production equipment exemption.

~~((18))~~ (19) An independent electrical power production entity is not required to have an electrical contractor's license to work on electrical equipment used to produce or transmit electrical power if:

(a) The entity is:

(i) The owner or operator of the generating facility is regulated by the Federal Energy Regulatory Commission (FERC);

(ii) A municipal utility, or other form of governmental electric utility, or by an electrical cooperative or mutual corporation; or

(iii) The owner or operator of the generating facility is an independent electrical power producer and the facility generates electrical power only for sale to one or more:

(A) Electrical utilities regulated by FERC, municipal utility, or other form of governmental utility, or to an electric cooperative or mutual corporation; and

(B) The electrical power generated by the facility is not used for self-generation or any other on- or off-site function other than sale to one or more utilities regulated by FERC or by one or more state public utilities commissions, or to a PUD, municipal utility, or other form of governmental electric utility, or to an electric cooperative or mutual corporation.

(b) The entity must supply the chief electrical inspector a valid master business license issued by the department of licensing, state of Washington so that the entity's status as a revenue generating business can be confirmed.

(c) The entity has entered into an agreement to sell electricity to a utility or to a third party; and

(d) The electrical equipment is used to transmit electricity from the terminals of an electrical generating unit located on premises to the point of interconnection with a utility system.

(e) The electrical power production facility's generation capacity exceeds 115 KVA.

(f) Notwithstanding that a generating facility may be granted an exemption pursuant to this section, the facility will be subject to all the requirements of chapter 19.28 RCW if the facility at any time in the future ceases to comply with the requirements for exemption. All site facilities not exclusively and directly required to generate and/or distribute the electrical power generated on the site are subject to all the licensing and inspection requirements of chapter 19.28 RCW. All facility services, feeders, and circuits not exclusively and directly required to generate and/or distribute the electrical power (e.g., lights, outlets, etc.) must comply with all requirements of chapter 19.28 RCW for licensing and inspection. Facility circuits supplied to equipment required for the function of generation equipment (e.g., block heaters, power supplies, etc.) must comply with all requirements of chapter 19.28 RCW for licensing and inspection up to and including the equipment termination point.

Exemptions - telegraph and telephone utility and telegraph and telephone utility's contractor.

~~((19))~~ (20) Telegraph and telephone utility exempted equipment and installations. No person, firm, partnership, corporation, or other entity is required to have an electrical contractor's license for work on electrical equipment and installations thereof that are exempted by RCW 19.28.151. For the purposes of this exemption, "building or buildings used exclusively for that purpose" may mean any separate building or space of a building where the space is separated from the remainder of the building by a two-hour fire wall. The telecommunications or telegraph equipment within such a space must supply telephone or telegraph service to other customer's buildings (i.e., telecommunications or telegraph equipment cannot solely supply the building containing the telephone/telegraph space).

Exemptions - manufacturers of electrical/telecommunications products.

~~((20))~~ (21) Manufacturers of electrical/telecommunications systems products will be allowed to utilize a manufacturer's authorized factory-trained technician to perform initial calibration, testing, adjustment, modification incidental to the startup and checkout of the equipment, or replacement of components within the confines of the specific product, without permit or required licensing:

- (a) Provided the product:
 - (i) Has not been previously energized;
 - (ii) Has been recalled by the Consumer Product Safety Commission;
 - (iii) Is within the manufacturer's written warranty period; or
 - (iv) The manufacturer is working under the written request and supervision of an appropriately licensed electrical contractor.

(b) Modifications to the equipment, as designated above, must not include any changes to the original intended configuration nor changes or contact with external or field-connected components or wiring.

(c) The manufacturer will be responsible for obtaining any required reapproval/recertification from the original listing or field evaluation laboratory.

(d) The manufacturer must notify the department if any modifications have been made or reapproval/recertification is required.

Premanufactured electric power generation equipment assemblies and control gear.

~~((21))~~ (22) Premanufactured electric power generation equipment assemblies and control gear.

(a) Manufacturers of premanufactured electric power generation equipment assemblies and control gear will be allowed to utilize a manufacturer's authorized factory-trained technician to perform initial calibration, testing, adjustment, modification incidental to the startup and checkout of the equipment, or replacement of components within the confines of the specific product, without permit or required licensing, provided:

(i) For transfer equipment, the product has not been previously energized or is within the manufacturer's written warranty period;

(ii) Modifications to the equipment, as designated above, must not include any changes to the original intended configuration nor changes or contact with external or field-connected components or wiring;

(iii) The manufacturer will be responsible for obtaining any required reapproval/recertification from the original listing or field evaluation laboratory; or

(iv) The manufacturer must notify the department if any modifications have been made or reapproval/recertification is required.

(b) Premanufactured electric power generation equipment assemblies are made up of reciprocating internal combustion engines and the associated control gear equipment. Control gear equipment includes control logic, metering, and annunciation for the operation and the quality of power being generated by the reciprocating internal combustion engine and does not have the function of distribution of power.

(c) Modifications of a transfer switch must not include changes to the original intended configuration or changes or contact with externally field-connected components.

(d) For the purposes of this subsection, the following work on premanufactured electric power generation equipment assemblies is not exempt from the requirements of chapter 19.28 RCW:

(i) Installation or connection of conduit or wiring between the power generation unit, transfer switch, control gear;

(ii) Installation of the transfer switch;

(iii) Connections between the power generation unit, transfer switch, control gear, and utility's transmission or distribution systems;

(iv) Connections between the power generation unit, transfer switch, control gear, and any building or structure;

(v) Test connections with any part of:

(A) The utility's transmission or distribution system; or

(B) The building or structure.

~~((22))~~ (23) The installation, maintenance, or repair of a medical device deemed in compliance with chapter 19.28 RCW is exempt from licensing requirements under RCW 19.28.091, certification requirements under RCW 19.28.161, and inspection and permitting requirements under RCW 19.28.101. This exemption does not include work providing electrical feeds into the power distribution unit or installation of conduits and raceways. This exemption covers only those factory engineers or third-party service companies with equivalent training who are qualified to perform such service.

~~((23))~~ (24) Coincidental electrical/plumbing work. See RCW 19.28.091(8) for the plumber exemption.

~~((24))~~ (25) Nothing in this section will alter or amend any other exemptions from or requirement for licensure or inspection, chapter 19.28 RCW or this chapter.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-935 Administrator certificate. General.

(1) The department will deny renewal of a certificate if an individual owes money as a result of an outstanding final judgment(s) to the department.

(2) For special accommodation see WAC 296-46B-960.

(3) An applicant will not be issued a specialty administrator certificate that is a subspecialty of a certificate the applicant currently holds (i.e., the applicant is not eligible to take the domestic well administrator examination if the applicant currently possesses a pump and irrigation administrator certificate).

Qualifying for examination.

(4) There are no qualification requirements for taking an administrator certificate examination. Applicants should contact the testing agency directly.

Original - administrator certificates.

(5) The scope of work for electrical administrators is described in WAC 296-46B-920. The department will issue

an original administrator certificate to a general administrator, or specialty administrator who:

(a) Successfully completes the appropriate administrator examination; and

(b) Submits the appropriate examination passing report from the testing agency with the applicant's: Date of birth, mailing address, and Social Security number; and

(c) Pays all appropriate fees as listed in WAC 296-46B-910.

For an examination report to be considered, all the above must be submitted within ninety days after the completion of the examination. After ninety days, the applicant will be required to successfully retake the complete examination. An individual's original administrator certificate will expire on their birth date at least one year, and not more than three years, from the date of original issue.

Combination - specialty administrator certificate.

(6) The department may issue a combination specialty administrator certificate to an individual who qualifies for more than one specialty administrators' certificate. The combination specialty administrators' certificate will plainly indicate the specialty administrator's certificate(s) the holder has qualified for. Telecommunications cannot be issued a combination because the renewal requirements are different from those required for electrical administrators. Temporary administrator certificates will not be issued as a part of a combination certificate.

Renewal - administrator certificate.

(7) An individual must apply for renewal of their administrator certificate on or before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Renewed certificates are valid for three years, with the exception of telecommunications administrators, who will be renewed for two years.

(8) An individual may renew their administrator certificate within ninety days after the expiration date without reexamination if the individual pays the late renewal fee listed in WAC 296-46B-910.

(9) All renewals received more than ninety days after the expiration date of the certificate will be denied. The administrator will be required to pass the appropriate administrator examination before being recertified.

(10) All applicants for certificate renewal must:

(a) Submit a complete renewal application;

(b) Pay all appropriate fees as listed in WAC 296-46B-910; and

(c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-46B-970. If an individual files inaccurate or false evidence of continuing education information when renewing a certificate, the individual's certificate may be suspended or revoked.

Telecommunications administrators are not required to provide continuing education information.

Continuing education for pump and irrigation (03) and domestic pump (03A) administrators may be comprised of fifty percent electrical and fifty percent plumbing instruction.

(11) An individual who has not completed the required hours of continuing education can renew an administrator's certificate if the individual applies for renewal on or before the certificate expires and pays the appropriate renewal fee. However, the certificate will be placed in an inactive status.

When the certificate is placed in inactive status, an assigned administrator will be automatically unassigned from the electrical contractor. The electrical contractor will be notified of the unassignment and has ninety days to replace the administrator. An assignment fee will then be required per WAC 296-46B-910.

The inactive certificate will be returned to current status upon validation, by the department, of the required continuing education requirements. If the certificate renewal date occurs during the inactive period, the certificate must be renewed on or before the renewal date to allow the return to current status.

(12) An individual may renew a suspended administrator's certificate by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(13) An individual may not renew a revoked or temporary administrator's certificate.

Temporary specialty administrator certificate.

(14) See WAC 296-46B-930 for additional information.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-940 Electrician/training/temporary certificate of competency or permit required. Electrician - general.

(1) The department will deny renewal of a certificate or permit if an individual owes money as a result of an outstanding final judgment(s) to the department.

Electrician - scope of work.

(2) The scope of work for electricians and trainees is described in WAC 296-46B-920.

Electrician - certificate of competency required.

(3) To work in the electrical construction trade, an individual must possess a current valid:

(a) Master journeyman electrician certificate of competency issued by the department;

(b) Journeyman electrician certificate of competency issued by the department;

(c) Master specialty electrician certificate of competency issued by the department;

(d) Specialty electrician certificate of competency issued by the department;

(e) Temporary electrician permit. Unless continually supervised by an appropriately certified electrician, no temporary electrician can install, repair, replace, or maintain any electrical wiring or equipment where the system voltage is more than 600 volts, whether the system is energized or deenergized; or

(f) Electrical training certificate, learning the trade in the proper ratio, per RCW 19.28.161, under the supervision of a certified master journeyman electrician, journeyman electrician, master specialty electrician working in their specialty, or specialty electrician working in their specialty.

(4) The department issues master electrician and electrician certificates of competency in the following areas of electrical work:

- (a) General journeyman **(01)**;
- (b) Specialties:
 - (i) Residential **(02)**;
 - (ii) Pump and irrigation **(03)**;
 - (iii) Domestic ((~~well~~) pump) **(03A)**;
 - (iv) Signs **(04)**;
 - (v) Limited energy system **(06)**;
 - (vi) HVAC/refrigeration **(06A)**;
 - (vii) HVAC/refrigeration - restricted **(06B)**;
 - (viii) Nonresidential maintenance **(07)**;
 - (ix) Nonresidential lighting maintenance and lighting retrofit **(07A)**;
 - (x) Residential maintenance **(07B)**;
 - (xi) Restricted nonresidential maintenance **(07C)**;
 - (xii) Appliance repair **(07D)**;
 - (xiii) Equipment repair **(07E)**; and
 - (xiv) Door, gate, and similar systems **(10)**.

Exemptions - linemen.

(5) Definition: See general definitions WAC ((~~296-46B-020~~) 296-46B-100) for the definition of a lineman.

(6) Electrical linemen employed by a:

(a) Serving electrical utility or the serving utility's contractor, or a subcontractor to their subcontractor, while performing work described in WAC 296-46B-925 do not need certificates of competency.

(b) Licensed general electrical contractors do not need certificates of competency if the electrical equipment:

- (i) Is on commercial or industrial property;
- (ii) Is located outside a building or structure; and
- (iii) The work performed is on the primary side of the customer's transformer(s) supplying power at the customer's building or structure utilization voltage.

Exemptions - plumbers.

(7) Coincidental electrical/plumbing work. See RCW 19.28.091(8) for the plumber exemption.

Original - master electrician, journeyman, and specialty electrician certificates of competency.

(8) The department will issue an original certificate of competency to master, journeyman, or specialty electricians who meet the eligibility requirements listed in:

- (a) RCW 19.28.191 (1)(a) or (b); and
 - (i) Submit an application for an original master electrician certificate including: Date of birth, mailing address and Social Security number; and
 - (ii) Pay all appropriate fees, as listed in WAC 296-46B-910;
- (b) RCW 19.28.191 (1)(d) through (e);

(i) Submit an original master electrician certification examination application including: Date of birth, mailing address and Social Security number; and

(ii) Pay all appropriate fees, as listed in WAC 296-46B-910; or

(c) RCW 19.28.191 (1)(f) through (g);

(i) Submit an original electrician certification examination application including: Date of birth, mailing address and Social Security number; and

(ii) Pay all appropriate fees, as listed in WAC 296-46B-910.

(9) An individual's original electrician certificate of competency will expire on their birth date at least two years, and not more than three years, from the date of original issue.

Renewal - master electrician, journeyman, and specialty electrician certificates of competency.

(10) An individual must apply for renewal of their electrician certificate of competency on or before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Renewed certificates are valid for three years.

(11) An individual may renew their certificate of competency within ninety days after the expiration date without reexamination if the individual pays the late renewal fee listed in WAC 296-46B-910.

(12) All applications for renewal received more than ninety days after the expiration date of the certificate of competency require that the electrician pass the appropriate competency examination before being recertified.

(13) All applicants for certificate of competency renewal must:

- (a) Submit a complete renewal application;
- (b) Pay all appropriate fees; and

(c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-46B-970. Continuing education classes are only valid when all the requirements of WAC 296-46B-970 are completed. If an individual files inaccurate or false evidence of continuing education information when renewing a certificate of competency, the individual's certificate of competency may be suspended or revoked.

Continuing education for pump and irrigation (03) and domestic pump (03A) electricians may be comprised of fifty percent electrical and fifty percent plumbing instruction.

(14) An individual who has not completed the required hours of continuing education can renew a certificate of competency if the individual applies for renewal before the certificate of competency expires and pays the appropriate renewal fee. However, the certificate of competency will be placed in an inactive status. The inactive certificate of competency will be returned to current status upon validation, by the department, of the required continuing education. If the certificate renewal date occurs during the inactive period, the certificate must be renewed on or before the renewal date to allow the return to current status.

(15) An individual may renew a suspended certificate of competency by submitting a complete renewal application including obtaining and submitting the continuing education

required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(16) An individual may not renew a revoked or temporary certificate of competency.

Reciprocal agreements between Washington and other states.

(17) The department negotiates reciprocal agreements with states that have equivalent requirements for certification of master electricians, journeymen, or specialty electricians. These agreements allow electricians from those reciprocal states to become certified in the state of Washington without examination and allow Washington certified electricians to become certified in the other states without taking competency examinations.

(18) An individual coming into the state of Washington from a reciprocal state will be issued a reciprocal electrician certificate of competency if all the following conditions are met:

(a) The department has a valid reciprocal agreement with the other state in the master electrician category requested, journeyman, or specialty category requested;

(b) The individual makes a complete application for the reciprocity certificate on the form provided by the department. A complete application includes:

(i) Application for reciprocal certificate of competency;

(ii) Evidence that the individual meets the eligibility requirements listed in RCW 19.28.191, by presenting a valid journeyman or specialty electrician certificate or certified letter from the issuing state; and

(iii) All appropriate fees as listed in WAC 296-46B-910.

(c) The individual obtained the reciprocal state's certificate of competency as a master electrician, journeyman, or specialty electrician by examination and the individual held the reciprocal state's certificate for a period of at least one year;

(19) An individual is not eligible for a reciprocal electrician certificate of competency if the individual:

(a) Has failed to renew a similar Washington master electrician or electrician certificate of competency as required in RCW 19.28.211;

(b) Has a similar Washington master electrician or electrician certificate of competency in suspended, revoked, or inactive status under this chapter; or

(c) Was a resident of the state of Washington at the time the examination was taken in the other state.

Military/shipyard experience.

(20) An individual who has worked in the electrical construction trade performing work described in WAC 296-46B-920 while serving in the armed forces of the United States may be eligible to take the examination for the certificate of competency as a journeyman or specialty electrician. Credit may be allowed for hours worked or training received.

If an individual has military experience in a specialized electrical field (e.g., rating) that is similar to a specialty electrician category listed in WAC 296-46B-920, credit may be allowed toward the appropriate specialty certificate. Nuclear, marine, shipyard, shipboard, radar, weapons, aeronautical experience, or similar experience may ~~((not))~~ be acceptable

for no more than fifty percent of the minimum required work experience for qualifying for electrician examination.

The ~~((military))~~ department will evaluate and determine whether the submitted experience ((must be)) is related specifically to the ((building)) electrical construction/maintenance trade regulated by chapter 19.28 RCW.

Experience in another country.

(21) If an individual has a journeyman electrician certificate from a country outside the United States that requires that at least four years of electrical construction training and certification is obtained by examination, the individual may be eligible for four thousand hours of the specialty credit allowed towards the qualification to take the Washington journeyman electrician examination.

No more than two years of the required training to become a Washington journeyman electrician may be for work described for specialty electricians or technicians in WAC 296-46B-920. In addition to the maximum of four thousand hours credit that may be allowed by this subsection, an additional four thousand hours of new commercial/industrial experience must be obtained using a training certificate in the state while under the supervision of a master journeyman electrician or journeyman electrician.

Documentation substantiating the individual's out-of-country experience must be submitted in English.

(22) Out-of-country experience credit is not allowed toward a specialty electrician certificate.

Training school credit.

(23) No more than fifty percent of the minimum work experience needed to qualify for specialty electrician certification is allowed for any training school program (e.g., a specialty requiring two thousand hours of minimum required work experience may receive no more than one thousand hours credit from an electrical construction training program).

(24) See RCW 19.28.191 (1)(h) for training school credit allowed for journeyman applicants.

(25) See WAC 296-46B-971 for additional information on training schools.

Temporary electrician permit.

(26) Temporary permits are not allowed for master electricians.

(27) Temporary electrician permit when coming from out-of-state. An individual coming from out-of-state must either obtain a reciprocal electrician certificate, valid training certificate, or make application and receive approval for a temporary electrician permit to perform electrical work in the state, or otherwise obtain an electrician certificate of competency.

(a) Initial temporary electrician permit when coming from out-of-state.

(i) If an individual can show evidence of work experience in another state similar to RCW 19.28.191, the department may issue the individual one initial temporary journeyman or specialty electrician permit. The individual must present appropriate evidence at the time of application show-

ing work experience equivalent to that required by RCW 19.28.191.

The initial temporary electrician permit allows the individual to work as an electrician between the date of filing a completed application for the certification examination and the notification of the results of the examination. This initial permit will be issued for one twenty-day period and will become invalid on the expiration date listed on the temporary electrician permit or the date the individual is notified they have failed the examination, whichever is earlier.

(ii) To qualify for an initial temporary electrician permit, an individual must:

(A) Meet the eligibility requirements of RCW 19.28.191; and

(B) Submit a complete application for an initial temporary electrician permit and original certification including:

- Date of birth, mailing address, Social Security number; and

- All appropriate fees as listed in WAC 296-46B-910.

(iii) The individual must not have ever possessed a Washington master electrician, journeyman electrician, specialty electrician, or temporary electrician certificate of competency in the specialty requested.

(iv) If the initial temporary electrician permit becomes invalid, it will not be extended or renewed. To continue to work in the electrical trade, the individual must apply for and receive a:

(A) Second temporary electrician permit; or

(B) Training certificate and work in the proper ratio, per RCW 19.28.161, under the direct supervision of either a certified master journeyman electrician, journeyman electrician, master specialty electrician working in the appropriate specialty, or a specialty electrician working in the appropriate specialty.

(b) Second temporary electrician permit.

(i) If the individual fails the certification examination during the initial temporary electrician period and provides verification of enrollment in an approved journeyman refresher course or approved appropriate specialty electrician refresher course, as prescribed in RCW 19.28.231, application may be made for a second temporary electrician permit.

A complete second application must include proof of enrollment in the refresher course and all appropriate fees as listed in WAC 296-46B-910.

(ii) The second temporary electrician permit will be issued for one ninety-day period and will become invalid: Upon withdrawal from the electrician refresher course, on the expiration date listed on the temporary electrician permit, or the date the individual is notified they have failed the examination, whichever is earlier;

(iii) After successfully completing the electrician refresher course, the individual must provide appropriate course completion documentation to the department and will be eligible to retake the appropriate competency exam.

(iv) If the second temporary electrician permit becomes invalid, it will not be extended or renewed. To continue to work in the electrical trade, the individual must apply for and receive a training certificate and work in the proper ratio, per RCW 19.28.161, under the direct supervision of either a certified master journeyman electrician, journeyman electrician,

master specialty electrician working in the appropriate specialty, or a specialty electrician working in the appropriate specialty.

~~((28) Appliance repair temporary specialty electrician permit gained by using previous work experience gained in the state.~~

~~(a) For the appliance repair specialty, individuals credited with the minimum amount of work experience using the criteria described in WAC 296-46B-950 will be eligible for a temporary specialty electrician permit for the purposes of working without supervision and for supervising trainees in the appropriate specialty. This temporary specialty electrician permit will be valid for a period of one year or until the individual has passed the appropriate specialty examination, whichever is first.~~

~~(b) To qualify for an initial temporary specialty electrician permit, an individual must:~~

~~(i) Document the hour requirements described in chapter 296-46B WAC Table 945-1; and~~

~~(ii) Submit a complete application including:~~

~~(A) Application for consideration of previous work experience as described in WAC 296-46B-950;~~

~~(B) Application for original electrician certificate of competency/examination including: Date of birth, mailing address, Social Security number; and~~

~~(C) All appropriate fees as listed in WAC 296-46B-910.~~

~~(e) If the individual does not successfully complete the appropriate specialty examination before the temporary specialty electrician permit expires, the individual must obtain a training certificate to continue performing electrical work. Such an individual must apply for a training certificate and work under the supervision of an appropriate electrician.))~~

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-945 Qualifying for master, journeyman, specialty electrician examinations. Qualifying for master, journeyman, specialty electrician examinations.

(1) All applicants must be at least sixteen years of age.

Qualifying for the master electrician examination.

(2) An individual may take the master electrician's certificate of competency examination if the individual meets the requirements described in RCW 19.28.191 (1)(d) or (e).

Qualifying for the master electrician examination from out-of-state.

(3) No credit may be applied from out-of-state toward qualifying for a master electrician certificate of competency examination.

Qualifying for the journeyman electrician competency examination.

(4) An individual may take the journeyman electrician's certificate of competency examination if the individual held a current electrical training certificate and has worked for an employer who employs at least one certified master electrician, journeyman, or specialty electrician on staff and the individual:

(a) Has been employed, in the electrical construction trade, under the direct supervision of a master electrician, journeyman electrician or specialty electrician working in the appropriate specialty in the proper ratio, per RCW 19.28.161, for four years (eight thousand hours). Of the eight thousand hours:

(i) At least two years (four thousand hours) must be in new industrial and/or new commercial electrical installation (excluding all work described for specialty electricians or technicians) under the direct supervision of a master journeyman electrician or journeyman electrician while working for a general electrical contractor; and

(ii) Not more than a total of two years (four thousand hours) may be for work described as an electrical specialty in WAC 296-46B-920(2).

(b) Has completed a four-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council while working under the direct supervision of a master journeyman or journeyman electrician in the proper ratio, per RCW 19.28.161; or

(c) Has completed a two-year electrical construction training program as described in RCW 19.28.191 for journeyman electricians, and two years (four thousand hours) of work experience in new industrial and/or new commercial electrical installations (excluding work described for specialty electricians or electrical technicians) under the direct supervision of a journeyman electrician while working for a general electrical contractor in the proper ratio, per RCW 19.28.161. See WAC 296-46B-971 for additional training school information.

Electrical construction training hours gained in specialties requiring less than two years (i.e., four thousand hours) will not be credited towards qualification for journeyman electrician.

The trainee and their employer and/or apprenticeship training director must attest to the accuracy of all information contained on affidavits of experience used to verify eligibility for the examination.

Qualifying for the journeyman/specialty electrician competency examination when work was performed in a state requiring electrician certification.

(5) An individual may take the journeyman/specialty electrician's competency examination when the appropriate state having authority certifies to the department that:

(a) The work was legally performed under the other state's licensing and certification requirements;

(i) For journeyman applicants who meet the minimum hour requirements described in WAC 296-46B-945(4).

(ii) For specialty applicants who meet the minimum hour requirements described in WAC 296-46B-945(9).

(b) The other state's certificate of competency was obtained by examination.

Electrical construction training hours gained in specialties requiring less than two years (i.e., four thousand hours) may not be credited towards qualification for journeyman electrician.

Qualifying for the journeyman/specialty electrician competency examination when work was performed in a state that does not require electrician certification.

(6) If the other state requires electrical contractor licensing:

(a) An individual may take the journeyman/specialty electrician's competency examination when an appropriately licensed electrical contractor(s), registered apprenticeship training director, or nationally recognized contractor or labor organization files a notarized letter of experience with the department accompanied by payroll documentation which certifies and shows that:

(i) For journeyman applicants: The individual meets the minimum hour requirements described in WAC 296-46B-945(4).

(ii) For specialty applicants: The individual meets the minimum hour requirements described in WAC 296-46B-945(9).

(b) An individual may take the journeyman/specialty electrician's competency examination when an employer(s), acting under a property owner exemption, files a notarized letter of experience from the property owner with the department accompanied by payroll documentation which certifies and shows that:

(i) For journeyman applicants: The individual meets the minimum hour requirements described in WAC 296-46B-945(4).

(ii) For specialty applicants: The individual meets the minimum hour requirements described in WAC 296-46B-945(9).

(7) If the other state does not require electrical contractor licensing or registration: An individual may take the journeyman/specialty electrician's competency examination when the individual's employer(s), registered apprenticeship training director, or nationally recognized contractor or labor organization files a notarized letter(s) of experience with the department accompanied by payroll documentation which certifies and shows that:

(a) For journeyman applicants: The individual meets the minimum work requirements described in WAC 296-46B-945(4).

(b) For specialty applicants: The individual meets the minimum work requirements described in WAC 296-46B-945(9).

(8) The letter of experience described in subsections (6) and (7) of this section should include a complete list of the individual's usual duties with percentages attributed to each.

Qualifying for a specialty electrician certificate of competency or examination.

(9) An individual may qualify for a specialty electrician's examination and certificate of competency if the individual held a current electrical training certificate, and has worked for an employer who employs at least one certified master journeyman electrician, journeyman electrician, appropriate master specialty electrician, or appropriate specialty electrician on staff and the individual:

(a) Has been employed, in the electrical construction trade, under the direct supervision of an appropriate electrician in the appropriate specialty as follows:

Table 945-1 Experience Hours

Specialty	Minimum Hours of Work Experience Required to be Eligible for Examination ⁽⁴⁾⁽⁵⁾	Minimum Hours of Work Experience Required for Certification
Residential certificate (02)	4,000 ⁽³⁾	4,000
Pump and irrigation certificate (03)	4,000 ⁽³⁾⁽⁸⁾	4,000 ⁽⁸⁾
Domestic ((well)) pump certificate (03A)	720 ⁽¹⁾⁽²⁾⁽⁸⁾	2,000 ⁽⁶⁾⁽⁸⁾
Signs certificate (04)	4,000 ⁽³⁾	4,000
Limited energy system certificate (06)	4,000 ⁽³⁾	4,000
HVAC/refrigeration system certificate (06A)	4,000 ⁽³⁾	4,000 ⁽⁷⁾
HVAC/refrigeration - restricted (06B)	1,000 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Nonresidential maintenance certificate (07)	4,000 ⁽³⁾	4,000
Nonresidential lighting maintenance and lighting retrofit certificate (07A)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Residential maintenance certificate (07B)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Restricted nonresidential maintenance certificate (07C)	1,000 ^{((3))(1)(2)}	2,000 ⁽⁶⁾
Appliance repair certificate (07D)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Equipment repair certificate (07E)	1,000 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Door, gate, and similar systems certificate (10)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾

Notes: ⁽¹⁾Until the examination is successfully completed, the trainee must work under one hundred percent supervision. Once the appropriate examination is successfully completed, the modified supervision trainee may work under zero percent supervision.

⁽²⁾~~((Two calendar years after the date of initial trainee certification, the trainee must work under seventy-five percent supervision))~~ The trainee may have only one zero percent supervision certificate in a specialty (valid for no more than two years). If the trainee has not gained the required work experience by the time the zero percent supervision certificate has expired, the trainee must get a seventy-five percent supervision certificate and work under supervision until all required work experience hours are gained and credited towards the minimum work experience requirement (~~(even if the trainee has completed the examination))~~).

⁽³⁾This specialty is not eligible for modified trainee status as allowed in chapter 19.28 RCW.

⁽⁴⁾The trainee and their employer and/or apprenticeship training director must attest to the accuracy of all information contained on affidavits of experience used to verify eligibility for the examination.

⁽⁵⁾Neither previous work experience credit nor training school credit is allowed as a substitute for the initial hours of minimum work experience required to be eligible for examination unless the trainee's work experience hours under direct supervision are provided as required in RCW 19.28.191 (1) (g)(ii).

⁽⁶⁾Electrical construction training hours gained in specialties requiring less than two years for certification may not be credited towards qualification for journeyman electrician.

⁽⁷⁾The 2,000 minimum hours of work experience required for certification as a HVAC/refrigeration-restricted **(06B)** specialty electrician may be credited as 2,000 hours towards the 4,000 minimum hours of work experience required for certification as a HVAC/refrigeration **(06A)** specialty electrician. Hours of work experience credited from the HVAC/refrigeration-restricted **(06B)** specialty cannot be credited towards qualification for taking the general electrician **(01)** examination or minimum work experience requirements.

⁽⁸⁾Experience hours may be coincidentally credited towards qualifying for electrician and plumber certifications. See RCW 19.28.191 (1)(g)(v).

(b) Or has completed an appropriate two-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council while working under the direct supervision of an electrician in the appropriate specialty in the proper ratio, per RCW 19.28.161.

Qualifying for a certificate of competency when the Washington electrical work experience is exempt from certification requirements in RCW 19.28.261.

(10) To receive credit for electrical work experience that is exempted in RCW 19.28.261, an individual must provide the department with verification from the employer or owner according to WAC 296-46B-965 (i.e., affidavit(s) of experience). For the purposes of this section, exempt work does not include work performed on property owned by the individual seeking credit.

(11) All exempt individuals learning the electrical trade must obtain an electrical training certificate from the department and renew it biannually in order to receive credit for hours worked in the trade according to WAC 296-46B-965.

(12) The department may require verification of supervision in the proper ratio from the certified supervising electrician(s).

(13) Telecommunications work experience:

(a) Credit may be verified only by employers exempted by RCW 19.28.261, general electrical **(01)** contractors, and limited energy system **(06)** electrical contractors for limited energy experience for telecommunications work done:

(i) Under the supervision of a certified journeyman or limited energy electrician; and

(ii) In compliance with RCW 19.28.191.

(b) Individuals who want to obtain credit for hours of experience toward electrician certification for work experience doing telecommunications installations must:

(i) Obtain an electrical training certificate;

(ii) Renew the training certificate biannually in order to receive credit for hours worked in the trade according to WAC 296-46B-965.

(c) Telecommunications contractors may not verify telecommunications work experience toward electrician certification.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-960 Administrator and electrician certificate of competency examinations. General.

(1) The minimum passing score on any examination or examination section is seventy percent. If examination is requested to be administered by the department, an application is required and the examination must be successfully completed within one year of application or the individual must submit a new application for exam including all appropriate fees.

(2) All examinations are open book.

(a) Candidates may use:

(i) Any original copyrighted material;

(ii) A silent, nonprinting, nonprogrammable calculator that is not designed for preprogrammed electrical calculations;

(iii) Copies of chapter 19.28 RCW and this chapter; or

(iv) A foreign language dictionary that does not contain definitions.

(b) Candidates may not use:

(i) Copies of copyrighted material;

(ii) Copies of internet publications, except for RCWs or WACs;

(iii) Personal notes; or

(iv) A personal computing device of any type other than the calculator in (a)(ii) of this subsection.

(3) Administrator, master electrician, and electrician examinations may consist of multiple sections. All sections must be successfully completed within a one-year examination period after beginning the examination. Within the one-year examination period, the candidate does not have to retake any sections successfully completed within the examination period. If all sections are not successfully completed within the one-year period, the candidate must begin a new examination period and retake all sections.

Special accommodations for examination.

(4) An applicant for an examination who, due to a specific physical, mental, or sensory impairment, requires special accommodation in examination procedures, may submit a written request to the chief electrical inspector for the specific accommodation needed.

(a) The applicant must also submit to the department a signed and notarized release, authorizing the specifically identified physician or other specialist to discuss the matter with the department representative. The applicant must also submit an individualized written opinion from a physician or other appropriate specialist:

(i) Verifying the existence of a specific physical, mental, or sensory impairment;

(ii) Stating whether special accommodation is needed for a specific examination;

(iii) Stating what special accommodation is necessary; and

(iv) Stating if extra time for an examination is necessary and if so, how much time is required. The maximum allowance for extra time is double the normal time allowed.

(b) The written request for special accommodation and individualized written opinion must be submitted to the

department at least six weeks in advance of the examination date and must be accompanied by a completed application and fees as described in WAC 296-46B-910.

(c) Only readers and interpreters provided from the administrative office of the courts and/or approved by the department may be used for reading or interpreting the examination. The applicant will be required to bear all costs associated with providing any reading or interpretive services used for an examination.

(d) Applicants who pass the examination with the assistance of a reader or interpreter will be issued a certificate with the following printed restriction: "Requires reading supervision for product usage." A competent reader or interpreter must be present on any job site where a person with this restriction is performing electrical work as described in chapter 19.28 RCW.

Applicants who pass the examination with the assistance of a mechanical device (e.g., magnifier, etc.) will be issued a certificate with the following printed restriction: "Requires mechanical reading assistance for product usage." Appropriate mechanical reading assistance must be present on any job site where a person with this restriction is performing electrical work as described in chapter 19.28 RCW.

If a candidate successfully retakes the examination without the assistance of a reader or translator, a new certificate will be issued without the restriction.

(5) Applicants who wish to use a foreign language dictionary during an examination must obtain approval at the examination site prior to the examination. Only dictionaries without definitions will be approved for use.

Failed examination appeal procedures.

(6) Any candidate who takes an examination and does not pass the examination may request a review of the examination.

(a) The department will not modify examination results unless the candidate presents clear and convincing evidence of error in the grading of the examination.

(b) The department will not consider any challenge to examination grading unless the total of the potentially revised score would result in a passing score.

(7) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be made in writing to the chief electrical inspector and must be received within twenty days of the date of the examination and must request a rescore of the examination. The written request must include the appropriate fees for examination review described in WAC 296-46B-910.

(b) The following procedures apply to a review of the results of the examination:

(i) The candidate will be allowed one hour to review their examination.

(ii) The candidate must identify the challenged questions of the examination and must state the specific reason(s) why the results should be modified with multiple published reference material supporting the candidate's position.

(iii) Within fifteen days of the candidate's review, the department will review the examination and candidate's justi-

fication and notify the candidate in writing of the department's decision.

Subjects included in administrator certificate, or master electrician, journeyman, or specialty electrician competency examinations.

(8) The following subjects are among those that may be included in the examination for an administrator certificate or electrician certificate of competency. The list is not exclusive. The examination may also contain subjects not on the list.

(a) For general administrators, master journeyman, and journeyman electricians:

AC - Generator; 3-phase; meters; characteristics of; power in AC circuits (power factor); mathematics of AC circuits.

Administration - Chapter 19.28 RCW and this chapter.

Air conditioning - Basic.

Blueprints - Surveys and plot plans; floor plans; service and feeders; electrical symbols; elevation views; plan views.

Building wire.

Cable trays.

Calculations.

Capacitive reactance.

Capacitor - Types; in series and parallel.

Circuits - Series; parallel; combination; basic; branch; outside branch circuits; calculations.

Conductor - Voltage drop (line loss); grounded.

Conduit - Wiring methods.

DC - Generator; motors; construction of motors; meters.

Definitions - Electrical.

Electrical units.

Electron theory.

Fastening devices.

Fire alarms - Introduction to; initiating circuits.

Fuses.

Generation - Electrical principles of.

Grounding.

Incandescent lights.

Inductance - Introduction to; reactance.

Insulation - Of wire.

Mathematics - Square root; vectors; figuring percentages.

Motors/controls - Motors vs. generators/CEMF; single phase; capacitor; repulsion; shaded pole; basic principles of AC motors.

Ohm's Law.

Power.

Power factor - AC circuits; correction of; problems.

Rectifiers.

Resistance - Of wire.

Rigging.

Safety - Electrical shock.

Services.

3-wire system.

Tools.

Transformers - Principles of; types; single-phase; 3-phase connections.

Voltage polarity across a load.

Wiring methods - Conduit; general.

Wiring systems - Less than 600 volts; 480/277 volts; single-and 3-phase delta or wye; distribution systems over 600 volts.

Note: The general administrator, master journeyman, and journeyman electrician examinations may also include the subjects listed below for specialty electrician examinations.

(b) For specialty administrators, master specialty and specialty electricians, the following subjects are among those that may be included in the examination. Examination subjects are restricted to those subjects related to the scope of work of the specialty described in WAC 296-46B-920. The list is not exclusive. The examination may also contain subjects not on the list.

AC - Meters.

Administration - Chapter 19.28 RCW and this chapter.

Appliance circuits or controls.

Blueprints - Floor plans; service and feeders.

Cables - Wiring methods.

Calculations.

Circuits - Series; parallel; combination; basic; outside branch.

Conductor - Voltage drop (line loss); grounded; aluminum or copper.

Conduit - Wiring methods.

Electrical signs, circuits, controls, or services.

Electrical units.

First aid.

Fuses.

General lighting.

Grounding of conductors.

Insulation of wire.

Limited energy circuits or systems.

Maintenance of electrical systems.

Mathematics - Figuring percentage.

Motor circuits, controls, feeders, or services.

Ohm's Law.

Overcurrent protection.

Resistance of wire.

Safety - Electrical shock.

Services.

Sizes of building wire.

3-wire system.

Tools.

Transformer - Ratios; single-phase/3-phase connections.

Failing an administrator certificate exam or electrician certificate of competency examination.

(9) Anyone failing an administrator or electrician competency examination may retake the examination by making arrangements with the testing agency and paying the retesting fee.

(10) If the individual makes a score of less than sixty percent, the individual must wait two weeks before being eligible to retest.

(11) If the individual makes a score of sixty to sixty-nine percent, the individual must wait one day before being eligible to retest.

(12) If the individual fails an electrician examination or a part of an administrator or master electrician examination

three times within a one-year period, the individual must wait three months to retake the failed portion of the examination.

(13) Anyone failing an electrician competency examination may continue to work in the electrical trade if they have a valid electrical training certificate and work under the direct supervision of a certified journeyman or specialty electrician in the proper ratio, per RCW 19.28.161. ~~((However, if the applicant holds a temporary specialty electrician certificate per WAC 296-46B-940(28), the applicant may continue to work under the temporary specialty electrician certificate until it expires. After the temporary specialty electrician certificate expires, the applicant must obtain a valid electrical training certificate and work under the direct supervision of a certified journeyman or specialty electrician in the proper ratio, per RCW 19.28.161.))~~

Cheating on an examination.

(14) Anyone found cheating on an examination or using inappropriate materials/equipment during an examination will be required to wait at least eleven months before being allowed to reexamine. All such reexaminations will be administered by the department in Tumwater, Washington and the candidate will be required to apply and schedule for the examination with the chief electrical inspector.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-965 Training certificate required. General.

(1) A training certificate is required to work in the electrical construction trade if an individual does not:

- (a) Possess a current journeyman certificate of competency issued by the department;
- (b) Possess a current specialty electrician certificate of competency issued by the department while working in that specialty's scope of work;
- (c) Possess a valid temporary electrician permit;
- (d) Possess a valid temporary specialty electrician permit while working in that specialty's scope of work; or
- (e) Is not working in exempt status as allowed by chapter 19.28 RCW.

(2) Trainees who have had their training certificates revoked or suspended (during the duration of the revocation or suspension) will not be issued a training certificate.

Original training certificates.

(3) The department will issue an original training certificate when the trainee applicant submits a complete training certificate application including:

- (a) Date of birth, mailing address, Social Security number; and
- (b) All appropriate fees as listed in WAC 296-46B-910.

All applicants for an electrical training certificate must be at least sixteen years of age. The original training certificate will be valid for two years.

(c) If an individual has previously held an electrical training certificate, then that individual is not eligible for a subsequent original training certificate.

Specialty specific - zero percent and seventy-five percent supervision modified training certificates.

(4) For specialties as allowed in Table 945-1 (i.e., specialties with seven hundred twenty minimum hours of work experience required to be eligible for examination):

(a) The department will approve the trainee to take the appropriate specialty competency examination necessary to qualify for a zero percent supervision modified training certificate. To qualify, the trainee applicant must submit a complete zero percent supervision modified training certificate application including:

- (i) Date of birth, mailing address, Social Security number;
- (ii) Affidavit of experience fulfilling the minimum work experience hours required to qualify for the specialty examination described in Table 945-1; and
- (iii) All appropriate fees as listed in WAC 296-46B-910.

Upon successful completion of the appropriate examination, the trainee will be issued a nonrenewable zero percent supervision modified training certificate for the appropriate specialty. The zero percent supervision modified training certificate will be restricted in duration to the time allowed in Table 945-1, note 2.

(b) Prior to the expiration of the zero percent supervision modified training certificate or temporary specialty electrician permit obtained as described in WAC 296-46B-940(28), the individual must submit a complete application for a seventy-five percent supervision modified training certificate for the appropriate specialty including:

- (i) Seventy-five percent supervision training certificate application including: Date of birth, mailing address, Social Security number; and
- (ii) All appropriate fees as listed in WAC 296-46B-910.
- (c) A trainee may possess multiple (i.e., in different specialties) modified supervision training certificates for specialties where reduced supervision is allowed in Table 945-1. Combination training certificates will not be issued.

Renewal of training certificates.

~~(5) ((The individual may not apply for renewal more than ninety days prior to the expiration date. An individual will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment. Within thirty days after renewing an electrical training certificate, the individual, if not enrolled in a department approved apprenticeship program, must submit a completed, signed, and notarized affidavit(s) of experience for all hours of experience gained since the individual's last training certificate was effective. Employers are required to provide the necessary documentation and signed affidavit of experience to the trainee within twenty days after the trainee requests the affidavit. See WAC 296-46B-965(6). See WAC 296-46B-985(4) for the penalty for providing a false or inaccurate affidavit of experience. If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual. The affidavit of experience must accurately attest to:~~

(a) The electrical installation work performed for each employer the individual worked for in the electrical trade during the previous period;

(b) The correct electrical category the individual worked in; and

(c) The actual number of hours worked in each category worked under the proper supervision of a Washington certified, master journeyman electrician, journeyman electrician or appropriate master specialty electrician or specialty electrician under that specific training certificate. If a trainee possesses multiple training certificates, an affidavit must be submitted for each training certificate for the hours worked under that specific training certificate.

If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual.

(6)) An individual must apply for renewal of their training certificate on or before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Renewed certificates are valid for two years.

(6) An individual may renew their training certificate after the expiration date if the individual pays the late renewal fee listed in WAC 296-46B-910.

(7) All applicants for training certificate renewal must:

(a) Submit a complete renewal application;

(b) Pay all appropriate fees; and

(c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-46B-970. Continuing education classes are only valid when all the requirements of WAC 296-46B-970 are completed. If an individual files inaccurate or false evidence of continuing education information when renewing a training certificate, the individual's training certificate may be suspended.

Continuing education for trainees seeking pump and irrigation (03) and domestic pump (03A) experience credit may be comprised of fifty percent electrical and fifty percent plumbing instruction.

(d) Within thirty days after renewing an electrical training certificate, the individual, if not enrolled in a department approved apprenticeship program, must submit a completed, signed, and notarized affidavit(s) of experience for all hours of experience gained since the individual's last training certificate was effective.

Employers are required to provide the necessary documentation and signed affidavit of experience to the trainee within twenty days after the trainee requests the affidavit. See WAC 296-46B-965(6). See WAC 296-46B-985(4) for the penalty for providing a false or inaccurate affidavit of experience. If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual. The affidavit of experience must accurately attest to:

(i) The electrical installation work performed for each employer the individual worked for in the electrical trade during the previous period;

(ii) The correct electrical category the individual worked in; and

(iii) The actual number of hours worked in each category worked under the proper supervision of a Washington certified, master journeyman electrician, journeyman electrician or appropriate master specialty electrician or specialty electrician under that specific training certificate. If a trainee possesses multiple training certificates, an affidavit must be submitted for each training certificate for the hours worked under that specific training certificate.

If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual.

(8) An individual who has not completed the required hours of continuing education can renew a training certificate if the individual applies for renewal before the training certificate expires and pays the appropriate renewal fee. However, the training certificate will be placed in an inactive status. The inactive training certificate will be returned to current status upon validation, by the department, of the required continuing education.

(9) An individual may renew a suspended training certificate by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(10) An individual will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment.

(11) The individual should ask each employer and/or apprenticeship training director for an accurately completed, signed, and notarized affidavit of experience for the previous certification period. The employer(s) or apprenticeship training director(s) must provide the previous period's affidavit of experience to the individual within twenty days of the request. If an individual is enrolled in an approved apprenticeship program under chapter 49.04 RCW when the individual renews an electrical training certificate, the individual and their apprenticeship training director and/or each employer must give the department an accurately completed, signed, and notarized affidavit of experience accurately attesting to:

(a) The electrical installation work the individual performed in the electrical trade during the previous certification period;

(b) The correct electrical category the individual worked in; and

(c) The actual number of hours worked in each category under the proper supervision of a Washington certified master journeyman electrician, journeyman electrician or appropriate master specialty or specialty electrician for each employer. For apprentices enrolled in a registered apprenticeship program, the applicant and the training director are the only authorized signatures the department will accept on affidavits of experience.

~~((7))~~ (12) The individual and their employer(s) and/or apprenticeship training director(s) must sign and have notarized the affidavit of experience attesting to the accuracy of all information contained in the affidavit.

Trainees seeking a journeyman electrician certificate - working with no supervision.

~~((8))~~ (13) Trainee seeking a general (01) journeyman electrician certificate of competency. After review by the department, a trainee may be issued a six-month, nonrenewable unsupervised electrical training certificate that will allow the individual to work without supervision if the trainee:

- (a) Has submitted a complete application for an unsupervised electrical training certificate;
- (b) Has worked over seven thousand hours properly supervised not to include more than four thousand of specialty experience;
- (c) Has successfully completed or is currently enrolled in an approved apprenticeship program or an electrical construction trade program in a school approved by the board of community and technical colleges;
- (d) Has paid all appropriate training certificate fees listed in WAC 296-46B-910; and
- (e) Is currently working for and continues to work for a licensed electrical contractor that employs at least one certified journeyman or specialty electrician in the appropriate specialty.

Trainees seeking certain specialty electrician certificates - working with reduced or no supervision.

~~((9))~~ (14) After review by the department, a trainee may be issued a nonrenewable zero percent supervision training certificate that will allow the individual to work without supervision if the trainee meets the requirements in subsection (4) of this section.

~~((10) Individuals who received a temporary specialty electrician certificate using previous work experience credit as allowed in WAC 296-46B-950 and fail to successfully complete the appropriate specialty examination before the expiration of the temporary specialty electrician permit may be issued a training certificate in the appropriate specialty if the individual submits a complete application as described in WAC 296-46B-965 (4)(b) prior to the expiration of the temporary specialty electrician permit.~~

~~(11) HVAC/refrigeration trainees (06A))~~ (15) Electrical trainees may work unsupervised when installing HVAC/R thermostat cable when the HVAC/R system consists of a single thermostat in one- and two-family dwelling units where line voltage power ~~((#))~~ has not been connected to the dwelling's electrical system.

AMENDATORY SECTION (Amending WSR 05-10-024, filed 4/26/05, effective 6/30/05)

WAC 296-46B-970 Continuing education. General requirements - continuing education classes requirements for administrator, master electrician, and electrician renewal.

(1) DEFINITIONS - for purposes of this section.

(a) "Applicant" means the entity submitting an application for review.

(b) "Application" means a submittal made by an applicant seeking instructor or class approval.

(c) "Calendar day" means each day of the week, including weekends and holidays.

(d) "Class" means continuing education class or course.

(e) "Contractor" means the entity who has contracted with the department to review and approve/deny continuing education classes and instructors.

(f) "Date of notification" means the date of a request for additional information from the contractor or the approval/denial letter sent to the applicant by the contractor.

(g) "Individual" means an administrator or electrician seeking credit for continuing education.

(h) "Instructor" means an individual who is authorized to instruct an approved continuing education class.

(i) "Working day" means Monday through Friday, excluding state of Washington holidays.

(2) GENERAL.

(a) The department and the electrical board have the right to monitor all approved classes without notice and at no charge.

If the department or electrical board determines that the class or instructor does not meet or exceed the minimum requirements for approval or course length or instructor qualifications, the department may revoke the class or instructor approval and reduce the number of credited hours for the class.

(b) Department-offered classes and the instructors used for those classes are automatically approved and do not need to be sent to the contractor for review.

(c) Instructors who meet the minimum requirements using subsection (5)(b)(i)(D) of this section may only instruct classes sponsored by the manufacturer(s) who verified the instructors' qualifications under subsection (5)(b)(i)(D) of this section.

(d) An individual will not be given credit for the same approved continuing education class taken more than once. No credit will be granted for any class not approved per this section.

(e) Telecommunications administrators do not require continuing educations.

(f) Other administrators, master electricians, and electricians:

(i) To be eligible for renewal of an administrator certificate, master electrician or electrician certificate of competency, the individual must have completed at least eight hours of approved continuing education for each year of the prior certification period. The individual is not required to take the classes in separate years. At least eight hours of the total required continuing education must be on the currently adopted National Electrical Code changes. Beginning January 1, 2005, four hours of the required continuing education must be on the currently adopted chapter 19.28 RCW and its related WAC(s).

(ii) An individual changing an electrical administrator and an electrician certificate of competency into a master electrician's certificate of competency as allowed in RCW 19.28.191 (1)(a) or (b) must have completed at least eight

hours of approved continuing education for each year of the prior electrician certificate period. The individual is not required to take the classes in separate years. Eight hours of the required continuing education must be on the currently adopted National Electrical Code changes. Beginning January 1, 2005, four hours of the required continuing education must be on the currently adopted chapter 19.28 RCW and its related WAC(s).

(iii) Any portion of a year of a prior administrator or electrician certificate period is equal to one year for the purposes of the required continuing educations.

(iv) An individual who has both an electrician certificate and an administrator certification may use the same class to fulfill the requirements for continuing education.

(g) Training certificates:

(i) Effective July 1, 2007, to be eligible for renewal of a training certificate, the individual must have completed:

(A) At least sixteen hours of approved basic classroom electrical training classes; or

(B) Equivalent electrical training courses taken as a part of an approved:

- Apprenticeship program under chapter 49.04 RCW; or
- Electrical training program under RCW 19.28.191

(1)(h).

Note that trainees seeking experience credit in the pump and irrigation (03) or domestic pumping (03A) specialties must take pumping industry basic classroom training classes:

In addition, trainees working in the pump and irrigation (03) or domestic pump (03A) specialties may be credited for courses approved as a part of the requirements for plumber trainees required in RCW 18.106.070(5).

(h) A continuing education class attended or completed by an individual before the class's effective date cannot be used to meet the (~~administrator or electrician~~) certificate renewal requirements.

~~((h))~~ (i) If neither the electrical board nor the department has a contract in effect as described in this section, the department may, at its option, elect to act as the contractor. If a contractor is not in place and the department elects not to act as the contractor, the electrical board will act as the contractor. If either the electrical board or the department acts as the contractor, the following will apply:

(i) The fee for class or instructor submittal is as set in WAC 296-46B-910(4).

(ii) The electrical board or the department will:

(A) Review the application for completeness within fifteen working days after receipt.

(B) If the application is incomplete, notify the applicant within seven working days of the status of the review and what additional information is required.

(C) Complete the review and approval/denial process within fifteen working days upon receipt of a complete application or additional requested information.

(iii) An appeal of a denial by the department will be heard by the full electrical board in accordance with WAC 296-46B-995.

(3) CLASS AND INSTRUCTOR - GENERAL APPROVAL PROCESS.

(a) The contractor will review submitted class and instructor applications to determine whether the application meets the minimum requirements for approval.

(b) The contractor will deny approval of applications that do not meet the minimum requirements.

(c) All applications will be considered to be new applications (i.e., Classes and instructors may not be renewed. All applications must include all information necessary to show conformance with the minimum requirements).

(d) Minimum requirements:

(i) Application review fees:

(A) The contractor may charge a fee for review of an application. Such fees, paid by the applicant, are nonrefundable.

(B) The fee will be as set by contractor between the department and the contractor.

(C) The fee will be set for a minimum of one year.

(D) Upon mutual agreement between the department and the contractor, the fee may be raised or lowered.

(ii) Application:

(A) The applicant must submit a complete application to the contractor at least thirty calendar days prior to offering or instructing a class.

(B) The contractor will only consider material included with the application when reviewing an application.

(C) All applications will consist of:

- One copy of all material;
- Applicant's name, address, contact name, and telephone number;
- All required fees;
- Any other information the applicant wants to consider during the review; and
- ~~((In addition,))~~ Class applications will include:
 - Sponsor's name, address, contact name, and telephone number;
 - Class title;
 - Number of continuing education hours requested for the class;

– Category of class for which approval is sought (i.e., code update, RCW/WAC update, industry related, basic classroom electrical training, pumping industry, or pumping industry basic classroom training);

– Any required examinations;

– Statement of whether the class is open to the public;

– Class syllabus (e.g., general description of the training, specific NEC articles referenced, time allowed for various subject matter, etc.). Note that for all pumping industry classes, curriculum must include fifty percent electrical and fifty percent plumbing instruction;

– List of resources (e.g., texts, references, etc.);

– Copies of all visual aids;

– Sample of the completion certificate.

• ~~((In addition,))~~ Instructor application will include:

– Instructor's name, address, telephone number;

– Copies of credentials or other information showing conformance with the instructor minimum qualifications.

(e) Contractor's review process:

(i) When the application is received, the contractor must:

(A) Date stamp the application;

(B) Review the application for completeness within seven working days after receipt.

(ii) If the application is incomplete, the contractor must within two working days notify the applicant of the status of the review and what additional information is required.

(A) The applicant must provide any additional information requested by the contractor within five working days after the date of notification.

(B) The contractor will deny the application if the additional required information is not received within the five working days after the date of notification.

(iii) When the contractor has received a complete application, the contractor must review and evaluate the application for compliance with the minimum requirements.

The contractor must complete the review and approval/denial process within seven working days upon receipt of a complete application or additional requested information and within two working days notify:

- The applicant in writing; and
- The chief electrical inspector in writing and electronically. The contractor's electronic notification to the chief electrical inspector must be made in a format approved by the chief electrical inspector.

(iv) A notification of denial must include:

- (A) Applicant's name and telephone number;
- (B) Date of denial;
- (C) Sponsor's name and class title if applicable;
- (D) Instructor's name if applicable; and
- (E) The reason for denial.

(v) A notification of approval:

(A) For classes must include:

- Applicant's name and telephone number;
- Sponsor's name and telephone number;
- Class title;
- Class number;

• Number of hours approved for the class. Note that the contractor may reduce the hours requested in the application if the review shows that the requested number of hours is excessive;

- Effective date for this class;
- Expiration date of class;
- Category for which the class is approved (i.e., code update, RCW/WAC update, ((☞)) industry related, basic classroom electrical training, pumping industry, or pumping industry basic classroom training);

- Sample of written class roster and attendance sheet;
- Type of class (i.e., classroom, correspondence, internet); and

- Whether the class is open to the public.

(B) For instructors must include:

- Applicant's name and telephone number;
- Instructor's name and telephone number;
- Effective date for the approval; and
- Expiration date of the approval.

(vi) Applicant's request for review of the contractor's decision:

The applicant's may request a review of the contractor's decision to deny or modify an application:

- All requests for review must be:
- Made in writing;

- Received by the chief electrical inspector within twenty calendar days of the contractor's denial; and

- Accompanied by a review fee of \$109.50. The review fee is nonrefundable.

(4) CLASS APPROVAL PROCESS.

(a) Class approval will be valid for three years except:

(i) If the class is "code update" and a new NEC is adopted by the department within the class approval period, the class approval will be considered automatically revoked; or

(ii) If the class is modified after the application is approved, the class approval will be considered automatically revoked (i.e., change in syllabus, hours, examination, etc.).

(b) Minimum requirements:

(i) Class content:

(A) Industry-related classes must be based on:

- Codes or rules included in the NEC chapters 19.28 RCW or 296-46B WAC;

- Electrical theory based on currently published documents that are readily available for retail purchase; and/or

- Materials and methods that pertain to electrical construction, building management systems, electrical maintenance, or workplace health and safety.

(B) Code update classes must be based on the latest adopted version of the NEC and must specify the NEC articles to be addressed in the class presentation.

(C) RCW/WAC update classes must be based on the latest adopted versions of chapter 19.28 RCW and/or chapter 296-46B WAC.

(D) All basic classroom electrical training classes and pumping industry basic classroom training classes must be classroom instruction only. Correspondence and internet classes are not allowed. All basic classroom electrical training classes must include an appropriate written examination to ensure the participant understands the basic concepts of the class. To successfully complete the class, the participant must score at least seventy percent on the examination.

(E) In addition, for pumping industry classes, curriculum must include fifty percent electrical and fifty percent plumbing instruction.

(ii) Class length:

(A) The minimum allowed length of a class is two hours; however, the minimum length for a basic classroom electrical trainee classroom training or pumping industry basic classroom trainee classroom training is eight hours that can be delivered in multiple classroom sessions of not less than two hours each.

(B) The maximum allowed credit for a class is twenty-four hours.

(C) Class length must be based on two-hour increments (e.g., 2, 4, 6, 8, etc.).

(D) Class length must be based on the following:

- Classroom instruction will be based on the total hours the individual is in the classroom. A class may be divided into multiple sections so long as each section is not less than two hours in length and all sections are taken within a one month period.

- Correspondence instruction will be based on:

- A written examination (i.e., ((~~thirty-five~~)) twenty-five questions will equal one hour of classroom instruction). Indi-

viduals must be responsible to determine the correct answer without the assistance of the sponsor.

- Internet instruction will be based on:

- A written examination (i.e., ~~((thirty-five))~~ twenty-five questions will equal one hour of classroom instruction).

- Examinations must not direct or point the individual to a correct answer or reference. Individuals must be responsible to determine the correct answer without the assistance of the sponsor.

- To successfully complete a correspondence or internet class, a participant must score at least 70% on the examination required for the class.

- (iii) Class material must include:

Supplementary written instruction material appropriate to the type and length of the class.

- (iv) Class material may include:

- Supplementary internet material;
- Supplementary texts;
- Other material as appropriate.

- (v) Certificates of completion:

(A) The sponsor must award a completion certificate to each individual successfully completing the approved class. To successfully complete a correspondence or internet class, a participant must score at least 70% on the examination required for the class.

(B) The completion certificate must include the:

- Name of participant;
- Participant's Washington certificate number;
- Name of sponsor;
- Name of class;
- Date of class;
- Name of instructor;
- Location of the class;

- If a classroom-type class, the city and state in which the class was given;

- If a correspondence class, state the class is a correspondence class;

- If an internet class, state the class is an internet class;

- Class approval number;
- Number of continuing units; and
- Type of continuing education units.

- (vi) Instructors:

(A) For classroom instruction, all instructors must be approved per this section; and

(B) For correspondence and internet instruction, the applicant must show that the sponsor regularly employs at least one staff member who meets the requirements for instructors in this section.

(5) INSTRUCTOR APPROVAL PROCESS:

(a) Instructor approval will be valid for three years except:

- (i) If the instructor's credentials are invalidated (e.g., suspension or revocation by the issuing entity) for any reason, approval will be automatically revoked.

- (ii) When the instructor approval expires or is revoked, a new application must be submitted to regain approved instructor status.

(b) Minimum requirements:

- (i) The application must show that the instructor meets one of the following:

- (A) Has a valid Washington administrator, master electrician, or electrician's certificate and has appropriate knowledge of and experience working as an electrical/electronic trainer; or

- (B) Is an instructor in a two-year program in the electrical construction trade licensed by the Washington work force training and education coordinating board. The instructor's normal duties must include providing electrical/electronic education; or

- (C) Is a high school vocational teacher, community college, college, qualified instructor with a state of Washington approved electrical apprenticeship program, or university instructor. The instructor's normal duties must include providing electrical/electronic education; or

- (D) Works for and is approved by a manufacturer of electrical products to teach electrical continuing education.

- (ii) Any other information the applicant wants to be considered during the review.

(6) FORMS:

(a) The contractor will:

Develop an appropriate form(s) for the applicant's use when submitting for instructor or class approval;

(b) Applicants must use the contractor's form when submitting an application for review.

(7) PUBLICATIONS:

The contractor will provide the department with appropriate material for use by the department on the electrical program web site and may post the application process, review, and approval requirements on the contractor's web site.

(8) CLASS ATTENDANCE:

(a) The contractor is not responsible for monitoring any individual's attendance or class completion.

(b) The department is not responsible for providing verification of an individual's continuing education history with the class sponsor;

(c) Electrical approved classes offered in Washington:

(i) The sponsor must provide the department with an accurate and typed course attendance/completion roster for each class given. Class attendance will only be verified based on the attendance/completion roster provided by the sponsor. Completion certificates are not an acceptable method of verifying attendance at a class approved in Washington under this chapter.

(A) The typed attendance/completion roster must be provided within thirty days of class completion.

(B) In addition, within seven days, the course sponsor must provide the attendance/completion roster in an ~~((electronic))~~ internet format ~~((approved))~~ provided by the department.

(C) The attendance/completion roster must show each individual's name, Washington certificate number, class number, location of class, date of completion, and instructor's name. The typed roster must contain the signature of the class sponsor's authorized representative.

(ii) The sponsor must provide the individual a certificate of completion within fifteen days after successful class completion. See subsection (4) of this section.

(iii) Individuals will not be granted credit for continuing education classes unless the sponsor's attendance/completion roster shows the individual successfully completed the class.

(iv) The department will keep submitted class rosters on file for four years.

(d) Classes approved under chapter 18.106 RCW for the pumping industry will be verified through the normal roster reporting method for those classes.

(e) Classes offered in other states:

(i) For individuals to apply continuing education units earned from out-of-state classes, one of the following conditions must be met:

(A) The individual must request that the class sponsor submit a complete continuing education class application and gain approval for the class as described in this section for classes and instructors. Application for class or instructor approval will not be considered more than three years after the date the class was offered; or

(B) The department must have entered into a reciprocal agreement with the state providing class approval.

(ii) The individual must provide a copy of an accurate and completed award or certificate from the class sponsor identifying the class location, date of completion, individual's names, and Washington certificate number. The department will only accept a copy of the sponsor's certificate or form as evidence that the individual attended and completed the class. The department must verify all out-of-state sponsor's certificates or forms with the issuing state prior to accepting them as evidence of class completion.

(9) Contractor requirements:

(a) The contractor cannot be a sponsor or instructor.

(b) The contractor cannot be an employee of the department.

(c) The contractor must:

(i) Be an independent entity with no organizational, managerial, financial, design, or promotional affiliation with any sponsor or instructor covered under the contractor's review and approval/denial process;

(ii) Employ at least one staff member having a valid 01-General Administrator or 01-General Master Electrician Certificate. This staff member:

(A) Is responsible for reviewing and determining an application's approval or denial; and

(B) Must sign the written notification provided to applicants for all approvals and denials:

(iii) Receive, review, and process all applications as required in this section;

(iv) Allow the department access to the contractor's facilities during normal working hours to audit the contractor's ability to conform to the contract requirements;

(v) Treat all applications as proprietary information;

(vi) Respond to and attempt to resolve complaints contesting the review or approval/denial process performed by the applicant;

(vii) Notify the department within ten working days of any change in business status or ability to conform to this section;

(viii) Maintain one copy, original or electronic, of all applications and associated materials for a period of three years from the date of receipt.

AMENDATORY SECTION (Amending WSR 03-09-111, filed 4/22/03, effective 5/23/03)

WAC 296-46B-985 Penalties for false statements or material misrepresentations. (1) A person who knowingly makes a false statement or material misrepresentation on an application, statement of hours, or signed statement to the department may be referred to the county prosecutor for criminal prosecution under RCW 9A.72.020, 9A.72.030, and 9A.72.040. The department may also file a civil action under RCW 19.28.131 or 19.28.271 and may revoke or suspend a certificate under RCW 19.28.241 or 19.28.341.

(2) The department may file a civil action under RCW 19.28.131 or 19.28.271 and may revoke or suspend a certificate of competency under RCW 19.28.341 or 19.28.241 for inaccurate or false reporting of continuing education units on the administrator, master electrician, ~~((e))~~ electrician, or training certificate renewal form.

(3) If the department determines that a course sponsor has issued an inaccurate or incomplete course application or attendance/completion roster, the department may suspend or revoke the course approval and deny future approval of a continuing education course(s) by the course sponsor.

(4) The department may file a civil action under RCW 19.28.271 against both the trainee and the contractor, apprentice training director, or other entity verifying the training hours and may subtract up to two thousand hours of employment from a trainee's total hours if the department determines a false statement or material misrepresentation has been made in an affidavit of experience.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-995 Electrical board—Appeal rights and hearings. General.

(1) Chapter 19.28 RCW provides the authority for the duties and responsibilities of the electrical board. Except as provided in chapter 19.28 RCW and this chapter, all proceedings will be conducted according to chapter 34.05 RCW the Administrative Procedure Act and chapter 10-08 WAC, Model rules of procedure. See chapter 34.05 RCW the Administrative Procedure Act for specific definitions not described in this chapter.

(2) See RCW 19.28.311 for the composition of the electrical board.

(3) The board adopts the current edition of the "*Roberts' Rules of Order, Newly Revised.*"

(4) The board will hold regular meetings on the last Thursday of January, April, July, and October of each year per RCW 19.28.311.

(5) The director or the chairperson of the board may call a special meeting at any time.

(6) Each board member must be notified in writing of the agenda, date, time, and place of each regular and special meeting. "Writing" includes by electronic mail, also known as "e-mail," if the member has provided an e-mail address for such notice.

(7) The board or department may elect to have an appeal heard by the office of administrative hearings either tape recorded or transcribed by a court reporter; and the board

may so elect regarding hearings or board reviews heard by the board as a whole.

(8) A majority of the board constitutes a quorum for purposes of rendering any decision.

(a) If a majority does not attend a hearing or board review on an appeal, the board may either continue the hearing or board review to a date certain or may hear the testimony and arguments.

(b) If the board hears the testimony and arguments, the members of the board who are absent may make their decisions after hearing the tape recording or reading the transcript, of the hearing or board review.

(c) If the board selects the method in subsection (8)(b) of this section, at the time of the hearing, the board shall set a date certain for the absent members to complete review of the record and for the board as a whole to vote on the decision. The vote in subsection (8)(b) and (c) of this section may occur by U.S. mail, facsimile or by electronic mail and shall be determined by the board at the hearing; the members' votes shall be public record.

(9) All filings and documents for any matter before the board must be submitted to the chief electrical inspector, as secretary to the board, 7273 Linderson Way, P.O. Box 44460, Olympia, WA 98504-4460. The filings may be submitted by ordinary mail, certified or registered mail, or by personal delivery.

(10) All hearings before the board as a whole shall be held on regularly scheduled meeting dates, as listed in subsection (4) of this section, unless the board determines that an alternate date is necessary. All notices of appeal, with a certified check payable to the department in the sum of two hundred dollars if required, must be received in the office of the chief electrical inspector, as secretary to the board, at least thirty days before the regularly scheduled board meeting at which the hearing would occur. The appellant must submit any written argument, briefs testimony or documents for the board's consideration at least twenty days prior to the scheduled hearing.

Appeals

(11) Appeals of penalties issued by the department.

(a) A party may appeal a penalty issued by the department, pursuant to chapter 19.28 RCW and this chapter, to the board. The appeal shall be assigned to the office of administrative hearings.

(b) The appeal must be filed within twenty days after the notice of the decision or penalty is given to the assessed party either by personal service or by certified mail, return receipt requested, sent to the last known address of the assessed party and shall be made by filing a written notice of appeal with the chief electrical inspector, as secretary to the board. The request for an appeal must be accompanied with a certified check payable to the department in the sum of two hundred dollars.

(12) Appeals of proposed decisions issued by the office of administrative hearings.

(a) A party may appeal a proposed decision issued by the office of administrative hearings pursuant to chapter 19.28 RCW to the board. The appeal must be filed within twenty days after service of the decision and must be made by filing

a written notice of appeal with the chief electrical inspector, as secretary to the board.

(b) The notice of appeal of a proposed decision must be received in the office of the chief electrical inspector, as secretary to the board, at least thirty days before a regularly scheduled board meeting. ~~((The appellant))~~ All parties must submit any written argument, briefs testimony or documents for the board's consideration at least twenty days prior to the scheduled hearing.

(13) Appeals of suspension ~~((or))~~, revocation, or nonrenewal.

(a) An appeal of the suspension or revocation of a license or certificate of competency under RCW 19.28.241 and 19.28.341 or of nonrenewal of a license or certificate of competency under this chapter will be heard by the board in accordance with chapter 34.05 RCW and not assigned to the office of administrative hearings. The board will conduct the hearing and may elect to have the assistance of an administrative law judge in the proceeding.

(b) The notice of appeal, with the certified check payable to the department in the sum of two hundred dollars for appeals of a revocation or suspension of a contractor's or administrator's license, must be filed within twenty days after the notice of suspension or revocation is served on the subject of said action, either by personal service or by certified mail, return receipt requested, sent to the last known address of the subject and shall be filed by written notice of appeal with the chief electrical inspector, as secretary to the board.

(14) Appeals of decisions on installation.

(a) A party may seek board review for disputes relating to the interpretation and application of electrical/telecommunications installation or maintenance standards under RCW 19.28.111, 19.28.480, and 19.28.531. The board will conduct the hearing and may elect to have the assistance of an administrative law judge in the proceeding.

(b) The notice of appeal, with the certified check payable to the department in the sum of two hundred dollars, must be received in the office of the chief electrical inspector, as secretary to the board, at least thirty days before a regularly scheduled board meeting. ~~((The appellant))~~ All parties must submit any written argument, briefs testimony or documents for the board's consideration at least twenty days prior to the scheduled hearing.

(15) Appeals of a continuing education class or instructor for denials or revocations.

A party may appeal a decision issued by the department, pursuant to WAC 296-46B-970 (3)(e)(vi), if the department acts as the contractor pursuant to WAC 296-46B-970 (2)~~((h))~~(i) to the superior court per RCW 34.05.542(3).

(16) Appeals pertaining to engineer approval or electrical testing laboratory recognition and accreditation.

(a) A party may appeal a decision issued by the department pursuant to WAC 296-46B-997 or 296-46B-999. The appeal will be heard by the board in accordance with chapter 34.05 RCW and not assigned to the office of administrative hearings. The board will conduct the hearing and may elect to have the assistance of an administrative law judge in the proceeding.

(b) The notice of appeal, with the certified check payable to the department in the sum of two hundred dollars for

appeals pertaining to engineer approval or recognition and accreditation of an electrical testing laboratory, must be filed within twenty days after the notice of the department's decision is served on the subject of said action, either by personal service or by certified mail, return receipt requested, sent to the last known address of the subject and shall be filed by written notice of appeal with the chief electrical inspector, as secretary to the board.

(17) Judicial review of final decisions of the board.

A party may seek judicial review of a final order of the board within thirty days after service of the decision. Appeals of final decisions and orders must be done in accordance with chapter 34.05 RCW.

~~((17))~~ (18) If appeal(s) according to subsections (11), (12), (13), and (15) of this section are not filed or the appeal is not filed timely, the proposed decision or action becomes final with no further action on the part of the department or the board.

~~((18))~~ (19) Appeals - general requirements.

(a) Appeals according to subsections (11), (12), or (15) of this section must specify the contentions of the appellant, and must for subsection (12) of this section specify to which conclusions of law and findings of fact the party takes exception. The appeal will be based on the record of the hearing. The board shall not grant a hearing de novo.

(b) In appeals under subsections (12), (13), (14), and (15) of this section, the issues to be adjudicated must be made as precise as possible, in order that the board may proceed promptly to conduct the hearing on relevant and material matter only.

(c) In all appeals of chapter 19.28 RCW and this chapter, the appellant has the burden of proof by a preponderance of the evidence.

Appearance and practice before board.

~~((19))~~ (20) No party may appear as a representative in proceedings other than the following:

(a) Attorneys at law qualified to practice before the supreme court of the state of Washington;

(b) Attorneys at law qualified to practice before the highest court of record of another state, if the attorneys at law of the state of Washington are permitted to appear as representatives before administrative agencies of the other state, and if not otherwise prohibited by Washington law; or

(c) An owner, officer, partner, or full-time employee of a firm, association, organization, partnership, corporation, or other entity who appears for the firm, association, organization, partnership, corporation or other entity.

~~((20))~~ (21) All persons appearing in proceedings as a representative must conform to the standards of ethical conduct required of attorneys before the courts of Washington. If a person does not conform to these standards, the board may decline to permit the person to appear as a representative in any proceeding before the board.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-010 General. Adopted standards - inspectors - city inspection - variance.

~~((1))~~ The 2005 edition of the National Electrical Code (NFPA 70 - 2005) including Annex A, B, and C; the 2003 edition of standard for the Installation of Stationary Pumps for Fire Protection (NFPA 20 - 2003); the 2002 edition of standard for Emergency and Standby Power Systems (NFPA 110 - 2002); Commercial Building Telecommunications Cabling Standard (ANSI/TIA/EIA 568-B.1-May 2001 including Annex 1 through 5); Commercial Building Standard for Telecommunications Pathway and Spaces (ANSI/TIA/EIA 569-A-7 December 2001 including Annex 1 through 4); Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI/TIA/EIA 607 - A - 2002); Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-A-December 2001); American Railroad Engineering and Maintenance of Way Association - 2005 Communications and Signal Manual; and the National Electrical Safety Code (NESC C2-2002 excluding Appendixes A and B) are hereby adopted by reference as part of this chapter. Other codes, manuals, and reference works referred to in this chapter are available for inspection and review in the Olympia office of the electrical section of the department during business hours.

The requirements of this chapter will be observed where there is any conflict between this chapter and the National Electrical Code (NFPA 70), Centrifugal Fire Pumps (NFPA 20), the Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-B, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570, or the NESC C2-2002.

The National Electrical Code will be followed where there is any conflict between standard for Installation of Stationary Pumps for Fire Protection (NFPA 20), standard for Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-B, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570, or the NESC C2-2002 and the National Electrical Code (NFPA 70).

~~((2) Electrical inspectors will give information as to the interpretation or application of the standards in this chapter, but will not lay out work or act as consultants for contractors, owners, or users.~~

~~(3) The department may enforce city electrical ordinances where those governmental agencies do not make electrical inspections under an established program.~~

~~(4) A variance from the electrical installation requirements of chapter 19.28 RCW or this chapter may be granted by the department when it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.~~

~~(a) Any electrical permit holder may request a variance.~~

~~(b) The permit holder must make the request in writing, using a form provided by the department, to the chief electrical inspector. The request must include:~~

~~(i) A description of the installation as installed or proposed;~~

~~(ii) A detailed list of the applicable code violations;~~

~~(iii) A detailed list of safety violations;~~

~~(iv) A description of the proposal for meeting equivalent objectives for code and/or safety violations; and~~

~~(v) Appropriate variance application fee as listed in WAC 296-46B-905.~~

~~**Inspection.**~~

(5) Electrical wiring or equipment subject to this chapter must be sufficiently accessible, at the time of inspection, to allow the inspector to visually inspect the installation to verify conformance with the NEC and any other electrical requirements of this chapter.

(6) Cables or raceways, fished according to the NEC, do not require visual inspection.

(7) All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

(8) The installation of all structural elements and mechanical systems (e.g., framing, plumbing, ducting, etc.) must be complete in the area(s) where electrical inspection is requested. Prior to completion of an exterior wall cover inspection, either:

(a) The exterior shear panel/sheathing nail inspection must be completed by the building code inspector; or

(b) All wiring and device boxes must be a minimum of 63 mm (2 1/2") from the exterior surface of the framing member; or

(c) All wiring and device boxes must be protected by a steel plate a minimum of 1.6 mm (1/16") thick and of appropriate width and height installed to cover the area of the wiring or box.

(9) In order to meet the minimum electrical safety standards for installations, all materials, devices, appliances, and equipment, not exempted in chapter 19.28 RCW, must conform to applicable standards recognized by the department, be listed, or field evaluated. Other than as allowed in WAC 296-46B-030(3), equipment must not be energized until such standards are met unless specific permission has been granted by the chief electrical inspector.

(10) The department will recognize the state department of transportation as the inspection authority for telecommunications systems installation within the rights of way of state highways provided the department of transportation maintains and enforces an equal, higher or better standard of construction and of materials, devices, appliances and equipment than is required for telecommunications systems installations by chapter 19.28 RCW and this chapter.

Inspection—move on buildings and structures.

(11) All buildings or structures relocated into or within the state:

(a) Other than residential, wired inside the United States (U.S.) must be inspected to ensure compliance with current requirements of chapter 19.28 RCW and the rules developed by the department.

(b) Wired outside the U.S. or Canada must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department.

(12) Residential buildings or structures wired in the U.S., to NEC requirements, and moved into or within a county, city, or town must be inspected to ensure compliance with the NEC requirements in effect at the time and place the original wiring was made. The building or structure must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department if:

(a) The original occupancy classification of the building or structure is changed as a result of the move; or

(b) The building or structure has been substantially remodeled or rehabilitated as a result of the move.

(13) Residential buildings or structures wired in Canada to Canadian Electrical Code (CEC) standards and moved into or within a county, city, or town, must be inspected to ensure compliance with the following minimum safety requirements:

(a) Service, service grounding, and service bonding must comply with the current chapter 19.28 RCW and rules adopted by the department.

(b) Canadian Standards Association (CSA) listed Type NMD cable is allowed with the following qualifications:

(i) CSA listed Type NMD cable, American Wire Gauge #10 and smaller installed after 1964 utilizing an equipment grounding conductor smaller than the phase conductors, must be:

(A) Replaced with a cable utilizing a full-size equipment grounding conductor; or

(B) Protected by a ground fault circuit interrupter protection device.

(ii) CSA listed Type NMD cable, #8 AWG and larger, must:

(A) Utilize an equipment grounding conductor sized according to the requirements of the NEC in effect at the time of the installation;

(B) Be protected by a ground fault circuit interrupter protection device; or

(C) Be replaced.

(e) Other types of wiring and cable must be:

(i) Replaced with wiring listed or field evaluated in accordance with U.S. standards by a laboratory approved by the department; or

(ii) Protected by a ground fault circuit interrupter protection device and are fault circuit protection device.

(d) Equipment, other than wiring or panelboards, manufactured and installed prior to 1997 must be listed and identified by laboratory labels approved by the department or CSA labels.

(e) All panelboards must be listed and identified by testing laboratory labels approved by the department with the following qualifications:

(i) CSA listed panelboards labeled "Suitable for Use as Service Equipment" will be considered to be approved as "Suitable for Use only as Service Equipment."

(ii) CSA listed panelboards must be limited to a maximum of 42 circuits.

(iii) CSA listed panelboards used as lighting and appliance panelboards as described in the NEC, must meet all current requirements of the NEC and this chapter.

(f) Any wiring or panelboards replaced or changed as a result of the move must meet current requirements of chapter 19.28 RCW and this chapter.

(g) The location, type, and ground fault circuit interrupter protection of receptacles and equipment in a bathroom, kitchen, basement, garage, or outdoor area must meet the Washington requirements in effect at the time the wiring was installed.

(h) 4, 15-ampere, kitchen small appliance circuits will be accepted in lieu of 2, 20-ampere, kitchen small appliance cir-

euits. Receptacles will not be required to be added on kitchen peninsular or island counters:

(i) Spacing requirements for all other receptacles must meet the Washington requirements in effect at the time the wiring was installed.

(j) Receptacles installed above baseboard or fixed wall space heaters must be removed and the outlet box covered with a blank cover. The receptacle is required to be relocated as closely as possible to the existing location.

(k) Lighting outlet and switch locations must meet the Washington requirements in effect at the time the wiring was installed.

(l) Dedicated 20-ampere small-appliance circuits are not required in dining rooms.

(m) Electric water heater branch circuits must be adequate for the load.

(n) The location, type, and circuit protection of feeders must meet the Washington requirements in effect at the time the wiring was installed.

Classification or definition of occupancies.

(14) Occupancies are classified and defined as follows:

(a) Educational facility refers to a building or portion of a building used primarily for educational purposes by six or more persons at one time for twelve hours per week or four hours in any one day. Educational occupancy includes: Schools (pre-school through grade twelve), colleges, academies, universities, and trade schools.

(b) Institutional facility refers to a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required for a time period of twenty-four or more hours. Such occupancies include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

(c) Health or personal care facility. Health or personal care facility refers to buildings or parts of buildings that contain, but are not limited to, facilities that are required to be licensed by the department of social and health services or the department of health (e.g., hospitals, nursing homes, private alcoholism hospitals, private psychiatric hospitals, boarding homes, alcoholism treatment facilities, maternity homes, birth centers or childbirth centers, residential treatment facilities for psychiatrically impaired children and youths, and renal hemodialysis clinics) and medical, dental or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated.

(i) "Hospital" means any institution, place, building, or agency providing accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis.

(ii) "Nursing home," "nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities, require skilled nursing care and related medical services

but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

(iii) "Boarding home" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to seven or more aged persons not related by blood or marriage to the operator. It must not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

(iv) "Private alcoholism hospital" means an institution, facility, building, or equivalent designed, organized, maintained, and operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, and other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter will not apply to any facility, agency, or other entity which is owned and operated by a public or governmental body.

(v) "Alcoholism treatment facility" means a private place or establishment, other than a licensed hospital, operated primarily for the treatment of alcoholism.

(vi) "Private psychiatric hospital" means a privately owned and operated establishment or institution which provides accommodations and services over a continuous period of twenty-four hours or more, and is expressly and exclusively for observing, diagnosing, or caring for two or more individuals with signs or symptoms of mental illness, who are not related to the licensee.

(vii) "Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery. Provided, however, that this definition will not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(viii) "Birth center" or "childbirth center" means a type of maternity home which is a house, building, or equivalent organized to provide facilities and staff to support a birth service, provided that the birth service is limited to low-risk maternal clients during the intrapartum period.

(ix) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice. (NEC; Ambulatory Health Care Center.)

(x) "Hospice care center" means any building, facility, place, or equivalent, organized, maintained, and operated specifically to provide beds, accommodations, facilities, and services over a continuous period of twenty-four hours or more for palliative care of two or more individuals, not related to the operator, who are diagnosed as being in the lat-

ter stages of an advanced disease which is expected to lead to death.

(xi) "Renal hemodialysis clinic" means a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, and rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement). (NEC; Ambulatory Health Care Center.)

(xii) "Medical, dental, and chiropractic clinic" means any clinic or physicians' office where patients are not regularly kept as bed patients for twenty-four hours or more. Electrical plan review not required.

(xiii) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place, or facility designed and organized to provide twenty-four-hour residential care and long term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(xiv) "Adult residential rehabilitation center" means a residence, place, or facility designed and organized primarily to provide twenty-four-hour residential care, crisis and short-term care and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 71.24 RCW.

(xv) "Group care facility" means a facility other than a foster family home maintained and operated for the care of a group of children on a twenty-four-hour basis.

(d) Licensed day care centers.

(i) "Child day care center" means a facility providing regularly scheduled care for a group of children one month of age through twelve years of age for periods less than twenty-four hours; except, a program meeting the definition of a family child care home will not be licensed as a day care center without meeting the requirements of WAC 388-150-020(5).

(ii) "School-age child care center" means a program operating in a facility other than a private residence accountable for school-age children when school is not in session. The facility must meet department of licensing requirements and provide adult supervised care and a variety of developmentally appropriate activities.

(iii) "Family child day care home" means the same as "family child care home" and "a child day care facility" licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home. Electrical plan review not required.

Plan review for educational, institutional or health care facilities and other buildings.

(15) Plan review is a part of the electrical inspection process; its primary purpose is to determine:

- (a) That service/feeder conductors are calculated and sized according to the proper NEC or WAC article or section;
- (b) The classification of hazardous locations; and
- (c) The proper design of emergency and standby systems.

(16) Electrical plan review.

(a) Electrical plan review is not required for:

(i) Lighting specific projects that result in an electrical load reduction on each feeder involved in the project;

(ii) Low voltage systems;

(iii) Modifications to existing electrical installations where all of the following conditions are met:

- Service or distribution equipment involved is rated not more than 400 amperes and does not exceed 250 volts;

- Does not involve emergency systems other than listed unit equipment per NEC 700.12(F);

- Does not involve branch circuits or feeders of an essential electrical system as defined in NEC 517.2; and

- Service and feeder load calculations are increased by 5% or less.

(iv) Stand-alone utility fed services that do not exceed 250 volts, 400 amperes where the project's distribution system does not include:

- Emergency systems other than listed unit equipment per NEC 700.12(F);

- Critical branch circuits or feeders as defined in NEC 517.2; or

- A required fire pump system.

(b) Electrical plan review is required for all other new or altered electrical projects in educational, institutional, or health care occupancies classified or defined in this chapter.

(c) If a review is required, the electrical plan must be submitted for review and approval before the electrical work is begun.

(d) Electrical plans.

(i) The plan must be submitted for plan review prior to beginning any electrical inspection. If a plan is rejected during the plan review process, no electrical inspection(s) may proceed until the plan is resubmitted and a conditional acceptance is granted.

(ii) The submitted plan will receive a preliminary review within seven business days after receipt by the department.

(iii) If the submitted plan:

Is rejected at the preliminary review, no inspection(s) will be made on the project.

Receives conditional acceptance, the permit holder may request a preliminary inspection(s) in writing to the department. The request must note that the preliminary inspection(s) is conditional and subject to any alterations required from the final plan review process.

(iv) Once the submitted plan has plan review approval, the approved plan must be available on the job site for use by the electrical inspector.

(v) The approved plan must be available on the job site, for use by the electrical inspector, prior to the final electrical inspection.

(vi) If the approved plan requires changes from the conditionally accepted plan, alterations to the project may be required to make the project comply with the approved plan.

(e) All electrical plans for educational facilities, hospitals and nursing homes must be prepared by, or under the direction of, a consulting engineer registered under chapter 18.43 RCW, and chapters 246-320, 180-29, and 388-97 WAC and stamped with the engineer's mark and signature.

(f) Refer plans for department review to the Electrical Section, Department of Labor and Industries, P.O. Box 44460, Olympia, Washington 98504-4460.

(g) Plans for projects within cities that perform electrical inspections within their jurisdiction, and provide an electrical plan review program that equals or exceeds the department's program in plans examiner minimum qualifications per chapter 19.28 RCW, must be submitted to that city for review, unless the agency regulating the installation specifically requires review by the department.

(h) Plans to be reviewed by the department must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans must clearly show the electrical installation or alteration in floor plan view, include switchboard and/or panelboard schedules and when a service or feeder is to be installed or altered, must include a riser diagram, load calculation, fault current calculation and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans must include documentation that proves adequate capacity and ratings. The plans must be submitted with a plan review submittal form available from the department. Plan review fees are not required to be paid until the review is completed. Plans will not be returned until all fees are paid. Fees will be calculated based on the date the plans are received by the department.

(i) The department may perform the plan review for new or altered electrical installations of other types of construction when the owner or electrical contractor makes a voluntary request for review.

(j) For existing structures where additions or alterations to feeders and services are proposed, Article 220.35(1) NEC may be used. If Article 220.35(1) NEC is used, the following is required:

(i) The date of the measurements.

(ii) A statement attesting to the validity of the demand data, signed by a professional electrical engineer or the electrical administrator of the electrical contractor performing the work.

(iii) A diagram of the electrical system identifying the point(s) of measurement.

(iv) Building demand measured continuously on the highest loaded phase of the feeder or service over a thirty day period, with demand peak clearly identified. (Demand peak is defined as the maximum average demand over a fifteen-minute interval.)

Wiring methods for designated building occupancies.

(17) Wiring methods, equipment and devices for health or personal care, educational and institutional facilities as defined or classified in this chapter and for places of assembly for one hundred or more persons must comply with Tables 010-1 and 010-2 of this chapter and the notes thereto. The local building authority will determine the occupant load of places of assembly.

(18) Listed tamper-resistant receptacles or listed tamper-resistant receptacle cover plates are required in all licensed day care centers, all licensed children group care facilities and psychiatric patient care facilities where accessible to children five years of age and under. Listed tamper-resistant receptacles are required in psychiatric patient care facilities where accessible to psychiatric patients over five years of age.

Notes to Tables 010-1 and 010-2.

1. Wiring methods in accordance with the NEC unless otherwise noted.

2. Metallic or nonmetallic raceways, MI, MC, or AC cable, except that in places of assembly located within educational or institutional facilities, wiring methods must conform to NEC 518.4(a). Places of assembly located within educational or institutional facilities may not be wired according to NEC 518.4 (b) or (c).

3. Limited energy system may use wiring methods in accordance with the NEC.

Table 010-1 Health or Personal Care Facilities

Health or Personal Care Facility Type ⁽⁺⁾	Plan Review Required
Hospital	YES
Nursing home unit or long-term care unit	YES
Boarding home or assisted living facility	YES
Private alcoholism hospital	YES
Alcoholism treatment facility	YES
Private psychiatric hospital	YES
Maternity home	YES
Birth center or childbirth center	NO
Ambulatory surgery facility	YES
Hospice care center	NO
Renal hemodialysis clinic	YES
Medical, dental, and chiropractic clinic	NO
Residential treatment facility for psychiatrically impaired children and youth	YES
Adult residential rehabilitation center	YES
Group care facility	NO

Table 010-2 Educational and Institutional Facilities, Places of Assembly or Other Facilities

Educational, Institutional or Other Facility Type	Plan Review Required
Educational ⁽²⁾⁽³⁾	YES
Institutional ⁽²⁾⁽³⁾	YES
Places of assembly for 100 or more persons ⁽⁺⁾	NO
Child day care center ⁽⁺⁾	NO
School-age child care center ⁽⁺⁾	NO
Family child day care home, family child care home, or child day care facility ⁽⁺⁾	NO))

NEW SECTION

WAC 296-46B-100 General definitions. (1) All definitions listed in the National Electrical Code and chapter 19.28 RCW are recognized in this chapter unless other specific definitions are given in this chapter.

(2) "Accreditation" is a determination by the department that a laboratory meets the requirements of this chapter and is therefore authorized to evaluate electrical products that are for sale in the state of Washington.

(3) "Administrative law judge" means an administrative law judge (ALJ) appointed pursuant to chapter 34.12 RCW and serving in board proceedings pursuant to chapter 19.28 RCW and this chapter.

(4) "ANSI" means American National Standards Institute. Copies of ANSI standards are available from the National Conference of States on Building Codes and Standards, Inc.

(5) "Appeal" is a request for review of a department action by the board as authorized by chapter 19.28 RCW.

(6) "Appellant" means any person, firm, partnership, corporation, or other entity that has filed an appeal or request for board review.

(7) "Appliance" means household appliance.

(8) "ASTM" means the American Society for Testing and Materials. Copies of ASTM documents are available from ASTM International.

(9) "AWG" means American Wire Gauge.

(10) "Basement" means that portion of a building that is partly or completely below grade plane. A basement shall be considered as a story above grade plane and not a basement where the finished surface of the floor above the basement is:

(a) More than 1829 mm (six feet) above grade plane;

(b) More than 1829 mm (six feet) above the finished ground level for more than 50% of the total building perimeter; or

(c) More than 3658 mm (twelve feet) above the finished ground level at any point. Also see "mezzanine" and "story."

(11) "Board" means the electrical board established and authorized under chapter 19.28 RCW.

(12) "Chapter" means chapter 296-46B WAC unless expressly used for separate reference.

(13) "Category list" is a list of nonspecific product types determined by the department.

(14) A "certified electrical product" is an electrical product to which a laboratory, accredited by the state of Washington, has the laboratory's certification mark attached.

(15) A "certification mark" is a specified laboratory label, symbol, or other identifying mark that indicates the manufacturer produced the product in compliance with appropriate standards or that the product has been tested for specific end uses.

(16) "Certificate of competency" includes the certificates of competency for master journeyman electrician, master specialty electrician, journeyman, and specialty electrician.

(17) A laboratory "certification program" is a specified set of testing, inspection, and quality assurance procedures, including appropriate implementing authority, regulating the evaluation of electrical products for certification marking by an electrical products certification laboratory.

(18) A "complete application" includes the submission of all appropriate fees, documentation, and forms.

(19) "Construction," for the purposes of chapter 19.28 RCW, means electrical construction.

(20) "Coordination (selective)" as defined in NEC 100 shall be determined and documented by a professional engineer registered under chapter 18.43 RCW.

(21) "Department" means the department of labor and industries of the state of Washington.

(22) "Director" means the director of the department, or the director's designee.

(23) "Electrical equipment" includes electrical conductors, conduit, raceway, apparatus, materials, components, and other electrical equipment not exempted by RCW 19.28.-

006(9). Any conduit/raceway of a type listed for electrical use is considered to be electrical equipment even if no wiring is installed in the conduit/raceway at the time of the conduit/raceway installation.

(24) An "electrical products certification laboratory" is a laboratory or firm accredited by the state of Washington to perform certification of electrical products.

(25) An "electrical products evaluation laboratory" is a laboratory or firm accredited by the state of Washington to perform on-site field evaluation of electrical products for safety.

(26) "Exit, and unobstructed (as applied to NEC 110.26 (C)(2)(a))" means an exit path that allows a worker to travel to the exit from any other area in the room containing the equipment described in NEC 110.26 (C)(2) without having to pass through that equipment's required working space.

(27) "Field evaluated" means an electrical product to which a field evaluation mark is attached. Field evaluation must include job site inspection unless waived by the department, and may include component sampling and/or laboratory testing.

(28) "Field evaluation mark" is a specified laboratory label, symbol, or other identifying mark indicating the manufacturer produced the product in essential compliance with appropriate standards or that the product has been evaluated for specific end uses.

(29) A "field evaluation program" is a specified set of testing, inspection, and quality assurance procedures, including appropriate implementing authority regulating the testing and evaluation of electrical products for field evaluation marking.

(30) The "filing" is the date the document is actually received in the office of the chief electrical inspector.

(31) "Final judgment" means any money that is owed to the department under this chapter, including fees and penalties, or any money that is owed to the department as a result of an individual's or contractor's unsuccessful appeal of a citation.

(32) "Fished wiring" is when cable or conduit is installed within the finished surfaces of an existing building or building structure (e.g., wall, floor or ceiling cavity).

(33) "Household appliance" means utilization equipment installed in a dwelling unit that is built in standardized sizes or types and is installed or connected as a unit to perform one or more functions such as cooking and other equipment installed in a kitchen, clothes drying, clothes washing, portable room air conditioning units and portable heaters, etc. Fixed electric space-heating equipment covered in NEC 424 (furnaces, baseboard and wall heaters, electric heat cable, etc.) and fixed air-conditioning/heat pump equipment (NEC 440) are not household appliances. Household appliance does not mean any utilization equipment that:

(a) Supplies electrical power, other than Class 2, to other utilization equipment; or

(b) Receives electrical power, other than Class 2, through other utilization equipment.

(34) HVAC/refrigeration specific definitions:

(a) "HVAC/refrigeration" means heating, ventilation, air conditioning, and refrigeration.

(b) "HVAC/refrigeration component" means electrical power and limited energy components within the "HVAC/refrigeration system," including, but not limited to: Pumps, compressors, motors, heating coils, controls, switches, thermostats, humidistats, low-voltage damper controls, outdoor sensing controls, outside air dampers, stand-alone duct smoke detectors, air monitoring devices, zone control valves and equipment for monitoring of HVAC/refrigeration control panels and low-voltage connections. This definition excludes equipment and components of non-"HVAC/refrigeration control systems."

(c) "HVAC/refrigeration control panel" means an enclosed, manufactured assembly of electrical components designed specifically for the control of a HVAC/refrigeration system. Line voltage equipment that has low voltage, NEC Class 2 control or monitoring components incidental to the designed purpose of the equipment is not an HVAC/refrigeration control panel (e.g., combination starters).

(d) "HVAC/refrigeration control system" means a network system regulating and/or monitoring a HVAC/refrigeration system. Equipment of a HVAC/refrigeration control system includes, but is not limited to: Control panels, data centers, relays, contactors, sensors, and cables related to the monitoring and control of a HVAC/refrigeration system(s).

(e) "HVAC/refrigeration equipment" means the central unit primary to the function of the "HVAC/refrigeration system." HVAC/refrigeration includes, but is not limited to: Heat pumps, swamp coolers, furnaces, compressor packages, and boilers.

(f) "HVAC/refrigeration system" means a system of HVAC/refrigeration: Wiring, equipment, and components integrated to generate, deliver, or control heated, cooled, filtered, refrigerated, or conditioned air. This definition excludes non-HVAC/refrigeration control systems (e.g., fire alarm systems, intercom systems, building energy management systems, and similar non-HVAC/refrigeration systems) (see Figure 920-1 and Figure 920-2).

(35) "IBC" means the International Building Code. Copies of the IBC are available from the International Code Council.

(36) An "individual" or "party" or "person" means an individual, firm, partnership, corporation, association, government subdivision or unit thereof, or other entity.

(37) An "installation" includes the act of installing, connecting, repairing, modifying, or otherwise performing work on an electrical system, component, equipment, or wire except as exempted by WAC 296-46B-925.

(38) An "identification plate" is a phenolic or metallic plate or other similar material engraved in block letters at least 1/4" (6 mm) high unless specifically required to be larger by this chapter, suitable for the environment and application. The letters and the background must be in contrasting colors. Screws, rivets, or methods specifically described in this chapter must be used to affix an identification plate to the equipment or enclosure.

(39) "License" means a license required under chapter 19.28 RCW.

(40) "Labeled" means an electrical product that bears a certification mark issued by a laboratory accredited by the state of Washington.

(41) A "laboratory" may be either an electrical product(s) certification laboratory or an electrical product(s) evaluation laboratory.

(42) A "laboratory operations control manual" is a document to establish laboratory operation procedures and may include a laboratory quality control manual.

(43) "Like-in-kind" means having similar characteristics such as voltage requirement, current draw, circuit overcurrent and short circuit characteristics, and function within the system and being in the same location. Like-in-kind also includes any equipment component authorized by the manufacturer as a suitable component replacement part.

(44) "Lineman" is a person employed by a serving electrical utility or employed by a licensed general electrical contractor who carries, on their person, evidence that they:

(a) Have graduated from a department-approved lineman's apprenticeship course; or

(b) Are currently registered in a department-approved lineman's apprenticeship course and are working under the direct one hundred percent supervision of a journeyman electrician or a graduate of a lineman's apprenticeship course approved by the department. The training received in the lineman's apprenticeship program must include training in applicable articles of the currently adopted National Electrical Code.

(45) "Listed" means equipment has been listed and identified by a laboratory approved by the state of Washington for the appropriate equipment standard per this chapter.

(46) "Low voltage" means:

(a) NEC, Class 1 power limited circuits at 30 volts maximum.

(b) NEC, Class 2 circuits powered by a Class 2 power supply as defined in NEC 725.41(A).

(c) NEC, Class 3 circuits powered by a Class 3 power supply as defined in NEC 725.41(A).

(d) Circuits of telecommunications systems as defined in chapter 19.28 RCW.

(47) "Mezzanine" is the intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third of the area of the room or space in which the level or levels are located. Also see "basement" and "story."

(48) "NEC" means National Electrical Code. Copies of the NEC are available from the National Fire Protection Association.

(49) "NEMA" means National Electrical Manufacturer's Association. Copies of NEMA standards are available from the National Electrical Manufacturer's Association.

(50) "NESC" means National Electrical Safety Code. Copies of the NESC are available from the Institute of Electrical and Electronics Engineers, Inc.

(51) "NETA" means International Electrical Testing Association, Inc. Copies of the NETA standards and information are available from the International Electrical Testing Association, Inc.

(52) "NFPA" means the National Fire Protection Association. Copies of NFPA documents are available from the National Fire Protection Association.

(53) "NRTL" means Nationally Recognized Testing Laboratory accredited by the federal Occupational Safety and

Health Administration (OSHA) after meeting the requirements of 29 CFR 1910.7.

(54) "Point of contact" for utility work, means the point at which a customer's electrical system connects to the serving utility system.

(55) "Proceeding" means any matter regarding an appeal before the board including hearings before an administrative law judge.

(56) "Public area or square" is an area where the public has general, clear, and unrestricted access.

(57) A "quality control manual" is a document to maintain the quality control of the laboratory's method of operation. It consists of specified procedures and information for each test method responding to the requirements of the product standard. Specific information must be provided for portions of individual test methods when needed to comply with the standard's criteria or otherwise support the laboratory's operation.

(58) "RCW" means the Revised Code of Washington. Copies of electrical RCWs are available from the department and the office of the code reviser.

(59) A "stand-alone amplified sound or public address system" is a system that has distinct wiring and equipment for audio signal generation, recording, processing, amplification, and reproduction. This definition does not apply to telecommunications installations.

(60) "Service" or "served" means that as defined in RCW 34.05.010(19) when used in relation to department actions or proceedings.

(61) "Story" is that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. Next above means vertically and not necessarily directly above. Also see "basement" and "mezzanine."

(62) "Structure," for the purposes of this chapter and in addition to the definition in the NEC, means something constructed either in the field or factory that is used or intended for supporting or sheltering any use or occupancy as defined by the IBC.

(63) A "telecommunications local service provider" is a regulated or unregulated (e.g., by the Federal Communications Commission or the utilities and transportation commission as a telephone or telecommunications provider) firm providing telecommunications service ahead of the telecommunications network demarcation point to an end-user's facilities.

(64) "TIA/EIA" means the Telecommunications Industries Association/Electronic Industries Association which publishes the TIA/EIA Telecommunications Building Wiring Standards. Standards and publications are adopted by TIA/EIA in accordance with the American National Standards Institute (ANSI) patent policy.

(65) A "training school" is a public community or technical college or not-for-profit nationally accredited technical or trade school licensed by the work force training and education coordinating board under chapter 28C.10 RCW.

(66) "Under the control of a utility" for the purposes of RCW 19.28.091 and 19.28.101 is when electrical equipment is not owned by a utility and:

(a) Is located in a vault, room, closet, or similar enclosure that is secured by a lock or seal so that access is restricted to the utility's personnel; or

(b) The utility is obligated by contract to maintain the equipment and the contract provides that access to the equipment is restricted to the utility's personnel or other qualified personnel.

(67) "UL" means Underwriters Laboratory.

(68) "Utility" means an electrical utility.

(69) "Utility system" means electrical equipment owned by or under the control of a serving utility that is used for the transmission or distribution of electricity from the source of supply to the point of contact.

(70) "Utilization voltage" means the voltage level employed by the utility's customer for connection to lighting fixtures, motors, heaters, or other electrically operated equipment other than power transformers.

(71) "Variance" is a modification of the electrical requirements as adopted in chapter 19.28 RCW or any other requirements of this chapter that may be approved by the chief electrical inspector if assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

(72) "WAC" means the Washington Administrative Code. Copies of this chapter of the WACs are available from the department and the office of the code reviser.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-110 General—Requirements for electrical installations.

012 Mechanical execution of work.

(1) Unused openings. Unused openings in boxes, raceways, auxiliary gutters, cabinets, cutout boxes, meter socket enclosures, equipment cases, or housings shall be effectively closed to afford protection substantially equivalent to the wall of the equipment. Where metallic plugs or plates are used with nonmetallic enclosures, they shall be recessed at least 6 mm (1/4") from the outer surface of the enclosure. Unused openings do not include weep holes, unused mounting holes, or any other opening with less than .15 square inches of open area.

016 Flash protection.

(2) The flash protection marking required by NEC 110.16 must be an identification plate or label approved by the electrical inspector and may be installed either in the field or in the factory. The plate or label may be mounted using adhesive.

022 Identification of disconnecting means.

(3) For the purposes of legibly marking a disconnecting means, as required in NEC 110.22, an identification plate is required unless the disconnect is a circuit breaker/fused switch installed within a panelboard and the circuit breaker/fused switch is identified by a panelboard schedule. In other than dwelling units, the identification plate must include the identification designation of the circuit source panelboard that supplies the disconnect.

(4) Where electrical equipment is installed to obtain a series combination rating, the identification as required by

NEC 110.22, must be in the form of an identification plate that is substantially yellow in color. The words "CAUTION - SERIES COMBINATION RATED SYSTEM" must be on the label in letters at least 13 mm (1/2") high.

030 Over 600 volts - general.

(5) Each cable operating at over 600 volts and installed on customer-owned systems must be legibly marked in a permanent manner at each termination point and at each point the cable is accessible. The required marking must use phase designation, operating voltage, and circuit number if applicable.

~~((Class B basic electrical inspection.~~

~~(6) Only licensed electrical/telecommunication contractors can use the Class B basic electrical inspection - random inspection process. Health care, large commercial, or industrial facilities using an employee who is a certified electrician(s) can use the Class B basic electrical inspection - random inspection process after permission from the chief electrical inspector.~~

~~(7) If the Class B basic electrical inspection - random inspection process is used, the following requirements must be met:~~

~~(a) The certified electrician/telecommunications worker performing the installation must affix a Class B installation label on the cover of the panelboard or overcurrent device supplying power to the circuit or equipment prior to beginning the work.~~

~~(b) The job site portion of the label must include the following:~~

~~(i) Date of the work;~~

~~(ii) Electrical/telecommunication contractor's name;~~

~~(iii) Electrical/telecommunication contractor's license number;~~

~~(iv) Installing electrician's certificate number, except for telecommunication work; and~~

~~(v) Short description of the work.~~

~~(c) The contractor portion of the label must include the following:~~

~~(i) Date of the work;~~

~~(ii) Electrical/telecommunication contractor's license number;~~

~~(iii) Installing electrician's certificate number, except for telecommunication work;~~

~~(iv) Job site address;~~

~~(v) Contact telephone number for the job site (to be used to arrange inspection); and~~

~~(vi) Short description of the work.~~

~~(d) The label must be filled in using sunlight and weather resistant ink.~~

~~(e) The electrical/telecommunication contractor must return the contractor's portion of the label to the Department of Labor & Industries, Electrical Section, Chief Electrical Inspector, P.O. 4460, Olympia, WA 98506-4460 within fifteen working days after the job site portion of the Class B installation label is affixed.~~

~~(8) Class B basic installation labels will be sold in blocks. Installations where a Class B basic installation label is used will be inspected on a random basis as determined by the department.~~

~~(a) If any such random inspection fails, a subsequent label in the block must be inspected.~~

~~(b) If any such subsequent installation fails inspection, another label in the block must be inspected until a label is approved without a correction(s).~~

~~(c) A fee is required for any inspection required when a correction(s) is issued as a result of the inspection of any Class B label or if an inspection is required because of (a) or (b) of this subsection. See WAC 296-46B-905(15) for fees.~~

~~(9) Any electrical/telecommunication contractor or other entity using the Class B basic electrical inspection - random inspection process may be audited for compliance with the provisions for purchasing, inspection, reporting of installations, and any other requirement of usage.~~

~~(10) Class B basic electrical work means work other than Class A basic electrical work. See WAC 296-46B-900(8) for Class A definition.~~

~~(a) Class B basic electrical work includes the following:~~

~~(i) Extension of not more than one branch electrical circuit limited to one hundred twenty volts and twenty amps each where:~~

~~(A) No cover inspection is necessary. For the purposes of this section, cover inspection does not include work covered by any surface that may be removed for inspection without damaging the surface; and~~

~~(B) The extension does not supply more than two devices or outlets as defined by the NEC. A device allowed in an extended circuit includes: General use snap switches/receptacles, luminaires, thermostats, speakers, etc.; but does not include wiring/cabling systems, isolating switches, magnetic contactors, motor controllers, etc.~~

~~(ii) Like-in-kind replacement of:~~

~~(A) A single luminaire not exceeding two hundred seventy-seven volts and twenty amps; or~~

~~(B) A motor larger than ten horsepower; or~~

~~(C) The internal wiring of a furnace, air conditioner, refrigeration unit or household appliance; or~~

~~(D) An electric/gas/oil furnace not exceeding 240 volts and 100 amps when the furnace is connected to an existing branch circuit. For the purposes of this section, a boiler is not a furnace; or~~

~~(E) An individually controlled electric room heater (e.g., baseboard, wall, fan forced air, etc.); air conditioning unit or refrigeration unit not exceeding 240 volts, 30 minimum circuit amps when the unit is connected to an existing branch circuit; or~~

~~(F) Circuit modification required to install not more than five residential load control devices in a residence where installed as part of an energy conservation program sponsored by an electrical utility and where the circuit does not exceed 240 volts and 30 amps.~~

~~(iii) The following low voltage systems:~~

~~(A) Repair and replacement of devices not exceeding one hundred volt amperes in Class 2, Class 3, or power limited low voltage systems in one and two family dwellings; or~~

~~(B) Repair and replacement of devices not exceeding one hundred volt amperes in Class 2, Class 3, or power limited low voltage systems in other buildings, provided the equip-~~

ment is not for fire alarm or nurse call systems and is not located in an area classified as hazardous by the NEC; or

~~(C) The installation of device(s) or wiring for Class 2 or 3 thermostat, audio, security, burglar alarm, intercom, amplified sound, public address, or access control systems. This does not include fire alarm, nurse call, lighting control, industrial automation/control or energy management systems; or~~

~~(D) Telecommunications cabling and equipment requiring inspection in RCW 19.28.470;~~

~~(iv) The replacement of not more than ten standard receptacles with GFCI receptacles;~~

~~(v) The conversion of not more than ten snap switches to dimmers for the use of controlling a luminaire(s) conversion.~~

~~(b) Class B basic electrical work does not include any work in:~~

~~(i) Areas classified as Class (I), Class (II), Class (III), or Zone locations per NEC 500; or~~

~~(ii) Areas regulated by NEC 517 or 680; or~~

~~(iii) Any work where electrical plan review is required; or~~

~~(iv) Fire alarm, nurse call, lighting control, industrial automation/control or energy management systems.))~~

AMENDATORY SECTION (Amending WSR 05-22-025, filed 10/25/05, effective 11/25/05)

WAC 296-46B-900 Electrical work permits and fees. General.

(1) When an electrical work permit is required by chapter 19.28 RCW or this chapter, inspections may not be made, equipment must not be energized, or services connected unless:

(a) A valid electrical work permit is completely and legibly filled out and readily available;

(b) The classification or type of facility to be inspected and the exact scope and location of the electrical work to be performed are clearly shown on the electrical work permit;

(c) The address where the inspection is to be made is clearly identifiable from the street, road or highway that serves the premises; and

(d) Driving directions ~~((and/or a legible map is))~~ are provided for the inspectors' use.

(2) An electrical work permit is valid for only one specific site address.

(3) Except as provided in subsection (8) of this section, a valid electrical work permit must be posted on the job site at a readily accessible and conspicuous location prior to beginning electrical work and at all times until the electrical inspection process is completed.

Permit - responsibility for.

(4) Each person, firm, partnership, corporation, or other entity must furnish a valid electrical work permit for the installation, alteration, or other electrical work performed or to be performed solely by that entity. When the permitted work is performed solely or in part by another entity, the electrical work permit purchaser must request approval from the chief electrical inspector to take responsibility for the work of the original installing entity. Each electrical work permit application must be signed by the electrical contractor's administrator (or designee) or the person, or authorized rep-

resentative of the firm, partnership, corporation, or other entity that is performing the electrical installation or alteration. Permits purchased electronically do not require a handwritten signature. An entity designated to sign electrical permits must provide written authorization of the purchaser's designation when requested by the department.

(5) Permits to be obtained by customers. Whenever a serving electrical utility performs work for a customer under one of the exemptions in WAC 296-46B-925 and the work is subject to inspection, the customer is responsible for obtaining all required permits.

(6) Except for emergency repairs to existing electrical systems, electrical work permits must be obtained and posted at the job site prior to beginning the installation or alteration. An electrical work permit for emergency repairs to existing electrical systems must be obtained and posted at the job site no later than the next business day after the work is begun.

(7) Fees must be paid in accordance with the inspection fee schedule, WAC 296-46B-905. The amount of the fee due is calculated based on the fee effective at the date payment is made. If the project is required to have an electrical plan review, the plan review fees will be based on the fees effective at the date the plans are received by the department for review.

Permit - requirements for.

(8) As required by chapter 19.28 RCW or this chapter, an electrical work permit is required for the installation, alteration, or maintenance of all electrical systems or equipment except for:

(a) Travel trailers;

(b) Class A basic electrical work which includes:

(i) The **like-in-kind replacement** of a: Contactor, relay, timer, starter, circuit board, or similar control component; household appliance; circuit breaker; fuse; residential luminaire; lamp; snap switch; dimmer; receptacle outlet; thermostat; heating element; luminaire ballast with an exact same ballast; component(s) of electric signs, outline lighting, skeleton neon tubing when replaced on-site by an appropriate electrical contractor and when the sign, outline lighting or skeleton neon tubing electrical system is not modified; ten horsepower or smaller motor;

(ii) Induction detection loops described in WAC 296-46B-300(2) and used to control gate access devices;

(iii) Heat cable repair; and

(iv) Embedding premanufactured heat mats in tile grout where the mat is listed by an approved testing laboratory and comes from the manufacturer with preconnected lead-in conductors. All listing marks and lead-in conductor labels must be left intact and visible for evaluation and inspection by the installing electrician and the electrical inspector.

Unless specifically noted, the exemptions listed do not include: The replacement of an equipment unit, assembly, or enclosure that contains ~~((multiple))~~ an exempted component(s) or combination of components (e.g., an electrical furnace/heat pump, industrial milling machine, etc.) ~~((containing various control components))~~ or any appliance/equipment described in ~~((WAC 296-46B-110(10)))~~ this section for Class B permits.

A provisional electrical work permit label may be posted in lieu of an electrical work permit. If a provisional electrical

work permit label is used, an electrical work permit must be obtained within two working days after posting the provisional electrical work permit label.

(9) An electrical work permit is required for all installations of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets. All backbone installations regardless of size and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations require permits and inspections. For the purposes of determining the inspection threshold for telecommunications projects greater than ten outlets, the following will apply:

(a) An outlet is the combination of jacks and mounting hardware for those jacks, along with the associated cable and telecommunications closet terminations, that serve one workstation. In counting outlets to determine the inspection threshold, one outlet must not be associated with more than six standard four-pair cables or more than one twenty-five-pair cable. Therefore, installations of greater than sixty standard four-pair cables or ten standard twenty-five-pair cables require permits and inspections. (It is not the intent of the statute to allow large masses of cables to be run to workstations or spaces serving telecommunications equipment without inspection. Proper cable support and proper loading of building structural elements are safety concerns. When considering total associated cables, the telecommunications availability at one workstation may count as more than one outlet.)

(b) The installation of greater than ten outlets and the associated cables along any horizontal pathway from a telecommunications closet to work areas during any continuous ninety-day period requires a permit and inspection.

(c) All telecommunications installations within the residential dwelling units of single-family, duplex, and multifamily dwellings do not require permits or inspections. In residential multifamily dwellings, permits and inspections are required for all backbone installations, all fire barrier penetrations, and installations of greater than ten outlets in common areas.

(d) No permits or inspections are required for installation or replacement of cord and plug connected telecommunications equipment or for patch cord and jumper cross-connected equipment.

(e) Definitions of telecommunications technical terms will come from chapter 19.28 RCW, this chapter, TIA/EIA standards, and NEC.

Permit - inspection and approval.

(10) Requests for inspections.

(a) Requests for inspections must be made no later than three business days after completion of the electrical/telecommunications installation or one business day after any part of the installation has been energized, whichever occurs first.

(b) Requests for after hours or weekend inspections must be made by contacting the local electrical inspection supervisor at least three working days prior to the requested date of inspection. The portal-to-portal inspection fees required for after hours or weekend inspections are in addition to the cost of the original electrical work permit.

(c) Emergency requests to inspect repairs necessary to preserve life and equipment safety may be requested at any time.

(d) Inspections for annual electrical maintenance permits and annual telecommunications permits may be done on a regular schedule arranged by the permit holder with the department.

(11) Final inspection approval will not be made until all inspection fees are paid in full.

Permit - duration/refunds.

(12) Electrical work permits will expire one year after the date of purchase unless electrical work is actively and consistently in progress and inspections requested. Refunds are not available for:

(a) Expired electrical work permits;

(b) Electrical work permits where the electrical installation has begun; or

(c) Any electrical work permit where an electrical inspection or electrical inspection request has been made.

Permit - annual telecommunications.

(13) The chief electrical inspector can allow annual permits for the inspection of telecommunications installations to be purchased by a building owner or licensed electrical/telecommunications contractor. The owner's full-time telecommunications maintenance staff, or a licensed electrical/telecommunications contractor(s) can perform the work done under this annual permit. The permit holder is responsible for correcting all installation deficiencies. The permit holder must make available, to the electrical inspector, all records of all the telecommunications work performed and the valid electrical or telecommunications contractor's license numbers for all contractors working under the permit.

Permit - annual electrical.

(14) The chief electrical inspector can allow annual permits for the inspection of electrical installations to be purchased by a building owner or licensed electrical contractor. This type of permit is available for commercial/industrial locations employing a full-time electrical maintenance staff or having a yearly maintenance contract with a licensed electrical contractor.

The permit holder is responsible for correcting all installation deficiencies. The permit holder must make available, to the electrical inspector, all records of all electrical work performed.

This type of electrical permit may be used for retrofit, replacement, maintenance, repair, upgrade, and alterations to electrical systems at a single plant or building location. This type of permit does not include new or increased service or new square footage.

Provisional electrical work permit - use/duration/refunds.

(15) Only licensed electrical or telecommunications contractors can use provisional electrical work permits.

(16) If a provisional electrical work permit label is used, the following requirements must be met:

(a) Prior to beginning the work, the certified electrician or telecommunications worker performing the installation must affix the provisional electrical work permit label on the cover of the panelboard, overcurrent device, or telecommunications equipment supplying the circuit or equipment.

(b) The job site portion of the label must include the following:

- (i) Date the work is begun;
- (ii) Contractor's name;
- (iii) Contractor's license number; and
- (iv) Short description of the work.

(c) The contractor portion of the label must include the following:

- (i) Date the work is begun;
- (ii) Contractor's license number;
- (iii) Job site address;
- (iv) Owner's name; and
- (v) Short description of the work.

(d) The label must be filled in using sunlight and weather resistant ink.

(e) The contractor must return the contractor's portion of the label to the department of labor and industries, electrical section office having jurisdiction for the inspection, within two working days after the job site portion of the label is affixed. Either receipt by department of labor and industries or postmark to a valid department of labor and industries electrical address is acceptable for meeting this requirement.

(f) The contractor must return the contractor's portion of the label to the Department of Labor & Industries, Chief Electrical Inspector, within five working days after destroying or voiding any label.

(g) The contractor is responsible for safekeeping of all purchased labels.

(17) Refunds are not available for provisional electrical work permit labels.

(18) Provisional electrical work permit labels will be sold in blocks of twenty.

(19) Any contractor purchasing a provisional electrical work permit label may be audited for compliance with the provisions for purchasing, inspection, reporting of installations, and any other requirement of usage.

Class B electrical work permit - use.

(20) The electrical contractor must return the contractor's portion of the Class B label to the department of labor and industries, chief electrical inspector, within five working days after destroying or voiding any label.

(21) The electrical contractor is responsible for safekeeping of all purchased Class B labels.

(22) Only licensed electrical/telecommunication contractors can use the Class B basic electrical inspection/random inspection process. Health care, large commercial, or industrial facilities using an employee who is a certified electrician(s) can use the Class B random electrical inspection process after permission from the chief electrical inspector.

(23) If the Class B random electrical inspection process is used, the following requirements must be met:

(a) The certified electrician/telecommunications worker performing the installation must affix a Class B installation label on the cover of the panelboard or overcurrent device supplying power to the circuit or equipment prior to beginning the work.

(b) The job site portion of the label must include the following:

- (i) Date of the work;
- (ii) Electrical/telecommunication contractor's name;

(iii) Electrical/telecommunication contractor's license number;

(iv) Installing electrician's certificate number, except for telecommunication work. For thermostat installations described in WAC 296-46B-965(15), the installing trainee may enter their training certificate number; and

(v) Short description of the work.

(c) The contractor portion of the label must include the following:

(i) Date of the work;

(ii) Electrical/telecommunication contractor's license number;

(iii) Installing electrician's certificate number, except for telecommunication work;

(iv) Job site address;

(v) Contact telephone number for the job site (to be used to arrange inspection); and

(vi) Short description of the work.

(d) The label must be filled in using sunlight and weather resistant ink.

(e) The electrical/telecommunication contractor must return the contractor's portion of the label to the Department of Labor and Industries, Electrical Section, Chief Electrical Inspector, P.O. Box 44460, Olympia, WA 98504-4460 within fifteen working days after the job site portion of the Class B installation label is affixed.

(24) Class B basic installation labels will be sold in blocks. Installations where a Class B basic installation label is used will be inspected on a random basis as determined by the department.

(a) If any such random inspection fails, a subsequent label in the block must be inspected.

(b) If any such subsequent installation fails inspection, another label in the block must be inspected until a label is approved without a correction(s).

(c) A fee is required for any inspection required when a correction(s) is issued as a result of the inspection of any Class B label or if an inspection is required because of (a) or (b) of this subsection. See WAC 296-46B-905(15) for fees.

(25) Any electrical/telecommunication contractor or other entity using the Class B basic electrical inspection/random inspection process may be audited for compliance with the provisions for purchasing, inspection, reporting of installations, and any other requirement of usage.

(26) Class B basic electrical work means work other than Class A basic electrical work. See WAC 296-46B-900(8) for Class A definition.

(a) Class B basic electrical work includes the following:

(i) Extension of not more than one branch electrical circuit limited to one hundred twenty volts and twenty amps each where:

(A) No cover inspection is necessary. For the purposes of this section, cover inspection does not include work covered by any surface that may be removed for inspection without damaging the surface; and

(B) The extension does not supply more than two devices or outlets as defined by the NEC. A device allowed in an extended circuit includes: General use snap switches/receptacles, luminaires, thermostats, speakers, etc., but does

not include wiring/cabling systems, isolating switches, magnetic contactors, motor controllers, etc.

(ii) Like-in-kind replacement of:

(A) A single luminaire not exceeding two hundred seventy-seven volts and twenty amps; or

(B) A motor larger than ten horsepower; or

(C) The internal wiring of a furnace, air conditioner, refrigeration unit or household appliance; or

(D) An electric/gas/oil furnace not exceeding two hundred forty volts and one hundred amps when the furnace is connected to an existing branch circuit. For the purposes of this section, a boiler is not a furnace; or

(E) An individually controlled electric room heater (e.g., baseboard, wall, fan forced air, etc.), air conditioning unit or refrigeration unit not exceeding two hundred forty volts, thirty minimum circuit amps when the unit is connected to an existing branch circuit; or

(F) Circuit modification required to install not more than five residential load control devices in a residence where installed as part of an energy conservation program sponsored by an electrical utility and where the circuit does not exceed two hundred forty volts and thirty amps.

(iii) The following low voltage systems:

(A) Repair and replacement of devices not exceeding one hundred volt-amperes in Class 2, Class 3, or power limited low voltage systems in one- and two-family dwellings; or

(B) Repair and replacement of devices not exceeding one hundred volt-amperes in Class 2, Class 3, or power limited low voltage systems in other buildings, provided the equipment is not for fire alarm or nurse call systems and is not located in an area classified as hazardous by the NEC; or

(C) The installation of Class 2 or 3 device(s) or wiring for thermostat, audio, security, burglar alarm, intercom, amplified sound, public address, or access control systems. This does not include fire alarm, nurse call, lighting control, industrial automation/control or energy management systems; or

(D) Telecommunications cabling and equipment requiring inspection in RCW 19.28.470;

(iv) The replacement of not more than ten standard receptacles with GFCI receptacles;

(v) The conversion of not more than ten snap switches to dimmers for the use of controlling a luminaire(s) conversion.

(b) Class B basic electrical work does not include any work in:

(i) Areas classified as Class (I), Class (II), Class (III), or zone locations per NEC 500; or

(ii) Areas regulated by NEC 517 or 680; or

(iii) Any work where electrical plan review is required; or

(iv) Fire alarm, nurse call, lighting control, industrial automation/control or energy management systems.

AMENDATORY SECTION (Amending WSR 06-05-028, filed 2/7/06, effective 5/1/06)

WAC 296-46B-905 Temporary fees—Inspection fees. Valid from January 1, 2007, through December 31, 2007, or until modified in rule, whichever comes first. To

calculate inspection fees, the amperage is based on the conductor ampacity or the overcurrent device rating. The total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) of this section, PROGRESS INSPECTIONS.

The amount of the fee due is calculated based on the fee effective at the date of a department assessed fee (e.g., plan review or fee due) or when the electrical permit is purchased.

(1) Residential.

(a) Single- and two-family residential (New Construction).

Notes:

- (1) Square footage is the area included within the surrounding exterior walls of a building exclusive of any interior courts. (This includes any floor area in an attached garage, basement, or unfinished living space.)
- (2) "Inspected with the service" means that a separate service inspection fee is included on the same electrical work permit.
- (3) "Inspected at the same time" means all wiring is to be ready for inspection during the initial inspection trip.
- (4) An "outbuilding" is a structure that serves a direct accessory function to the residence, such as a pump house or storage building. Outbuilding does not include buildings used for commercial type occupancies or additional dwelling occupancies.

(i) First 1300 sq. ft.	\$((73.00))
	69.00
Each additional 500 sq. ft. or portion of	\$((23.40))
	22.00
(ii) Each outbuilding or detached garage - inspected at the same time as a dwelling unit on the property	\$((30.50))
	29.00
(iii) Each outbuilding or detached garage - inspected separately	\$((48.10))
	46.00
(iv) Each swimming pool - inspected with the service	\$((48.10))
	46.00
(v) Each swimming pool - inspected separately	\$((73.00))
	69.00
(vi) Each hot tub, spa, or sauna - inspected with the service	\$((30.50))
	29.50
(vii) Each hot tub, spa, or sauna - inspected separately	\$((48.10))
	46.00
(viii) Each septic pumping system - inspected with the service	\$((30.50))
	29.50
(ix) Each septic pumping system - inspected separately	\$((48.10))
	46.00

(b) Multifamily residential and miscellaneous residential structures, services ~~(and)~~ feeders (New Construction).

Each service ~~(and/or)~~ feeder

Ampacity	Service/Feeder	Additional Feeder
0 to 200	\$((78.70))	\$((23.40))
	75.00	22.00
201 to 400	\$((97.80))	\$((48.10))
	91.00	46.00
401 to 600	\$((134.30))	\$((66.90))
	128.00	64.00
601 to 800	\$((172.30))	\$((91.80))
	164.00	87.00
801 and over	\$((245.70))	\$((184.30))
	233.00	175.00

(c) Single or multifamily altered services ~~(or)~~ feeders including circuits.

(i) Each altered service ~~(and/or)~~ altered feeder

Ampacity	Service or Feeder
0 to 200	\$((66.90)) <u>64.00</u>
201 to 600	\$((97.80)) <u>91.00</u>
601 and over	\$((147.40)) <u>140.00</u>

(ii) Maintenance or repair of a meter or mast (no alterations to the service or feeder) 34.00

(d) Single or multifamily residential circuits only (no service inspection).

Note:

Altered or added circuit fees are calculated per panelboard. Total cost of the alterations in an individual panel should not exceed the cost of a complete altered service or feeder of the same rating, as shown in subsection (1) RESIDENTIAL (c) (table) of this section.

- (i) 1 to 4 circuits (see note above) 46.00
- (ii) Each additional circuit (see note above) 5.00

(e) Mobile homes, modular homes, mobile home parks, and RV parks.

- (i) Mobile home or modular home service or feeder only 46.00
- (ii) Mobile home service and feeder 75.00

(f) Mobile home park sites and RV park sites.

Note:

For master service installations, see subsection (2) COMMERCIAL/INDUSTRIAL of this section.

- (i) First site service or site feeder 46.00
- (ii) Each additional site service; or additional site feeder inspected at the same time as the first service or feeder 29.00

(2) Commercial/industrial.

(a) New service ((~~o~~)) feeder, and additional new feeders inspected at the same time (includes circuits).

Note:

For large COMMERCIAL/INDUSTRIAL projects that include multiple feeders, "inspected at the same time" can be interpreted to include additional inspection trips for a single project. The additional inspections must be for electrical work specified on the permit at the time of purchase. The permit fee for such projects must be calculated from (2)(a)(i)(table) of this section. However, the total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) PROGRESS INSPECTIONS of this section.

Service/feeders

Ampacity	Service/Feeder	Additional Feeder
0 to 100	\$((78.70)) <u>75.00</u>	\$((48.10)) <u>46.00</u>
101 to 200	\$((95.80)) <u>91.00</u>	\$((61.30)) <u>58.00</u>
201 to 400	\$((184.30)) <u>175.00</u>	\$((73.00)) <u>69.00</u>
401 to 600	\$((214.80)) <u>204.00</u>	\$((85.80)) <u>82.00</u>
601 to 800	\$((277.70)) <u>264.00</u>	\$((116.90)) <u>111.00</u>
801 to 1000	\$((339.00)) <u>322.00</u>	\$((141.40)) <u>134.00</u>
1001 and over	\$((369.80)) <u>351.00</u>	\$((197.30)) <u>187.00</u>

(b) Altered services or feeders (no circuits).

(i) Service/feeders

Ampacity	Service ((o)) Feeder
0 to 200	\$((78.70)) <u>75.00</u>
201 to 600	\$((184.30)) <u>175.00</u>
601 to 1000	\$((277.70)) <u>264.00</u>
1001 and over	\$((308.40)) <u>239.00</u>

(ii) Maintenance or repair of a meter or mast (no alterations to the service or feeder) 64.00

(c) Circuits only.

Note:

Altered/added circuit fees are calculated per panelboard. Total cost of the alterations in a panel (or panels) should not exceed the cost of a new feeder (or feeders) of the same rating, as shown in subsection (2) COMMERCIAL/INDUSTRIAL (2)(a)(i)(table) above.

- (i) First 5 circuits per branch circuit panel 58.00
- (ii) Each additional circuit per branch circuit panel 5.00
- (d) Over 600 volts surcharge per permit. 58.00

(3) Temporary service(s).

Note:

(1) See WAC 296-46B-527 for information about temporary installations.
 (2) Temporary stage or concert inspections requested outside of normal business hours will be subject to the portal-to-portal hourly fees in subsection (11) OTHER INSPECTIONS. The fee for such after hours inspections shall be the greater of the fee from this subsection or the portal-to-portal fee.

Temporary services, temporary stage or concert productions.

Ampacity	Service ((o)) Feeder	Additional Feeder
0 to 60	\$((42.20)) <u>40.00</u>	\$((21.60)) <u>21.00</u>
61 to 100	\$((48.10)) <u>46.00</u>	\$((23.40)) <u>22.00</u>
101 to 200	\$((61.30)) <u>58.00</u>	\$((30.50)) <u>29.00</u>
201 to 400	\$((73.00)) <u>69.00</u>	\$((36.40)) <u>35.00</u>
401 to 600	\$((97.80)) <u>93.00</u>	\$((48.10)) <u>46.00</u>
601 and over	\$((110.90)) <u>105.00</u>	\$((55.30)) <u>53.00</u>

(4) Irrigation machines, pumps, and equipment.

Irrigation machines.

- (a) Each tower - when inspected at the same time as a service and feeder from (2) COMMERCIAL/INDUSTRIAL 5.00
- (b) Towers - when not inspected at the same time as a service and feeders - 1 to 6 towers 69.00
- (c) Each additional tower 5.00

(5) Miscellaneous - commercial/industrial and residential.

(a) A Class 2 low-voltage thermostat and its associated cable controlling a single piece of utilization equipment or a single furnace and air conditioner combination.

- (i) First thermostat \$((36.40))
35.00
- (ii) Each additional thermostat inspected at the same time as the first \$((11.40))
11.00

(b) Class 2 or 3 low-voltage systems and telecommunications systems.
Includes all telecommunications installations, fire alarm, nurse call, energy management control systems, industrial and automation control systems, lighting control systems, and similar Class 2 or 3 low-energy circuits and equipment not included in WAC ((296-46B-110)) 296-46B-900 for Class B work.

- (i) First 2500 sq. ft. or less \$((42.20))
40.00
- (ii) Each additional 2500 sq. ft. or portion thereof \$((11.40))
11.00

(c) Signs and outline lighting.

- (i) First sign (no service included) \$((36.40))
35.00
- (ii) Each additional sign inspected at the same time on the same building or structure \$((17.30))
16.00

(d) Berth at a marina or dock.

Note:

Five berths or more shall be permitted to have the inspection fees based on appropriate service and feeder fees from section (2) COMMERCIAL/INDUSTRIAL (a) (i) above.

- (i) Berth at a marina or dock \$((48.10))
46.00
- (ii) Each additional berth inspected at the same time \$((30.50))
29.00

(e) Yard pole, pedestal, or other meter loops only.

- (i) Yard pole, pedestal, or other meter loops only \$((48.10))
46.00
- (ii) Meters installed remote from the service equipment and inspected at the same time as a service, temporary service or other installations \$((11.40))
11.00

(f) Emergency inspections requested outside of normal working hours.

- Regular fee plus surcharge of: \$((91.80))
87.00

(g) Generators.

Note:

Permanently installed generators: Refer to the appropriate residential or commercial new/alterd service or feeder section.

- Portable generators: Permanently installed transfer equipment for portable generators \$((66.90))
64.00

(h) Electrical - annual permit fee.

Note:

See WAC 296-46B-900(14).

For commercial/industrial location employing full-time electrical maintenance staff or having a yearly maintenance contract with a licensed electrical contractor. Note, all yearly maintenance contracts must detail the number of contractor electricians necessary to complete the work required under the contract. This number will be used as a basis for calculating the appropriate fee. Each inspection is based on a 2-hour maximum.

	Inspections	Fee
1 to 3 plant electricians	12	\$((1,765.50)) 1,677.00
4 to 6 plant electricians	24	\$((3,532.80)) 3,356.00
7 to 12 plant electricians	36	\$((5,298.90)) 5,034.00
13 to 25 plant electricians	52	\$((7,066.20)) 6,713.00

- More than 25 plant electricians 52 \$((8,833.50))
8,392.00

(i) Telecommunications - annual permit fee.

Note:

(1) See WAC 296-46B-900(13).

(2) Annual inspection time required may be estimated by the purchaser at the rate for "OTHER INSPECTIONS" in this section, charged portal-to-portal per hour.

For commercial/industrial location employing full-time telecommunications maintenance staff or having a yearly maintenance contract with a licensed electrical/telecommunications contractor.

- 2-hour minimum \$((146.10))
139.00

- Each additional hour, or portion thereof, of portal-to-portal inspection time \$((73.00))
69.00

(j) Permit requiring ditch cover inspection only.

- Each 1/2 hour, or portion thereof \$((36.40))
35.00

(k) Cover inspection for elevator/conveyance installation. This item is only available to a licensed/registered elevator contractor.

(6) Carnival inspections.

(a) First carnival field inspection each calendar year.

- (i) Each ride and generator truck \$((17.30))
16.00
- (ii) Each remote distribution equipment, concession, or gaming show \$((5.30))
5.00
- (iii) If the calculated fee for first carnival field inspection above is less than \$89.00, the minimum inspection fee shall be: \$((91.80))
87.00

(b) Subsequent carnival inspections.

- (i) First ten rides, concessions, generators, remote distribution equipment, or gaming show \$((91.80))
87.00
- (ii) Each additional ride, concession, generator, remote distribution equipment, or gaming show \$((5.30))
5.00

(c) Concession(s) or ride(s) not part of a carnival.

- (i) First field inspection each year of a single concession or ride, not part of a carnival \$((73.00))
69.00
- (ii) Subsequent inspection of a single concession or ride, not part of a carnival \$((48.10))
46.00

(7) Trip fees.

- (a) Requests by property owners to inspect existing installations. (This fee includes a maximum of one hour of inspection time. All inspection time exceeding one hour will be charged at the rate for progressive inspections.) \$((73.00))
69.00

- (b) Submitter notifies the department that work is ready for inspection when it is not ready. \$((36.40))
35.00
- (c) Additional inspection required because submitter has provided the wrong address or incomplete, improper or illegible directions for the site of the inspection. \$((36.40))
35.00

- (d) More than one additional inspection required to inspect corrections; or for repeated neglect, carelessness, or improperly installed electrical work. \$((36.40))
35.00

- (e) Each trip necessary to remove a noncompliance notice. \$((36.40))
35.00

- (f) Corrections that have not been made in the prescribed time, unless an exception has been requested and granted. \$((36.40))
35.00

- (g) Installations that are covered or concealed before inspection. \$((36.40))
35.00

(8) Progress inspections.

Note:

The fees calculated in subsections (1) through (6) of this section will apply to all electrical work. This section will be applied to a permit where the permit holder has requested additional inspections beyond the number supported by the permit fee calculated at the rate in subsections (1) through (6) of this section.

On partial or progress inspections, each 1/2 hour. ~~\$(36.40)~~
35.00

(9) Plan review.

Fee is thirty-five percent of the electrical work permit fee as determined by WAC 296-46B-905, plus a plan review submission and shipping/handling fee of: ~~\$(61.30)~~
58.00

(a) Supplemental submissions of plans per hour or fraction of an hour of review time. ~~\$(73.00)~~
69.00

(b) Plan review shipping and handling fee. ~~\$(17.30)~~
16.00

(10) Out-of-state inspections.

(a) Permit fees will be charged according to the fees listed in this section.

(b) Travel expenses:

All travel expenses and per diem for out-of-state inspections are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in subsection (11) of this section.

(11) Other inspections.

Inspections not covered by above inspection fees must be charged portal-to-portal per hour: ~~\$(73.00)~~
69.00

(12) Refund processing fee.

All requests for permit fee refunds will be assessed a processing fee. (Refund processing fees will not be charged for electrical contractors, using the contractor deposit system, who request less than twenty-four refunds during a rolling calendar year.) ~~\$(11.40)~~
11.00

(13) **Variance request processing fee.**
Variance request processing fee. This fee is nonrefundable once the transaction has been validated. ~~\$(73.00)~~
69.00

(14) **Marking of industrial utilization equipment.**
(a) Standard(s) letter review (per hour of review time). ~~\$(73.00)~~
69.00

(b) Equipment marking - charged portal-to-portal per hour: ~~\$(73.00)~~
69.00

(c) All travel expenses and per diem for in/out-of-state review and/or equipment marking are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in (b) of this subsection.

(15) Class B basic electrical work labels.

(a) Block of twenty Class B basic electrical work labels (not refundable). \$200.00

(b) Reinspection of Class B basic electrical work to assure that corrections have been made (per 1/2 hour timed from leaving the previous inspection until the reinspection is completed). See WAC ((296-46B-110(8))) 296-46B-900. \$36.40

(c) Reinspection of Class B basic electrical work because of a failed inspection of another Class B label (per 1/2 hour from previous inspection until the reinspection is completed). See WAC ((296-46B-110(8))) 296-46B-900. \$36.40

(16) Provisional electrical work permit labels.

(a) Block of twenty provisional electrical work permit labels. \$200.00

NEW SECTION

WAC 296-46B-906 Inspection fees. To calculate inspection fees, the amperage is based on the conductor ampacity or the overcurrent device rating. The total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) of this section, PROGRESS INSPECTIONS.

The amount of the fee due is calculated based on the fee effective at the date of a department assessed fee (e.g., plan review or fee due) or when the electrical permit is purchased.

(1) Residential.

(a) Single- and two-family residential (New Construction).

Notes:

(1) Square footage is the area included within the surrounding exterior walls of a building exclusive of any interior courts. (This includes any floor area in an attached garage, basement, or unfinished living space.)

(2) "Inspected with the service" means that a separate service inspection fee is included on the same electrical work permit.

(3) "Inspected at the same time" means all wiring is to be ready for inspection during the initial inspection trip.

(4) An "outbuilding" is a structure that serves a direct accessory function to the residence, such as a pump house or storage building. Outbuilding does not include buildings used for commercial type occupancies or additional dwelling occupancies.

(i) First 1300 sq. ft.	\$73.00
Each additional 500 sq. ft. or portion of	\$23.40
(ii) Each outbuilding or detached garage - inspected at the same time as a dwelling unit on the property	\$30.50
(iii) Each outbuilding or detached garage - inspected separately	\$48.10
(iv) Each swimming pool - inspected with the service	\$48.10
(v) Each swimming pool - inspected separately	\$73.00
(vi) Each hot tub, spa, or sauna - inspected with the service	\$30.50
(vii) Each hot tub, spa, or sauna - inspected separately	\$48.10
(viii) Each septic pumping system - inspected with the service	\$30.50
(ix) Each septic pumping system - inspected separately	\$48.10

(b) Multifamily residential and miscellaneous residential structures, services and feeders (New Construction).

Each service and/or feeder		
Ampacity	Service/Feeder	Additional Feeder
0 to 200	\$78.70	\$23.40
201 to 400	\$97.80	\$48.10
401 to 600	\$134.30	\$66.90
601 to 800	\$172.30	\$91.80
801 and over	\$245.70	\$184.30

(c) Single or multifamily altered services or feeders including circuits.

(i) Each altered service and/or altered feeder		
Ampacity	Service/Feeder	
0 to 200	\$66.90	
201 to 600	\$97.80	
601 and over	\$147.40	

(ii) Maintenance or repair of a meter or mast (no alterations to the service or feeder) \$36.30

(d) Single or multifamily residential circuits only (no service inspection).

Note:

Altered or added circuit fees are calculated per panelboard. Total cost of the alterations in an individual panel should not exceed the cost of a complete altered service or feeder of the same rating, as shown in subsection (1) RESIDENTIAL (c) (table) of this section.

- (i) 1 to 4 circuits (see note above) \$48.10
- (ii) Each additional circuit (see note above) \$5.30

(e) Mobile homes, modular homes, mobile home parks, and RV parks.

- (i) Mobile home or modular home service or feeder only \$48.10
- (ii) Mobile home service and feeder \$78.70

(f) Mobile home park sites and RV park sites.

Note:

For master service installations, see subsection (2) COMMERCIAL/INDUSTRIAL of this section.

- (i) First site service or site feeder \$48.10
- (ii) Each additional site service; or additional site feeder inspected at the same time as the first service or feeder \$30.50

(2) Commercial/industrial.

(a) New service or feeder, and additional new feeders inspected at the same time (includes circuits).

Note:

For large COMMERCIAL/INDUSTRIAL projects that include multiple feeders, "inspected at the same time" can be interpreted to include additional inspection trips for a single project. The additional inspections must be for electrical work specified on the permit at the time of purchase. The permit fee for such projects must be calculated from (2)(a)(i)(table) of this section. However, the total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) PROGRESS INSPECTIONS of this section.

Ampacity	Service/Feeder	Additional Feeder
0 to 100	\$78.70	\$48.10
101 to 200	\$95.80	\$61.30
201 to 400	\$184.30	\$73.00
401 to 600	\$214.80	\$85.80
601 to 800	\$277.70	\$116.90
801 to 1000	\$339.00	\$141.40
1001 and over	\$369.80	\$197.30

(b) Altered services/feeders (no circuits).

(i) Service/feeder

Ampacity	Service/Feeder
0 to 200	\$78.70
201 to 600	\$184.30
601 to 1000	\$277.70
1001 and over	\$308.40

- (ii) Maintenance or repair of a meter or mast (no alterations to the service or feeder) \$66.90

(c) Circuits only.

Note:

Altered/added circuit fees are calculated per panelboard. Total cost of the alterations in a panel (or panels) should not exceed the cost of a new feeder (or feeders) of the same rating, as shown in subsection (2) COMMERCIAL/INDUSTRIAL (2)(a)(i)(table) above.

- (i) First 5 circuits per branch circuit panel \$61.30
- (ii) Each additional circuit per branch circuit panel \$5.30
- (d) Over 600 volts surcharge per permit. \$61.30

(3) Temporary service(s).

Note:

- (1) See WAC 296-46B-527 for information about temporary installations.
- (2) Temporary stage or concert inspections requested outside of normal business hours will be subject to the portal-to-portal hourly fees in subsection (11) OTHER INSPECTIONS. The fee for such after hours inspections shall be the greater of the fee from this subsection or the portal-to-portal fee.

Temporary services, temporary stage or concert productions.

Ampacity	Service/Feeder	Additional Feeder
0 to 60	\$42.20	\$21.60
61 to 100	\$48.10	\$23.40
101 to 200	\$61.30	\$30.50
201 to 400	\$73.00	\$36.40
401 to 600	\$97.80	\$48.10
601 and over	\$110.90	\$55.30

(4) Irrigation machines, pumps, and equipment.

Irrigation machines.

- (a) Each tower - when inspected at the same time as a service and feeder from (2) COMMERCIAL/INDUSTRIAL \$5.30
- (b) Towers - when not inspected at the same time as a service and feeder - 1 to 6 towers \$73.00
- (c) Each additional tower \$5.30

(5) Miscellaneous - commercial/industrial and residential.

(a) A Class 2 low-voltage thermostat and its associated cable controlling a single piece of utilization equipment or a single furnace and air conditioner combination.

- (i) First thermostat \$36.40
- (ii) Each additional thermostat inspected at the same time as the first \$11.40

(b) Class 2 or 3 low-voltage systems and telecommunications systems. Includes all telecommunications installations, fire alarm, nurse call, energy management control systems, industrial and automation control systems, lighting control systems, and similar Class 2 or 3 low-energy circuits and equipment not included in WAC 296-46B-110 for Class B work.

- (i) First 2500 sq. ft. or less \$42.20
- (ii) Each additional 2500 sq. ft. or portion thereof \$11.40

(c) Signs and outline lighting.

- (i) First sign (no service included) \$36.40
- (ii) Each additional sign inspected at the same time on the same building or structure \$17.30

(d) Berth at a marina or dock.

Note:

Five berths or more shall be permitted to have the inspection fees based on appropriate service and feeder fees from section (2) COMMERCIAL/INDUSTRIAL (a) (i) above.

- (i) Berth at a marina or dock \$48.10
- (ii) Each additional berth inspected at the same time \$30.50

(e) Yard pole, pedestal, or other meter loops only.

- (i) Yard pole, pedestal, or other meter loops only \$48.10
- (ii) Meters installed remote from the service equipment and inspected at the same time as a service, temporary service or other installations \$11.40

(f) Emergency inspections requested outside of normal working hours.

Regular fee plus surcharge of: \$91.80

(g) Generators.

Note:

Permanently installed generators: Refer to the appropriate residential or commercial new/altered service or feeder section.

Portable generators: Permanently installed transfer equipment for portable generators \$66.90

(h) Electrical - annual permit fee.

Note:

See WAC 296-46B-900(14).

For commercial/industrial location employing full-time electrical maintenance staff or having a yearly maintenance contract with a licensed electrical contractor. Note, all yearly maintenance contracts must detail the number of contractor electricians necessary to complete the work required under the contract. This number will be used as a basis for calculating the appropriate fee. Each inspection is based on a 2-hour maximum.

	Inspections	Fee
1 to 3 plant electricians	12	\$1,765.50
4 to 6 plant electricians	24	\$3,532.80
7 to 12 plant electricians	36	\$5,298.90
13 to 25 plant electricians	52	\$7,066.20
More than 25 plant electricians	52	\$8,833.50

(i) Telecommunications - annual permit fee.

Notes:

(1) See WAC 296-46B-900(13).

(2) Annual inspection time required may be estimated by the purchaser at the rate for "OTHER INSPECTIONS" in this section, charged portal-to-portal per hour.

For commercial/industrial location employing full-time telecommunications maintenance staff or having a yearly maintenance contract with a licensed electrical/telecommunications contractor.

2-hour minimum \$146.10

Each additional hour, or portion thereof, of portal-to-portal inspection time \$73.00

(j) Permit requiring ditch cover inspection only.

Each 1/2 hour, or portion thereof \$36.40

(k) Cover inspection for elevator/conveyance installation. This item is only available to a licensed/registered elevator contractor. \$61.30

(6) Carnival inspections.

(a) First carnival field inspection each calendar year.

(i) Each ride and generator truck \$17.30

(ii) Each remote distribution equipment, concession, or gaming show \$5.30

(iii) If the calculated fee for first carnival field inspection above is less than \$89.00, the minimum inspection fee shall be: \$91.80

(b) Subsequent carnival inspections.

(i) First ten rides, concessions, generators, remote distribution equipment, or gaming show \$91.80

(ii) Each additional ride, concession, generator, remote distribution equipment, or gaming show \$5.30

(c) Concession(s) or ride(s) not part of a carnival.

(i) First field inspection each year of a single concession or ride, not part of a carnival \$73.00

(ii) Subsequent inspection of a single concession or ride, not part of a carnival \$48.10

(7) Trip fees.

(a) Requests by property owners to inspect existing installations. (This fee includes a maximum of one hour of inspection time. All inspection time exceeding one hour will be charged at the rate for progressive inspections.) \$73.00

(b) Submitter notifies the department that work is ready for inspection when it is not ready. \$36.40

(c) Additional inspection required because submitter has provided the wrong address or incomplete, improper or illegible directions for the site of the inspection. \$36.40

(d) More than one additional inspection required to inspect corrections; or for repeated neglect, carelessness, or improperly installed electrical work. \$36.40

(e) Each trip necessary to remove a noncompliance notice. \$36.40

(f) Corrections that have not been made in the prescribed time, unless an exception has been requested and granted. \$36.40

(g) Installations that are covered or concealed before inspection. \$36.40

(8) Progress inspections.

Note:

The fees calculated in subsections (1) through (6) of this section will apply to all electrical work. This section will be applied to a permit where the permit holder has requested additional inspections beyond the number supported by the permit fee calculated at the rate in subsections (1) through (6) of this section.

On partial or progress inspections, each 1/2 hour. \$36.40

(9) Plan review.

Fee is thirty-five percent of the electrical work permit fee as determined by WAC 296-46B-905, plus a plan review submission and shipping/handling fee of: \$61.30

(a) Supplemental submissions of plans per hour or fraction of an hour of review time. \$73.00

(b) Plan review shipping and handling fee. \$17.30

(10) Out-of-state inspections.

(a) Permit fees will be charged according to the fees listed in this section.

(b) Travel expenses:

All travel expenses and per diem for out-of-state inspections are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in subsection (11) of this section.

(11) Other inspections.

Inspections not covered by above inspection fees must be charged portal-to-portal per hour: \$73.00

(12) Refund processing fee.

All requests for permit fee refunds will be assessed a processing fee. (Refund processing fees will not be charged for electrical contractors, using the contractor deposit system, who request less than twenty-four refunds during a rolling calendar year.) \$11.40

(13) Variance request processing fee.

Variance request processing fee. This fee is nonrefundable once the transaction has been validated. \$73.00

(14) Marking of industrial utilization equipment.

(a) Standard(s) letter review (per hour of review time). \$73.00

(b) Equipment marking - charged portal-to-portal per hour: \$73.00

(c) All travel expenses and per diem for in/out-of-state review and/or equipment marking are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in (b) of this subsection.

(15) Class B basic electrical work labels.

(a) Block of twenty Class B basic electrical work labels (not refundable). \$200.00

(b) Reinspection of Class B basic electrical work to assure that corrections have been made (per 1/2 hour timed from leaving the previous inspection until the reinspection is completed). See WAC 296-46B-110(8).	\$36.40
(c) Reinspection of Class B basic electrical work because of a failed inspection of another Class B label (per 1/2 hour from previous inspection until the reinspection is completed). See WAC 296-46B-110(8).	\$36.40
(16) Provisional electrical work permit labels.	
Block of twenty provisional electrical work permit labels.	\$200.00

NEW SECTION

WAC 296-46B-909 Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, electrician certificate and examination, temporary electrician permit, copy, and miscellaneous fees.

- Notes:**
- (1) The department will deny renewal of a license, certificate, or permit if an individual owes money as a result of an outstanding final judgment(s) to the department or is in revoked status. The department will deny application of a license, certificate, or permit if an individual is in suspended status.
 - (2) Certificates may be prorated for shorter renewal periods in one-year increments. Each year or part of a year will be calculated to be one year.
 - (3) The amount of the fee due is calculated based on the fee effective at the date payment is made.

(1) General or specialty contractor's license. (Nonrefundable after license has been issued.)	
(a) Per twenty-four-month period	\$232.90
(b) Reinstatement of a general or specialty contractor's license after a suspension	\$47.30
(2) Master electrician/administrator/electrician/trainee certificate.	
(a) Examination application (nonrefundable)	
Administrator certificate examination application. (Required only for department administered examinations.) (Not required when testing with the department's contractor.)	\$29.30
(b) Examination fees (nonrefundable)	
Note:	
Normal examination administration is performed by a state authorized contractor. The fees for such examinations are set by contract with the department. For written examinations administered by the department, use the following fee schedule.	
(i) Master electrician or administrator first-time examination fee (when administered by the department)	\$70.50
(ii) Master electrician or administrator retest examination fee (when administered by the department)	\$82.50
(iii) Journeyman or specialty electrician examination fee (first test or retest when administered by the department)	\$53.00
(iv) Certification examination review fee	\$109.20
(c) Original certificates (nonrefundable after certificate has been issued)	
(i) Electrical administrator original certificate (except 09 telecommunication)	\$105.40
(ii) Telecommunications administrator original certificate (for 09 telecommunications)	\$70.20
(iii) Master electrician exam application (includes original certificate and application processing fee) (\$29.30 is nonrefundable after application is submitted)	\$134.70

(iv) Journeyman or specialty electrician application (includes original certificate and application processing fee) (\$29.30 is nonrefundable after application is submitted)	\$75.60
(v) Training certificate	\$37.10
(A) 0% supervision modified training certificate. Includes trainee update of hours (i.e., submission of affidavit of experience) (\$44.90 is nonrefundable after application is submitted)	\$67.40
(B) 75% supervision modified training certificate.	\$44.90
(C) Unsupervised training certificate as allowed by RCW 19.28.161 (4)(b).	\$22.40
(vi) Temporary electrician permit (valid as allowed and described in WAC 296-46B-940(27))	\$23.40
(d) Certificate renewal (nonrefundable)	
(i) Master electrician or administrator certificate renewal	\$133.20
(ii) Telecommunications (09) administrator certificate renewal	\$88.80
(iii) Late renewal of master electrician or administrator certificate	\$266.40
(iv) Late renewal of telecommunications (09) administrator certificate	\$177.60
(v) Journeyman or specialty electrician certificate renewal	\$70.20
(vi) Late renewal of journeyman or specialty electrician certificate	\$140.50
(vii) Trainee certificate renewal or update of hours (i.e., submission of affidavit of experience)	\$44.90
(e) Reciprocal certificate (nonrefundable)	
(i) Master electrician reciprocal certificate	\$132.20
(ii) Journeyman or specialty electrician reciprocal certificate	\$75.60
(f) Certificate - reinstatement (nonrefundable)	
(i) Reinstatement of a suspended master electrician or administrator's certificate (in addition to normal renewal fee)	\$47.30
(ii) Reinstatement of suspended journeyman, or specialty electrician certificate (in addition to normal renewal fee)	\$22.40
(g) Assignment/unassignment of master electrician/administrator designation (nonrefundable)	\$35.00
(3) Certificate/license.	
(a) Replacement for lost or damaged certificate/license. (Nonrefundable.)	\$15.40
(b) Optional display quality General Master Electrician certificate.	\$25.00
(4) Continuing education courses or instructors. (Nonrefundable.)	
(a) If the course or instructor review is performed by the electrical board or the department	
The course or instructor review	\$45.00
(b) If the course or instructor review is contracted out by the electrical board or the department	
(i) Continuing education course or instructor submittal and approval (per course or instructor)	As set in contract
(ii) Applicant's request for review, by the chief electrical inspector, of the contractor's denial	\$109.50
(5) Copy fees. (Nonrefundable.)	
(a) Certified copy of each document (maximum charge per file):	\$49.80
(i) First page:	\$22.40
(ii) Each additional page:	\$2.00

(b) Replacement RCW/WAC printed document:	\$5.00
(6) Refund processing fee. (Nonrefundable.)	\$11.40
(7) Training school program review fees. Initial training school program review fee. (Nonrefundable.)	
(a) Initial training school program review fee submitted for approval. Valid for three years or until significant changes in program content or course length are implemented (see WAC 296-46B-971(4)).	\$516.00
(b) Renewal of training school program review fee submitted for renewal. Valid for 3 years or until significant changes in program content or course length are implemented (see WAC 296-46B-971(4)).	\$258.00

AMENDATORY SECTION (Amending WSR 04-12-049, filed 5/28/04, effective 6/30/04)

WAC 296-46B-910 Temporary fees—Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, temporary, electrician certificate and examination, temporary electrician permit, copy, and miscellaneous fees. Effective January 1, 2007. If the fee is reduced from the permanent fee in WAC 296-46B-909, the temporary fee is valid through the date indicated for the specific fee or until modified in rule, whichever comes first.

- Notes:**
- (1) The department will deny renewal of a license, certificate, or permit if an individual owes money as a result of an outstanding final judgment(s) to the department or is in revoked status. The department will deny application of a license, certificate, or permit if an individual is in suspended status.
 - (2) Certificates may be prorated for shorter renewal periods in one-year increments. Each year or part of a year will be calculated to be one year.
 - (3) The amount of the fee due is calculated based on the fee effective at the date payment is made.

(1) General or specialty contractor's license. (Nonrefundable after license has been issued.)	
(a) <u>Per twenty-four-month period. Valid through December 31, 2008.</u>	\$((232.90)) 221.00
(b) Reinstatement of a general or specialty contractor's license after a suspension	\$47.30
(2) Master electrician/administrator/electrician/trainee certificate.	
(a) Examination application (nonrefundable)	
Administrator certificate examination application. (Required only for department administered examinations.) (Not required when testing with the department's contractor.)	\$29.30
(b) Examination fees (nonrefundable)	
Note: Normal examination administration is performed by a state authorized contractor. The fees for such examinations are set by contract with the department. For written examinations administered by the department, use the following fee schedule.	
(i) Master electrician or administrator first-time examination fee (when administered by the department)	\$70.50
(ii) Master electrician or administrator retest examination fee (when administered by the department)	\$82.50
(iii) Journeyman or specialty electrician examination fee (first test or retest when administered by the department)	\$53.00
(iv) Certification examination review fee	\$109.20

(c) Original certificates (nonrefundable after certificate has been issued)	
(i) Electrical administrator original certificate (except 09 telecommunication). Valid through December 31, 2009	\$((195.40)) 100.00
(ii) Telecommunications administrator original certificate (for 09 telecommunications). Valid through December 31, 2008	\$((70.20)) 67.00
(iii) (Temporary specialty electrical administrator certificate (valid as allowed and described in WAC 296-46B-930(2)) (valid for twelve months))	\$64.40
(iv) Master electrician original certificate ("grandfather" request)	\$133.20
(v) Master electrician exam application (includes original certificate and application processing fee) (\$29.30 is nonrefundable after application is submitted). Valid through December 31, 2009	\$((134.70)) 128.00
(vi) Journeyman or specialty electrician application (includes original certificate and application processing fee) (\$29.30 is nonrefundable after application is submitted). Valid through December 31, 2009	\$((75.60)) 72.00
(vii) Training certificate. Valid through December 31, 2008	\$((37.10)) 35.00
(A) 0% supervision modified training certificate. Includes trainee update of hours (i.e., submission of affidavit of experience) (\$44.90 is nonrefundable after application is submitted)	\$((67.40)) 64.00
(B) 75% supervision modified training certificate.	\$((44.90)) 43.00
(C) Unsupervised training certificate as allowed by RCW 19.28.161 (4)(b).	\$((22.40)) 21.00
(viii) Temporary electrician permit (valid as allowed and described in WAC 296-46B-940(27))	\$23.40
(ix) Temporary specialty electrician permit (valid as allowed and described in WAC 296-46B-940(28)) (\$29.30 is nonrefundable after the application for the original specialty electrician certificate is submitted) (\$52.70 is nonrefundable after temporary permit is issued)	\$99.00
(d) Certificate renewal (nonrefundable)	
(i) Master electrician or administrator certificate renewal. Valid through December 31, 2009	\$((133.20)) 127.00
(ii) Telecommunications (09) administrator certificate renewal. Valid through December 31, 2008	\$((88.80)) 84.00
(iii) Late renewal of master electrician or administrator certificate	\$266.40
(iv) Late renewal of telecommunications (09) administrator certificate	\$177.60
(v) Journeyman or specialty electrician certificate renewal. Valid through December 31, 2009	\$((70.20)) 67.00
(vi) Late renewal of journeyman or specialty electrician certificate	\$140.50
(vii) Trainee certificate renewal or update of hours (i.e., submission of affidavit of experience). Valid through December 31, 2008	\$((44.90)) 43.00
(viii) Late trainee certificate renewal	\$60.00
(e) Reciprocal certificate (nonrefundable)	
(i) Master electrician reciprocal certificate. Valid through December 31, 2009	\$((132.20)) 126.00
(ii) Journeyman or specialty electrician reciprocal certificate. Valid through December 31, 2009	\$((75.60)) 72.00
(f) Certificate - reinstatement (nonrefundable)	

(i) Reinstatement of a suspended master electrician or administrator's certificate (in addition to normal renewal fee)	\$47.30
(ii) Reinstatement of suspended journeyman, ((or) specialty electrician, or training certificate (in addition to normal renewal fee)	\$22.40
(g) Assignment/unassignment of master electrician/administrator designation (nonrefundable)	\$35.00
(3) Certificate/license.	
(a) Replacement for lost or damaged certificate/license. (Nonrefundable.)	\$15.40
(b) Optional display quality General Master Electrician certificate.	\$25.00
(4) Continuing education/trainee courses or instructors. (Nonrefundable.)	
(a) If the course or instructor review is performed by the electrical board or the department	
The course or instructor review	\$45.00
(b) If the course or instructor review is contracted out by the electrical board or the department	
(i) Continuing education course or instructor submittal and approval (per course or instructor)	As set in contract
(ii) Applicant's request for review, by the chief electrical inspector, of the contractor's denial	\$109.50
(5) Copy fees. (Nonrefundable.)	
(a) Certified copy of each document (maximum charge per file):	\$49.80
(i) First page:	\$22.40
(ii) Each additional page:	\$2.00
(b) ((Replacement)) RCW/WAC printed document:	\$5.00
(6) Refund processing fee. (Nonrefundable.)	\$11.40
(7) Training school program review fees. Initial training school program review fee. (Nonrefundable.)	
(a) Initial training school program review fee submitted for approval. Valid for three years or until significant changes in program content or course length are implemented (see WAC 296-46B-971(4)).	\$516.00
(b) Renewal of training school program review fee submitted for renewal. Valid for 3 years or until significant changes in program content or course length are implemented (see WAC 296-46B-971(4)).	\$258.00

**WSR 06-24-042
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)**

[Filed November 30, 2006, 1:35 p.m., effective January 1, 2007]

Effective Date of Rule: January 1, 2007.

Purpose: The purpose of this rule making is to make clarification and technical changes to the Board of boiler rules—Substantive, chapter 196-104 WAC, based on actions and requests of the board of boiler rules. The changes include correcting the conflicts and discrepancies on boiler clearances; amending the rule regarding safety valve repair to conform with the NBIC; correcting definitions for consistency; and making housekeeping changes and updating references throughout the rule.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-104-256; and amending WAC 296-104-010, 296-104-170, 296-104-200, 296-104-255, 296-104-502, 296-104-520, and 296-104-540.

Statutory Authority for Adoption: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, and 70.79.350.

Adopted under notice filed as WSR 06-17-173 on August 23, 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 7, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 7, 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 7, Repealed 1.

Date Adopted: November 30, 2006.

Craig Hopkins, Chair
Board of Boiler Rules

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-010 Administration—What are the definitions of terms used in this chapter? "Agriculture purposes" shall mean any act performed on a farm in production of crops or livestock, and shall include the storage of such crops and livestock in their natural state, but shall not be construed to include the processing or sale of crops or livestock.

"Attendant" shall mean the person in charge of the operation of a boiler or unfired pressure vessel.

"Automatic operation of a boiler" shall mean automatic unattended control of feed water and fuel in order to maintain the pressure and temperature within the limits set. Controls must be such that the operation follows the demand without interruption. Manual restart may be required when the burner is off because of low water, flame failure, power failure, high temperatures or pressures.

"Board of boiler rules" or **"board"** shall mean the board created by law and empowered under RCW 70.79.010.

"Boiler and unfired pressure vessel installation/reinstallation permit," shall mean a permit approved by the chief inspector before starting installation or reinstallation of any boiler and unfired pressure vessel within the jurisdiction of Washington.

Owner/user inspection agency's, and Washington specials are exempt from "boiler and unfired pressure vessel installation/reinstallation permit."

"Boilers and/or unfired pressure vessels" - below are definitions for types of boilers and unfired pressure vessels used in these regulations:

- **"Condemned boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that has been inspected and declared unsafe or disqualified for further use by legal requirements and appropriately marked by an inspector.
 - **"Hot water heater"** shall mean a closed vessel designed to supply hot water for external use to the system. All vessels must be listed by a nationally recognized testing agency and shall be protected with an approved temperature and pressure safety relief valve and shall not exceed any of the following limits:
 - * Pressure of 160 psi (1100 kpa);
 - * Temperature of 210 degrees F (99°C);
 - * Capacity of 120 U.S. gallons (454 liters);
 - * Input of 200,000 BTU/hr (58.58 kw). Note that if input exceeds 200,000 BTU/hr (58.58 kw), other terms defined in this section may apply.
 - * Hot water heaters exceeding 200,000 BTU/hr (58.58 kw) must be ASME code stamped.
 - **"Low pressure heating boiler"** shall mean a steam or vapor boiler operating at a pressure not exceeding 15 psig or a boiler in which water or other fluid is heated and intended for operation at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy (~~including~~), excluding lined hot water heaters supplying potable (water heaters) hot water for external use to the system.
 - **"Nonstandard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that does not bear marking of the codes adopted in WAC 296-104-200.
 - **"Power boiler"** shall mean a boiler in which steam or other vapor is generated at a pressure of more than 15 psig for use external to itself or a boiler in which water or other fluid is heated and intended for operation at pressures in excess of 160 psig and/or temperatures in excess of 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy.
 - **"Reinstalled boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel removed from its original setting and reset at the same location or at a new location without change of ownership.
 - **"Rental boiler"** shall mean any power or low pressure heating boiler that is under a rental contract between owner and user.
 - **"Second hand boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel of which both the location and ownership have changed after primary use.
 - **"Standard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel which bears the marking of the codes adopted in WAC 296-104-200.
 - **"Unfired pressure vessel"** shall mean a closed vessel under pressure excluding:
 - * Fired process tubular heaters;
 - * Pressure containers which are integral parts of components of rotating or reciprocating mechanical devices where the primary design considerations and/or stresses are derived from the functional requirements of the device;
 - * Piping whose primary function is to transport fluids from one location to another;
 - * Those vessels defined as low pressure heating boilers or power boilers.
 - **"Unfired steam boiler"** shall mean a pressure vessel in which steam is generated by an indirect application of heat. It shall not include pressure vessels known as evaporators, heat exchangers, or vessels in which steam is generated by the use of heat resulting from the operation of a processing system containing a number of pressure vessels, such as used in the manufacture of chemical and petroleum products, which will be classed as unfired pressure vessels.
- "Certificate of competency"** shall mean a certificate issued by the Washington state board of boiler rules to a person who has passed the tests as set forth in WAC 296-104-050.
- "Certificate of inspection"** shall mean a certificate issued by the chief boiler inspector to the owner/user of a boiler or unfired pressure vessel upon inspection by an inspector. The boiler or unfired pressure vessel must comply with rules, regulations, and appropriate fee payment shall be made directly to the chief boiler inspector.
- "Code, API-510"** shall mean the Pressure Vessel Inspection Code of the American Petroleum Institute with addenda and revisions, thereto made and approved by the institute which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.
- "Code, ASME"** shall mean the boiler and pressure vessel code of the American Society of Mechanical Engineers with addenda thereto made and approved by the council of the society which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.
- "Code, NBIC"** shall mean the National Board Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors with addenda and revisions, thereto made and approved by the National Board of Boiler and Pressure Vessel Inspectors and adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.
- "Commission"** shall mean an annual commission card issued to a person in the employ of Washington state, an insurance company or a company owner/user inspection agency holding a Washington state certificate of competency which authorizes them to perform inspections of boilers and/or unfired pressure vessels.
- "Department"** as used herein shall mean the department of labor and industries of the state of Washington.
- "Director"** shall mean the director of the department of labor and industries.
- "Domestic and/or residential purposes"** shall mean serving a private residence or an apartment house of less than six families.
- "Existing installations"** shall mean any boiler or unfired pressure vessel constructed, installed, placed in operation, or contracted for before January 1, 1952.

"Inspection certificate" see "certificate of inspection."

"Inspection, external" shall mean an inspection made while a boiler or unfired pressure vessel is in operation and includes the inspection and demonstration of controls and safety devices required by these rules.

"Inspection, internal" shall mean an inspection made when a boiler or unfired pressure vessel is shut down and handholes, manholes, or other inspection openings are open or removed for examination of the interior. An external ultrasonic examination of unfired pressure vessels less than 36" inside diameter shall constitute an internal inspection.

"Inspector" shall mean the chief boiler inspector, a deputy inspector, or a special inspector.

- **"Chief inspector"** shall mean the inspector appointed under RCW 70.79.100 who serves as the secretary to the board without a vote.
- **"Deputy inspector"** shall mean an inspector appointed under RCW 70.79.120.
- **"Special inspector"** shall mean an inspector holding a Washington commission identified under RCW 70.79.130.

"Nationwide engineering standard" shall mean a nationally accepted design method, formulae and practice acceptable to the board.

"Operating permit" see "certificate of inspection."

"Owner" or **"user"** shall mean a person, firm, or corporation owning or operating any boiler or unfired pressure vessel within the state.

"Owner/user inspection agency" shall mean an owner or user of boilers and/or pressure vessels that maintains an established inspection department, whose organization and inspection procedures meet the requirements of a nationally recognized standard acceptable to the department.

"Place of public assembly" or **"assembly hall"** shall mean a building or portion of a building used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking, or dining or waiting transportation. This shall also include child care centers (those agencies which operate for the care of thirteen or more children), public and private hospitals, nursing and boarding homes.

"Special design" shall mean a design using nationwide engineering standards other than the codes adopted in WAC 296-104-200 or other than allowed in WAC 296-104-230.

AMENDATORY SECTION (Amending WSR 02-23-036, filed 11/13/02, effective 12/14/02)

WAC 296-104-170 Inspection—When are shop inspections required? Shop inspections shall be as required in the standards of construction as adopted in WAC 296-104-200. Only inspectors and supervisors of inspectors holding a national board commission with the appropriate endorsements ((and a commission issued by the state of Washington)) shall make shop inspections in this state. ((Supervisors of inspectors who perform shop inspections in the state need only a National Board Commission with the appropriate endorsements.))

Upon request from a boiler or pressure vessel manufacturer holding an ASME Certificate of Authorization within

the jurisdiction, the department shall provide inspection services as required by the ASME Code. The manufacturer receiving such inspection services shall reimburse the department for the time and expenses in accordance with the fee schedule established in WAC 296-104-700.

AMENDATORY SECTION (Amending WSR 05-22-092, filed 11/1/05, effective 1/1/06)

WAC 296-104-200 Construction—What are the standards for new construction? The standards for new construction are:

(1) ASME Boiler and Pressure Vessel Code, 2004 edition, with addenda Sections I, III, IV, VIII, Division 1, 2, 3, X, XII;

(2) ASME PVHO-1 2002-2003 Safety Standard for Pressure Vessels for Human Occupancy; and

(3) ASME CSD-1 ((2002)) 2004 edition with addenda (as referenced in WAC 296-104-302); and

(4) NFPA 85 Boiler and Combustion Systems Hazards Code 2004 edition (for use with boilers with fuel input ratings of 12, 500,000 BTU/hr) or greater; and

(5) Standards of construction approved by the chief inspector and meeting the National Board Criteria for Registration of Boilers, Pressure Vessels and Other Pressure Retaining Items.

These codes and standards may be used on or after the date of issue and become mandatory twelve months after adoption by the board as specified in RCW 70.79.050(2). ASME Code Cases may be approved for use when accepted by the chief inspector. The board recognizes that the ASME Code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. For nuclear systems, components and parts the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

AMENDATORY SECTION (Amending WSR 96-21-081, filed 10/16/96, effective 11/16/96)

WAC 296-104-255 Installation—((Clearance at top of)) What are the required clearances for boilers(=)?

When boilers are replaced or new boilers installed in either existing or new buildings, a minimum top clearance as specified below shall be provided between the top of boiler proper and ceiling. Sufficient access must be provided for inspection, maintenance, operations, and repair. Required clearances shall be:

(1) Minimum clearance on top of power boilers having a steam generating capacity in excess of 5,000 pounds per hour or having a heating surface in excess of 1,000 sq. ft. or input in excess of 5,000,000 btu per hour((-Clearance)) shall be 7 feet.

(2) Minimum clearance on top of low pressure heating boilers which exceed any one of the following limits: 5,000,000 btu input; 5,000 lbs. steam per hour capacity or 1,000 sq. ft. heating surface; and power boilers which do not exceed any of the following limits: 5,000,000 btu input; 5,000 lbs. steam per hour capacity or 1,000 sq. ft. heating surface; ((and all boilers with manholes on top of boiler except those described in paragraph (1) above)) shall be . . . 3 feet.

(3) ~~((Low pressure heating))~~ Minimum clearance on top of boilers which do not exceed the above limits and miniature boilers; shall be 2 feet.

(4) Minimum clearance from manhole openings and any wall, ceiling, or piping that will prevent a person from entering the boiler shall be 5 feet.

(5) Minimum clearances at sides, front and back wall shall be the manufacturers' recommendations, but in no case less than eighteen inches.

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-502 Repairs—What are the requirements for nonnuclear boilers and unfired pressure vessel repairs and alterations? Repairs and alterations to nonnuclear boilers and pressure vessels shall be made in accordance with the rules of the National Board Inspection Code (NBIC) as adopted in WAC 296-104-102. Additionally, repairs and alterations to nonstandard boilers and pressure vessels, as addressed in WAC 296-104-215, must be authorized by the chief inspector.

Repairs and alterations may be made by an organization ~~((authorized by the jurisdiction and))~~ in possession of a valid Certificate of Authorization for use of the "R" symbol stamp, issued by the National Board provided such repairs/alterations are within the scope of the authorization.

Owner/user special inspectors may only accept repairs and alterations to boilers and unfired pressure vessels operated by their respective companies per RCW 70.79.130.

Documentation of repairs and alterations, in accordance with the requirements of the National Board Inspection Code (NBIC) as adopted in WAC 296-104-102, shall be submitted to the department.

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-520 Repairs—What are the requirements for repair of nonnuclear safety devices? (1) ~~The resetting, repairing, and restamping of safety valves and relief valves shall be done by a qualified ((manufacturer or)) valve repair organization holding a valid ((("V," "UV," or)) "VR" Certificate of Authorization issued by the National Board of Boiler and Pressure Vessel Inspectors. ((Section IV safety valves shall be repaired only by the valve manufacturer-)) ASME valve manufacturers holding a valid "V," "HV," and "UV" Certificate(s) of Authorization may also do this work provided they also have a valid "VR" Certificate of Authorization issued by the National Board.~~

(2) ~~With jurisdictional approval, boiler and pressure vessel owners/users, ((however,)) may authorize external adjustments ((to be made)) to bring their installed safety valves and relief valves, ((except Section IV safety valves-)) back to the stamped set pressure when performed by the owner/user's trained, qualified, regular, and full-time employees ((or this adjustment shall be witnessed and approved by a National Board Commissioned Inspector)). Refer to Appendix "J" of the National Board Inspection Code as referenced in WAC 296-104-102 for guidelines ((in)) regarding training ((and qualifying)), documentation, and the implementation of a~~

quality system for the owner/user employees. All such external adjustments shall be resealed with a metal tag showing the identification of the organization making the adjustments and the date. If any valve repairs are required, they shall be done by a qualified "VR" certificate holder.

(3) ~~Repairing of noncode relief or safety valves shall not be allowed, except as specified below. Noncode liquid relief valves installed prior to 1-1-85 shall be repaired by an organization holding a valid ((("V," "UV," or)) "VR" Certificate of Authorization, but need not be stamped.~~

AMENDATORY SECTION (Amending WSR 98-22-024, filed 10/28/98, effective 11/28/98)

WAC 296-104-540 Repairs—What are the requirements for nuclear repairs of safety devices? All nuclear ~~((components))~~ pressure retaining items shall be safeguarded by safety devices, as specified in the ASME Section III ~~((Code)), Division 1, Class 1, 2, and 3.~~

(1) ~~The resetting, repair, and restamping of these safety devices shall be performed only by organizations holding a valid ((ASME "N")) National Board "NR" and "VR" Certificate of Authorization to repair ASME Section III Code safety devices. The repair work shall be documented on the applicable NR-1/NVR-1 form. All repair/replacement activities performed under the "NR" Certificate of Authorization must be in accordance with the provisions of the NBIC, ASME Section XI, and the rules of the jurisdiction.~~

(2) ~~Nuclear plant owners with an approved ASME Section XI program, may authorize ((resetting, repairing or replacement of their safety devices)) external adjustments to bring their installed safety valves and relief valves back to the stamped set pressure when performed by the owner's/user's trained, qualified, regular, and full-time employees. Refer to Appendix "J" of the National Board Inspection Code as referenced in WAC 296-104-102 for guidelines regarding training, documentation, and implementation of a quality system for the owner/user employees.~~

(3) ~~((Resetting, repairing or replacement activities shall be witnessed and approved by an inspector, with appropriate National Board endorsements-)) All such external adjustments shall be resealed with a metal tag showing the identification of the organization making the adjustments and the date.~~

(4) ~~((All repaired safety devices shall be resealed showing the identification of the organization making the repair and the date-)) If any valve repairs are required, they shall be done by a qualified "VR" and "NR" certificate holder.~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-104-256 Installation—What are the required clearances for boilers?

WSR 06-24-043
PERMANENT RULES
DEPARTMENT OF REVENUE

[Filed November 30, 2006, 2:39 p.m., effective December 31, 2006]

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

Purpose: The department is adopting five new rules to clarify the scope of RCW 84.36.070, which is an exemption of intangible personal property from property taxation. The rules also will assist taxpayers, the department, and assessors in consistently applying the exemption. These new rules are WAC 458-50-150 Intangible personal property exemption—Introduction, 458-50-160 Exempt intangible property distinguished from other intangibles, 458-50-170 Valuation principles, 458-50-180 Appraisal practices relating to valuing intangible personal property, and 458-50-190 Valuation of particular assets.

The department is also revising one rule in chapter 458-12 WAC, Rules for assessors, and one rule in chapter 458-16 WAC, Exemptions, to reference these new rules.

Citation of Existing Rules Affected by this Order: Amending WAC 458-12-005 Definition—Property—Personal and 458-16-115 Personal property exemptions for household goods, furnishings, and personal effects, and for the head of a family.

Statutory Authority for Adoption: RCW 84.08.010, 84.08.070, and 84.36.865.

Adopted under notice filed as WSR 06-20-114 on October 4, 2006.

Changes Other than Editing from Proposed to Adopted Version: WAC 458-50-160, the last sentence in subsection (3): "Intangible assets that are separately identified and valued in reports filed with any state or federal regulatory agency, may be considered when identifying and valuing intangible personal property of the types listed in subsection (2)(c)" has been added.

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 5, Amended 2, Repealed 0.

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 5, Amended 2, Repealed 0.

Date Adopted: November 30, 2006.

Janis P. Bianchi, Assistant Director
 Interpretations and Technical Advice Division

NEW SECTION

WAC 458-50-150 Intangible personal property exemption—Introduction. (1) **Goal of these rules relative to exemption of intangible personal property.** Although

the Washington Constitution allows for property taxation of all property subject to ownership, "whether tangible or intangible," the legislature has exempted some intangible property from property taxation for many years. In 1997, the legislature expanded the property tax exemption for intangible personal property and provided examples of exempt property. The following rules are intended to provide additional clarification of the statute and provide guidelines to be used by assessing officials in determining the taxable value of property. The goal is to ensure, in as fair and equitable a manner as possible, that all taxable property is assessed and all non-taxable property is not assessed.

(2) **Application of these rules.** These rules primarily implement RCW 84.36.070, which establishes a property tax exemption for intangible personal property, but also apply to chapters 84.12 and 84.16 RCW, the statutory chapters dealing with the assessment of public utility, and private car company property, respectively, by the state, and to chapter 84.40 RCW, which deals with assessment of property by the county assessor.

NEW SECTION

WAC 458-50-160 Exempt intangible property distinguished from other intangibles. (1) **Distinction between property, and characteristics or attributes of property.** The statute (RCW 84.36.070) draws a distinction between intangible personal property and the characteristics or attributes of property, both real and personal. Intangible personal property is exempt from property taxation. However, some characteristics or attributes of property, even though intangible, may be considered in establishing the taxable value of tangible property.

(2) **What intangible personal property is exempt?** The listings of examples of intangible personal property contained in RCW 84.36.070(2) must be consulted, but those listings can be summarized as follows:

(a) Financial intangible property, such as moneys, credits, and publicly issued bonds and warrants, and the bonds, stocks, or shares of private corporations;

(b) Private personal service contracts and athletic or sports franchises, or sports agreements that do not pertain to the use or possession or any interest in tangible personal or real property; and

(c) Miscellaneous types of intangible personal property, such as trademarks, trade names, brand names, patents, copyrights, trade secrets, franchise agreements, licenses, permits, core deposits of financial institutions, noncompete agreements, customer lists, patient lists, favorable contracts, favorable financing agreements, reputation, exceptional management, prestige, good name, integrity of a business, and other similar types of intangible personal property.

(3) **Identifying exempt intangible personal property.** Intangible property is only exempt if it is personal property capable of being individually owned, used, transferred, or held separately from other property. The market value of separate items of intangible personal property should not be identified or characterized solely using residual accounting methods, or other indirect techniques, such as isolating "excess earnings," from a total business valuation. Market

value of exempt intangible personal property should be verifiable, to the extent possible, in an openly traded market where the value of comparable intangible properties can be observed and considered. Intangible assets that are separately identified and valued in reports filed with any state or federal regulatory agency, may be considered when identifying and valuing intangible personal property of the types listed in subsection (2)(c) of this section.

(4) **What intangible characteristics, attributes or other factors affect value and may be considered?** Non-property intangible characteristics or attributes are elements or components of value associated with a real or tangible asset. These characteristics or attributes are "intangible" but they are not "property" and therefore are not tax exempt intangible personal property. They are contingent and dependent upon other property and cannot be owned, used, transferred, or held separately from other property. To the extent that these characteristics, attributes, or other factors contribute to, or affect, the value of property, they must be appropriately considered when determining taxable value. They include the following types:

(a) Zoning, location, view, geographic features, easements, covenants, proximity to raw materials, condition of surrounding property, proximity to markets, or the availability of a skilled work force;

(b) Grants of licenses, permits, and franchises by a government agency that affect the use of the property being valued; and

(c) Other characteristics of property, such as scarcity, uniqueness, adaptability, or utility as an integrated unit.

NEW SECTION

WAC 458-50-170 Valuation principles. (1) **What is meant by "true and fair value"?** One hundred percent of true and fair value is the standard used by assessing officials for valuing both taxable property and exempt property. True and fair value is the same as market value or fair market value. It is the amount of money a buyer of property willing but not obligated to buy would pay a seller of property willing but not obligated to sell, taking into consideration all uses to which the property is adapted and might in reason be applied. This term incorporates all the rights and benefits, present and future, associated with the ownership of property.

(2) **Approaches to value.** All three traditional and generally accepted approaches to value may be used by assessing officials. These approaches are cost, including the actual cost new or historical cost less depreciation, the cost of reproduction new less any depreciation, the cost of replacement new less any depreciation; income, including the past, present, and prospective gross and net earnings of the whole system as a unit; and comparable sales (commonly called "market"), including, but not limited to, a technique known as the stock and debt method that considers the par value, actual value and market value of the company's outstanding stocks and bonds during one or more preceding years.

(3) **Generally accepted appraisal practices.** "Generally accepted appraisal practices" are the appropriate application in the valuation of real, and tangible and intangible personal property, of accepted standards of professional

appraisal practice as described in the Uniform Standards of Professional Appraisal Practice issued by the Appraisal Standards Board of the Appraisal Foundation or the accepted standards of other nationally recognized professional appraisal organizations.

NEW SECTION

WAC 458-50-180 Appraisal practices relating to valuing intangible personal property. (1) **Unit valuation.** Unit valuation is a method of determining the market value of a company, business, or property as a whole without reference to individual parts or components. For example, a railroad company may have many miles of track, or a pipeline company may have many miles of pipe, but if the track or the pipe is not connected in a useful and interdependent way to the rest of the company's system as a whole, the track or the pipe have considerably less value. However, when all the interdependent assets of a company are working together and functioning synergistically as a unit, the value of the company as a whole is independent of the value of the component parts. Similarly, the roof or the walls of a house may have value independently of the structure as a whole, but the market value of the house, for purposes of taxation, is determined as a unit. Market value is the value of the unit as a whole, not a summation of fractional appraisals of the component parts. The unit value may have enhanced taxable value above, taxable value equal to, or taxable value lower than what the sum of the value of the component parts may indicate. The department is specifically authorized to take into consideration, among other things, "the value of the whole system as a unit," when valuing companies with operating property in more than one county or more than one state. (RCW 84.12.-300; *see also* RCW 84.16.050.)

(2) **Situs, allocation, and apportionment.** Property taxes may only be levied upon property having situs in this state, in other words, upon property located in this state. The process of dividing up the unit value of a company among the states where it has a presence is called allocation. The process of dividing up the allocated state value among the taxing jurisdictions within a state is called apportionment. Once the taxable value, meaning the total value of a company's operating property in this state less the exempt value, has been determined, the taxable value is apportioned as required by law.

(3) **Valuation of exempt intangible personal property.** Assessing officials may use one of two methods, as appropriate, to determine the value of intangible personal property that is exempted from a company's unit value. The first method is the method by which the true and fair value of the exempt intangible personal property is deducted from the true and fair value of the operating property at the system level to arrive at taxable value at the system or entity level. The second method is the method by which the true and fair value of exempt intangible personal property is excluded from the value of the operating property at the system level by using a valuation model that approximates the value of the nonexempt assets only. These two methods are explained in more detail as follows.

(a) The first method is a two-step process that involves valuing the entire company operation, the unit, as the first step, using any or a combination of the three traditional approaches to value. Then the exempt property is separately identified, valued, and deducted from the unit value. In valuing the exempt property, assessing officials use generally accepted appraisal practices, including sales of similar intangible personal property, capitalization rates obtained through those sales, or by identifying cash flows attributable to each intangible personal property asset. When using this method, the value resulting from deducting the exempt value of intangible personal property from the entire company value, is the taxable value at the system or entity level. From that value, the proper value must then be allocated to this state and apportioned to the local taxing jurisdictions by law.

(b) The second method involves an appraisal process using an appraisal model that intrinsically approximates the exclusion of exempt intangible value. This process assumes the existence of intangible personal property in the overall value of the company being valued, but does not specifically identify or value individual intangible personal property assets. Although the model may not actually exclude the value of exempt intangible personal property, it simulates the effect of exempting intangible personal property by producing a lower assessed value equivalent to the exclusion of exempt intangible property.

(4) **Unit value at the county level.** When a business operates in more than one location within a county, but is physically, economically, and functionally integrated, it may also be valued by the assessor as a unit. However, properties that share a name, for example, but are independently operated, such as bank branches, retail outlets, radio stations, or hotels or motels that are part of a chain, should generally be valued as stand-alone enterprises, and not as physically, economically, and functionally integrated units. An assessor should consider the unit being assessed to be the same unit a typical purchaser would consider in an openly traded market. If the property being assessed would typically be purchased as a stand-alone and independent operation without reference to a larger entity, then that is how it should be assessed. If the property being assessed would typically be included in the purchase of a larger entity, then the assessor should consider the influence on value that being included within the larger unit would have on the property being assessed.

NEW SECTION

WAC 458-50-190 Valuation of particular assets. (1) Computer software. Computer software is generally exempt from property taxation. The exemption is specifically dealt with in RCW 84.36.600 (exemption), RCW 84.04.150 (definitions), and WAC 458-12-251. Computer software and embedded software is valued in accordance with RCW 84.40.037. RCW 84.36.070 and these rules (WAC 458-50-150 through 458-50-190) do not apply to computer software, and nothing in that statute or these rules may be construed to amend or modify that existing statute and the rule dealing with the property tax treatment of computer software.

(2) In valuing low income or other housing which qualifies for federal income tax credits, those tax credits are exempt from property taxation to the extent that they are transferable separate and apart from any interest in the housing property.

AMENDATORY SECTION (Amending Order PT 68-6, filed 4/29/68)

WAC 458-12-005 Definition—Property—Personal.

(1) Introduction. The terms "personal property" and "real property" are defined in RCW 84.04.080 and 84.04.090, respectively. These definitions should routinely be consulted in any case where it is at all doubtful whether a given piece of property is real or personal.

Personal property, as defined in RCW 84.04.080, falls into two categories; namely, *tangible* personal property, that is to say, things which have a physical existence, and *intangible* personal property which consists of rights and privileges having a legal but not a physical existence.

(2) Tangible personal property. The category of tangible personal property includes but is not limited to the following:

~~((+))~~ **(a)** Goods and chattels. RCW 84.04.080. This category includes most tangible movables, such as:

~~((+))~~ **(i)** Inventories, AGO 57-58, No. 206 (1958);

~~((+))~~ **(ii)** Farm machinery, AGO 1909-1910, p. 51;

~~((+))~~ **(iii)** Livestock and poultry (~~RCW 84.44.060~~);

~~((+))~~ **(iv)** Logs and lumber, RCW 84.44.030;

~~((+))~~ **(v)** Motor vehicles, RCW 84.44.050;

~~((+))~~ **(vi)** Books, *Booth & Henford Abstract Company v. Phelps*, 8 Wash. 549 (1894);

~~((+))~~ **(vii)** Coin collections and coin inventories of coin dealers, AGO 63-64, No. 116 (1964); and

~~((+))~~ **(viii)** Tools.

~~((+))~~ **(b)** All standing timber held or owned separately from the ownership of the land on which it stands, RCW 84.04.080; *Leuthold v. Davis*, 56 Wn.2d 710 (1960).

~~((+))~~ **(c)** All fish traps, pound net, reef net, set net and drag seine fishing locations, RCW 84.04.080.

~~((+))~~ **(d)** All ~~((privately owned))~~ privately owned improvements, including buildings and the like, upon publicly owned lands which have *not* become part of the realty, RCW 84.04.080; *Pier 67, Inc. v. King County*, 71 W.D.2d 89 (1967); AGO 1935-1936, p. 167; AGO 3-25-52; TCR 6-17-1947.

~~((+))~~ **(e)** All gas and water mains and pipes laid in roads, streets or alleys, RCW 84.04.080.

~~((+))~~ **(f)** Water craft of all descriptions, RCW 84.04.080, *Black v. State*, 67 Wn.2d 97 (1965), provided they have acquired an actual situs in the taxing county pursuant to RCW 84.44.050.

~~((+))~~ **(g)** Foxes, mink, marten, fish, oysters and all other animals held or raised in captivity for business or commercial purposes, including livestock. (~~RCW 16.72.050; AGO 4-16-1900; AGO 1927-1928, p. 88; TCR 1-6-36.~~)

~~((+))~~ **(h)** The roads and bridges of plank roads, gravel roads, turnpike or bridge companies. (~~RCW 84.44.040.~~)

~~((+))~~ **(i)** Trade fixtures. This concept, which is peculiar to the landlord-tenant relationship, refers to the machinery or

equipment of any commercial or industrial business which operates on leased land or in rented quarters. Such machinery or equipment is a trade fixture; i.e., the tenant's personal property, no matter how firmly it may be attached to the landlord's realty, unless it could not be removed without virtually destroying the building housing it, or otherwise seriously damaging the landlord's realty. Brown on *Personal Property* (2d Edition 1955), Sec. 144.

~~((10))~~ (j) All engines and machinery of every description used or designed to be used in any process of refining or manufacturing, unless such engines and machinery shall have been included as part of any parcel of real property as defined in WAC 458-12-010(3).

~~((11))~~ (k) All buildings and other permanent improvements constructed or placed upon the easements of public service corporations other than railroads.

~~((12))~~ (l) All surface leases, whether of public or ~~(privately-owned)~~ privately owned land, except leases for the life of the lessee. RCW 84.04.080; AGO 49-51, No. 476 (1951); TCR 8-8-41: *In Re Barclay's Estate*, 1 Wn.2d 82 (1939). This category includes practically all leases to corporations because the legal life of a corporation is almost always longer than the term of any lease to it. *Pier 67, Inc., v. King County*, 71 W.D.2d 89 (1967).

(3) Intangible personal property. Intangible personal property includes but is not necessarily limited to the following:

~~((1))~~ (a) Contract rights to cut timber on either public or ~~(privately-owned)~~ privately owned land under which title to the timber has not yet passed. AGO 53-55, No. 29 (1953) (~~(PTB 222 (1-13-53))~~). A contract right to cut timber is a mere license, and all contractual licenses to use someone else's realty are personal property. (~~See WAC 458-12-005 (5-Intangibles)~~).

~~((2))~~ (b) All mining claims, whether patented or unpatented, which are located on public land. TCR 10-3-35; TCR 4-4-1950; AGO 55-57, No. 327 (1956); *American Smelting and Refining Company v. Whatcom County*, 13 Wn.2d 295 (1942).

~~((3))~~ (c) All mining or prospecting *leases*, whether on public or ~~(privately-owned)~~ privately owned land, except leases for the life of the lessee. RCW 84.04.080; TCR 4-22-36; *Walla Walla Oil, Gas & Pipe Line Company v. Vallentine*, 103 Wash. 359 (1918).

~~((4))~~ (d) All contractual licenses to use public or someone else's land for specified purposes, or to take something from public or someone else's land, which have a specified minimum term. Examples: Timber contracts, AGO 53-55, No. 29, (1953); oil and gas prospecting permits, *Walla Walla Oil, Gas & Pipe Line Company v. Vallentine*, 103 Wash. 359 (1918); grazing permits; permits to take gravel or other minerals, TCR 4-22-1936. However, a license or permit which is revocable at the will of the landowner is not property at all because it gives the licensee no ~~(legally-protected)~~ legally protected right or interest whatsoever.

~~((5))~~ (e) All possessory rights in realty which are divorced from the title to the realty. TCR 10-3-35; AGO 1937-1938, p. 353. Such possessory rights are analogous to leases; hence they are personal property unless they are coextensive with the life of their holder. This category includes

the possessory interest which an installment contract for the sale of public or ~~(privately-owned)~~ privately owned land creates in the vendee. See RCW 84.40.230.

~~((6))~~ (f) Public utility franchises owned by public service corporations. A public utility franchise is the right to use publicly owned real estate for power lines, gas or water lines, sewers or some other public utility facility. *Commercial Electric Light and Power Company v. Judson*, 21 Wash. 49 (1899); *Chehalis Broom Company v. Chehalis County*, 24 Wash. 135 (1901). Such public utility franchises are very similar to public utility easements, which are personal property under Paragraph 8 thereof. However, a Washington corporation's primary franchise to exist and do business in corporate form is not taxable property. *Bank of Fairfield v. Spokane County*, 173 Wash. 145 (1933).

~~((7))~~ (g) Public utility easements owned by public service corporations other than railroads. RCW 84.20.010.

(h) See WAC 458-50-150 through 458-50-190 for rules relating to exemption of intangible personal property under RCW 84.36.070.

AMENDATORY SECTION (Amending WSR 02-19-004, filed 9/4/02, effective 10/5/02)

WAC 458-16-115 Personal property exemptions for household goods, furnishings, and personal effects, and for the head of a family. (1) Introduction. This rule explains the personal property tax exemption for household goods, furnishings, and personal effects. It also explains the exemption available to the head of a family for otherwise taxable personal property up to a value of three thousand dollars. These exemptions are provided by RCW 84.36.110. (For rules dealing with exemptions of intangible personal property under RCW 84.36.070, see WAC 458-50-150 through 458-50-190.)

(2) Exemption for household goods, furnishings, and personal effects. All household goods and furnishings actually being used to equip and outfit the owner's residence or place of abode and all personal effects held by any person for his or her exclusive use and benefit are exempt from property taxation. Any household goods and furnishings or personal effects held for sale or commercial use do not qualify for this exemption. RCW 84.36.110(1).

(a) What are household goods and furnishings? "Household goods and furnishings" are all items of tangible personal property normally located in or about a residence and used or held to enhance the value or enjoyment of the residence, including its premises. The phrase includes, but is not limited to, movable items of necessity, convenience, or decoration, such as furniture, appliances, food, pictures, and tools and equipment used to maintain the residence. Personal property qualifying for this exemption retains its exempt status while temporarily in storage or while being used temporarily at locations other than the owner's residence.

"Household goods and furnishings" do not include items of personal property constructed primarily for use independent of and separate from a residence such as boats, motor vehicles, campers, and travel trailers. However, certain motor vehicles, campers, and travel trailers may be entitled to an exemption from property taxation under RCW 84.36.595.

Also, some boats may be wholly or partially exempt from property taxation under RCW 84.36.080 and 84.36.090.

(b) **What are personal effects?** "Personal effects" are items of tangible property of a personal or intimate nature that usually and ordinarily accompany a person such as wearing apparel, jewelry, and articles of a similar nature. RCW 84.36.120.

(c) **When are household goods, furnishings, and personal effects not exempt?** Personal property held for sale or used for any business or commercial purpose does not qualify for the household goods exemption. Thus, property used to equip and outfit a motel, hotel, apartment, sorority, fraternity, boarding house, rented home, duplex, or any other premises not used by the owner for his or her own personal residence or place of abode does not qualify for this exemption. Likewise, a hairdresser who uses any portion of his or her home as a beauty salon cannot claim a household goods exemption for personal property held for sale or otherwise used in the business. Business inventories, however, are exempt from property taxation under RCW 84.36.477.

Following is a nonexclusive list of items that are exempt as household goods or furnishings if they are used in a residence or place of abode but are fully taxable if they are used for business or commercial purposes.

(i) Desks are exempt as household goods if they are used in a residence but are taxable if they are used in a business office, including an office located in the owner's residence.

(ii) Silverware and china are exempt if they are used in a residence but are taxable if they are used in a restaurant.

(iii) Art or other collections are exempt if they are located in a residence but are taxable if they are located in a public display or used for commercial purposes.

(iv) Power equipment such as lawnmowers used exclusively to enhance the value or enjoyment of a residence, including its premises, are exempt, but they are taxable when used to maintain a golf course or for any other business or commercial purpose.

(3) **Exemption for the head of a family.** Each head of a family is entitled to an exemption from his or her taxable personal property in an amount up to three thousand dollars of actual value. RCW 84.36.110(2). For purposes of this exemption, "actual value" has the same meaning as "true and fair value" as defined in WAC 458-07-030. The taxpayer must qualify for the head of a family exemption on January 1st of the assessment year (the assessment date) or the exemption is lost for taxes payable the following year. As noted above, household goods, furnishings, and personal effects not used for business or commercial purposes are exempt from property taxation; therefore, the exemption for the head of a family does not apply to such property.

(a) **Who qualifies as the head of a family?** The exemption for the head of a family applies only to individuals (i.e., natural persons); it does not apply to artificial entities such as corporations, limited liability companies, or partnerships. The "head of a family" includes the following residents of the state of Washington:

(i) Any person receiving an old age pension under the laws of this state;

(ii) Any citizen of the United States, over the age of sixty-five years, who has resided in the state of Washington continuously for ten years;

(iii) The husband or wife, when the claimant is a married person, or a surviving spouse not remarried; and

(iv) Any person who resides with, and has under his or her care and maintenance, any of the following:

(A) His or her minor child or grandchild, or the minor child or grandchild of his or her deceased spouse;

(B) His or her minor brother or sister or the minor child of a deceased brother or sister;

(C) His or her father, mother, grandmother, or grandfather, or the father, mother, grandmother, or grandfather of a deceased spouse; or

(D) Any of the other relatives mentioned in this subsection who have attained the age of majority and are unable to take care of or support themselves.

(b) **What property is not exempt?** The personal property exemption for the head of a family does not apply to the following:

(i) Private motor vehicles. A "private motor vehicle" is any motor vehicle used for the convenience or pleasure of the owner, which carries a licensing classification other than motor vehicle for hire, auto stage, auto stage trailer, motor truck, motor truck trailer, or dealer's license. RCW 84.36.-120;

(ii) Mobile homes. A "mobile home" is a trailer designed for human habitation, which is capable of being moved upon the public streets and highways and is either more than thirty-five feet in length or more than eight feet in width. RCW 84.36.120;

(iii) Floating homes. A "floating home" is a building on a float, used in whole or in part for human habitation as a single-family dwelling and is on the property tax rolls of the county in which it is located. A floating home is not designed for self-propulsion by mechanical means or by means of wind. RCW 82.45.032; or

(iv) Houses, cabins, boathouses, boat docks, or other similar improvements that are located on publicly owned land.

(c) **Examples.** The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The status of each situation must be determined after a review of all of the facts and circumstances.

(i) A husband and wife operate a catering business as a limited liability company (LLC). The wife also operates a consulting business as a sole proprietor out of the family home. Husband and wife are not entitled to the head of family exemption for property held by the LLC. However, the wife is entitled to the head of family exemption for the taxable personal property used in her consulting business.

(ii) Jane Doe is a citizen of the United States, over the age of sixty-five, and has resided in the state of Washington continuously for over ten years. Jane owns a farm. She has transferred title to the farm property, both real and personal, into a trust. An attorney is the trustee, and Jane is the sole beneficiary. Since Jane Doe has beneficial ownership of the trust property and she qualifies as the head of a family, Jane

may claim the head of a family exemption for the taxable personal property held in the trust.

(4) **How do the exemptions included in this rule affect listing?** If the county assessor is satisfied that all of the personal property of any person is exempt from taxation, no listing is required by the owner or taxpayer. If the value of taxable personal property exceeds three thousand dollars, then the taxpayer must make a complete listing, and the assessor will deduct three thousand dollars from the total amount of the assessment and assess the remainder. RCW 84.36.110(2).

WSR 06-24-048
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Optometry)

[Filed December 1, 2006, 12:19 p.m., effective January 1, 2007]

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

Purpose: SSB 5535 enacted by the 2006 legislature authorized the board of optometry to adopt rules to implement an inactive license status. This rule established a renewal fee for an inactive optometry license.

Citation of Existing Rules Affected by this Order: Amending WAC 246-851-990.

Statutory Authority for Adoption: RCW 43.70.250.

Adopted under notice filed as WSR 06-19-106 on September 20, 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 1, Repealed 0.

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

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

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

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

Date Adopted: December 1, 2006.

M. C. Selecky
 Secretary

AMENDATORY SECTION (Amending WSR 05-12-012, filed 5/20/05, effective 7/1/05)

WAC 246-851-990 Optometry fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable

reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application	\$125.00
Out-of-state seminar	100.00
License renewal	100.00
Late renewal penalty	50.00
Expired license reissuance	50.00
<u>Inactive license renewal</u>	<u>40.00</u>
Duplicate license	15.00
Certification of license	25.00

WSR 06-24-050
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed December 1, 2006, 12:29 p.m., effective January 1, 2007]

Effective Date of Rule: January 1, 2007.

Purpose: The rule amends WAC 246-310-010 Certificate of need definitions and 246-310-280 Kidney dialysis treatment centers, and prescribes the methodology for predicting the future need for kidney dialysis services, and the processes and practices by which the certificate of need program awards certificates to applicants who propose to provide these services. The proposed rules ensure clear, timely and consistent decisions.

Citation of Existing Rules Affected by this Order: Amending WAC 246-310-010 and 246-310-280.

Statutory Authority for Adoption: RCW 70.38.135.

Other Authority: RCW 70.38.135.

Adopted under notice filed as WSR 06-19-108 on September 20, 2006.

Changes Other than Editing from Proposed to Adopted Version: The rules differ from the proposed version to reflect changes requested by stakeholders during public comment. These changes provide more consistency and clarity than the proposed version of the rules. The rules also have a revised zip code listing for King, Pierce, Snohomish and Spokane planning areas and do not include post office zip codes.

A final cost-benefit analysis is available by contacting Yvette Fox, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-2928, fax (360) 236-2901, e-mail yvette.fox@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 0, Amended 0, Repealed 0.

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: December 1, 2006.

Mary C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 04-17-054, filed 8/10/04, effective 9/10/04)

WAC 246-310-010 Definitions. For the purposes of chapter 246-310 WAC, the following words and phrases ~~((shall))~~ have the following meanings unless the context clearly indicates otherwise.

(1) "Acute care facilities" means hospitals and ambulatory surgical facilities.

(2) "Affected person" means an interested person ~~((meeting the following criteria))~~ who:

(*) (a) Is located or resides in the applicant's health service area;

(*) (b) Testified at a public hearing or submitted written evidence; and

(*) (c) Requested in writing to be informed of the department's decision.

(3) "Alterations," see "construction, renovation, or alteration."

(4) "Ambulatory care facility" means any place, building, institution, or distinct part thereof not a health care facility as defined in this section and operated for the purpose of providing health services to individuals without providing such services with board and room on a continuous twenty-four-hour basis. The term "ambulatory care facility" includes the offices of private physicians, whether for individual or group practice.

(5) "Ambulatory surgical facility" means any free-standing entity, including an ambulatory surgery center~~((;))~~ that operates primarily for the purpose of performing surgical procedures to treat patients not requiring hospitalization. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using ~~((such))~~ the facility is not extended to physicians or dentists outside the individual or group practice.

(6) "Applicant," means:

(*) (a) Any person proposing to engage in any undertaking subject to review under ~~((the provisions of))~~ chapter 70.38 RCW~~((;))~~; or

(*) (b) Any person or individual with a ten percent or greater financial interest in a partnership or corporation or other comparable legal entity engaging in any undertaking subject to review under ~~((the provisions of))~~ chapter 70.38 RCW.

~~(("Base year" as used in the kidney dialysis station methodology means the last full calendar year preceding the first year of dialysis station need projections.))~~

(7) "Bed banking" means the process of retaining the rights to nursing home bed allocations which are not licensed as outlined in WAC 246-310-395.

(8) "Bed supply" means within a geographic area the total number of:

(*) (a) Nursing home beds which are licensed or certificate of need approved but not yet licensed or beds banked under ~~((the provisions of))~~ RCW 70.38.111 (8)(a) or where the need is deemed met under ~~((the provisions of))~~ RCW 70.38.115 (13)(b), excluding:

(*) (i) Those nursing home beds certified as intermediate care facility for the mentally retarded (ICF-MR) the operators of which have not signed an agreement on or before July 1, 1990, with the department of social and health services department of social and health services to give appropriate notice prior to termination of the ICF-MR service;

(*) (ii) New or existing nursing home beds within a CCRC which are approved under ~~((the provisions of))~~ WAC 246-310-380(5); or

(*) (iii) Nursing home beds within a CCRC which is excluded from the definition of a health care facility per RCW 70.38.025(6); and

(*) (iv) Beds banked under ~~((the provisions of))~~ RCW 70.38.115 (13)(b) where the need is not deemed met.

(*) (b) Licensed hospital beds used for long-term care or certificate of need approved hospital beds to be used for long-term care not yet in use, excluding swing-beds.

(9) "Bed-to-population ratio" means the nursing home bed supply per one thousand persons of the estimated or forecasted resident population age sixty-five and older.

(10) "Capital expenditure": Except for WAC 246-310-280, capital expenditure means an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a nursing home facility as its own contractor), which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. The costs of any studies, surveys, designs, plans, working drawings, specifications, and other activities (including staff effort, consulting and other services which, under generally accepted accounting principles, are not properly chargeable as an expense of operation and maintenance) shall be considered capital expenditures. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required certificate of need review if the acquisition had been made by purchase, ~~((such))~~ this acquisition shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a nursing home facility, which if acquired directly by ~~((such))~~ the facility, would be subject to review under ~~((the provisions of))~~ this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to ~~((such))~~ the review.

(11) "Certificate of need" means a written authorization by the secretary's designee for a person to implement a proposal for one or more undertakings.

(12) "Certificate of need program" means that organizational program of the department responsible for the management of the certificate of need program.

(13) "Commencement of the project" means whichever of the following occurs first: In the case of a construction project, giving notice to proceed with construction to a contractor for a construction project provided applicable permits have been applied for or obtained within sixty days of ~~((such))~~ the notice; beginning site preparation or development; excavating or starting the foundation for a construction project; or beginning alterations, modification, improvement, extension, or expansion of an existing building. In the case of other projects, initiating a health service.

(14) "Construction, renovation, or alteration" means the erection, building, remodeling, modernization, improvement, extension, or expansion of a physical plant of a health care facility, or the conversion of a building or portion thereof to a health care facility.

(15) "Continuing care contract" means a contract providing a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related, or personal care services. The contract is conditioned on the transfer of property, the payment of an entrance fee to the provider of ~~((such))~~ the services, or the payment of periodic charges for the care and services involved. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(16) "Continuing care retirement community (CCRC)" means any of a variety of entities, unless excluded from the definition of health care facility under RCW 70.38.025(6), which provides shelter and services based on continuing care contracts with its residents which:

(*) Maintains for a period in excess of one year a CCRC contract with a resident which provides or arranges for at least the following specific services:

(*) (a) Independent living units;

(*) (b) Nursing home care with no limit on the number of medically needed days;

(*) (c) Assistance with activities of daily living;

(*) (d) Services equivalent in scope to either state chore services or Medicaid home health services;

(*) (e) Continues a contract, if a resident is no longer able to pay for services;

(*) (f) Offers services only to contractual residents with limited exception during a transition period; and

(*) (g) Holds the Medicaid program harmless from liability for costs of care, even if the resident depletes his or her personal resources.

(17) "Days" means calendar days. Days are counted starting the day after the date of the event from which the designated period of time begins to run. If the last day of the period falls on a Saturday, Sunday, or legal holiday observed by the state of Washington, a designated period runs until the end of the first working day following the Saturday, Sunday, or legal holiday.

(18) "Department" means the Washington state department of health.

(19) "Effective date of facility closure" means:

(*) (a) The date on which the facility's license was relinquished, revoked or expired; or

(*) (b) The date the last resident leaves the facility, whichever comes first.

~~("End-of-the-year incenter patients" means the number of patients receiving incenter kidney dialysis at the end of the calendar year.~~

~~"End-stage renal dialysis (ESRD) service areas" means each individual county, designated by the department as the smallest geographic area for which kidney dialysis station need projections are calculated, or other service area documented by patient origin.)~~

(20) "Enhance the quality of life for residents" means, for the purposes of voluntary bed banking, those services or facility modifications which have a direct and immediate benefit to the residents. These ~~((shall))~~ include, but are not ~~((be))~~ limited to: Resident activity and therapy facilities; family visiting rooms; spiritual rooms and dining areas. These services or facility modifications shall not include those that do not have direct and immediate benefit to the residents, such as: Modifications to staff offices; meeting rooms; and other staff facilities.

(21) "Established ratio" means a bed-to-population ratio of forty beds per one thousand persons of the estimated or forecast resident population age sixty-five and older established for planning and policy-making purposes. The department may revise this established ratio using the process outlined in WAC 246-310-370.

(22) "Estimated bed need" means the number of nursing home beds calculated by multiplying the planning area's forecasted resident population by the established ratio for the projection year.

(23) "Estimated bed projection" means the number of nursing home beds calculated by the department statewide or within a planning area, by the end of the projection period.

(24) "Ex parte contact" means any oral or written communication between any person in the certificate of need program or any other person involved in the decision regarding an application for, or the withdrawal of, a certificate of need and the applicant for, or holder of, a certificate of need, any person acting on behalf of the applicant or holder, or any person with an interest regarding issuance or withdrawal of a certificate of need.

(25) "Expenditure minimum" means one million dollars for the twelve-month period beginning with July 24, 1983, adjusted annually by the department according to ~~((the provisions of))~~ WAC 246-310-900.

(26) "Health care facility" means hospitals, psychiatric hospitals, nursing homes, kidney disease treatment centers including freestanding dialysis units, ambulatory surgical facilities, continuing care retirement communities, hospices and home health agencies, and includes ~~((such))~~ the facilities when owned and operated by a political subdivision or instrumentality of the state and ~~((such))~~ other facilities as required by federal law and ~~((implementing regulations))~~ rules, but does not include any health facility or institution conducted by and for those who rely exclusively upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination, or any health facility or institution operated for the exclusive care of members of a convent as defined in RCW

84.36.800 or rectory, monastery, or other institution operated for the care of members of the clergy.

(a) In addition, the term "health care facility" does not include any nonprofit hospital:

(*) (i) Operated exclusively to provide health care services for children;

(*) (ii) Which does not charge fees for ~~((such))~~ the services; and

(*) (iii) If not contrary to federal law as necessary to the receipt of federal funds by the state.

(*) (b) In addition, the term "health care facility" does not include a continuing care retirement community which:

(*) (i) Offers services only to contractual residents;

(*) (ii) Provides its residents a contractually guaranteed range of services from independent living through skilled nursing, including some form of assistance with activities of daily living;

(*) (iii) Contractually assumes responsibility for costs of services exceeding the resident's financial responsibility as stated in contract, so that, with the exception of insurance purchased by the retirement community or its residents, no third party, including the Medicaid program, is liable for costs of care even if the resident depletes personal resources;

(*) (iv) Offers continuing care contracts and operates a nursing home continuously since January 1, 1988, or obtained a certificate of need to establish a nursing home;

(*) (v) Maintains a binding agreement with the department of social and health services assuring financial liability for services to residents, including nursing home services, shall not fall upon the department of social and health services;

(*) (vi) Does not operate, and has not undertaken, a project resulting in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(*) (vii) Has undertaken no increase in the total number of nursing home beds after January 1, 1988, unless a professional review of pricing and long-term solvency was obtained by the retirement community within the prior five years and fully disclosed to residents.

(27) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(*) (a) Is a qualified health maintenance organization under Title XIII, Section 1310(d) of the Public Health Service Act; or

(*) (b) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, X ray, emergency and preventive services, and out-of-area coverage;

(*) (c) Is compensated (except for copayments) for the provision of the basic health care services listed in this subsection to enrolled participants by a payment made on a periodic basis without regard to the date the health care services are provided and fixed without regard to the frequency, extent, or kind of health service actually provided; and

(*) (d) Provides physicians' services primarily:

(*) (i) Directly through physicians who are either employees or partners of ~~((such))~~ the organization~~(s)~~; or

(*) (ii) Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(28) "Health service area" means a geographic region appropriate for effective health planning including a broad range of health services.

(29) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services.

(30) "Home health agency" means an entity which is, or has declared ~~((an))~~ its intent to become, certified as a provider of home health services in the Medicaid or Medicare program.

(31) "Hospice" means an entity which is, or has declared ~~((an))~~ its intent to become, certified as a provider of hospice services in the Medicaid or Medicare program.

(32) "Hospital" means any institution, place, building or agency or distinct part thereof which qualifies or is required to qualify for a license under chapter 70.41 RCW, or as a psychiatric hospital licensed under chapter 71.12 RCW.

(33) "Inpatient" means a person receiving health care services with board and room in a health care facility on a continuous twenty-four-hour-a-day basis.

(34) "Interested persons" means:

(*) (a) The applicant;

(*) (b) Health care facilities and health maintenance organizations providing services similar to the services under review and located in the health service area;

(*) (c) Third-party payers reimbursing health care facilities in the health service area;

(*) (d) Any agency establishing rates for health care facilities and health maintenance organizations in the health service area where the proposed project is to be located;

(*) (e) Health care facilities and health maintenance organizations which, in the twelve months prior to receipt of the application, have submitted a letter of intent to provide similar services in the same planning area;

(*) (f) Any person residing within the geographic area to be served by the applicant; and

(*) (g) Any person regularly using health care facilities within the geographic area to be served by the applicant.

~~("Justified home training station" means a kidney dialysis station designated for home hemodialysis and/or peritoneal dialysis training. When no dialysis stations have been designated for home training at a given dialysis treatment center, one station for every six patients trained for home hemodialysis, and one station for every twenty patients for peritoneal dialysis, will be considered a justified home training station. In no case shall all stations at a given dialysis treatment center be designated as justified home training stations. To request justified home training stations at a new dialysis treatment center, the applicant must document that at least six patients are projected to be trained for home hemodialysis or twenty patients for peritoneal dialysis for each such station requested for each of the first five years of projected operations.~~

~~"Kidney disease treatment center" means any place, institution, building or agency or a distinct part thereof equipped and operated to provide services, including outpatient dialysis and/or kidney transplantation, to persons who have end-stage renal disease (ESRD)."~~

(35) "Licensee" means an entity or individual licensed by the department of health or the department of social and health services. For the purposes of nursing home projects, licensee refers to the operating entity and those persons specifically named in the license application as defined under chapter 388-97 WAC.

(36) "Net estimated bed need" means estimated bed need of a planning area changed by any redistribution as follows:

(*) (a) Adding nursing home beds being redistributed from another nursing home planning area or areas; or

(*) (b) Subtracting nursing home beds being redistributed to another nursing home planning area or areas.

(37) "New nursing home bed" means a nursing home bed never licensed by the state or beds banked under ~~((the provisions of))~~ RCW 70.38.115(13), where the applicant must demonstrate need for the previously licensed nursing home beds. This term does not include beds banked under ~~((the provisions of))~~ RCW 70.38.111(8).

(38) "Nursing home" means any entity licensed or required to be licensed under ~~((the provisions of))~~ chapter 18.51 RCW or distinct part long-term care units located in a hospital and licensed under chapter 70.41 RCW.

(39) "Obligation," when used in relation to a capital expenditure, means the following has been incurred by or on behalf of a health care facility:

(*) (a) An enforceable contract has been entered into by a health care facility or by a person on behalf of the health care facility for the construction, acquisition, lease, or financing of a capital asset; or

(*) (b) A formal internal commitment of funds by a health care facility for a force account expenditure constituting a capital expenditure; or

(*) (c) In the case of donated property, the date on which the gift is completed in accordance with state law.

(40) "Offer," when used in connection with health services, means the health facility provides one or more specific health services.

(41) "Over the established ratio" means the bed-to-population ratio is greater than the statewide current established ratio.

(42) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(43) "Planning area" means each individual county designated by the department as the smallest geographic area for which nursing home bed need projections are developed, except as follows:

(*) (a) Clark and Skamania counties shall be one planning area.

(*) (b) Chelan and Douglas counties shall be one planning area.

(44) "Predevelopment expenditures" means capital expenditures, the total of which exceeds the expenditure min-

imum, made for architectural designs, plans, drawings, or specifications in preparation for the acquisition or construction of physical plant facilities. "Predevelopment expenditures" exclude any obligation of a capital expenditure for the acquisition or construction of physical plant facilities and any activity which the department may consider the "commencement of the project" as this term is defined in this section.

(45) "Professional review of continuing care retirement community pricing and long-term solvency" means prospective financial statements, supported by professional analysis and documentation, which:

(*) (a) Conform to Principles and Practices Board Statement Number 9 of the Healthcare Financial Management Association, "Accounting and Reporting Issues Related to Continuing Care Retirement Communities"; and

(*) (b) Project the financial operations of the continuing care retirement community over a period of ten years or more into the future; and

(*) (c) Are prepared and signed by a qualified actuary as defined under WAC 284-05-060 or an independent certified public accountant, or are prepared by management of the continuing care retirement community and reviewed by a qualified actuary or independent certified public accountant who issues a signed examination or compilation report on the prospective financial statements; and

(*) (d) Include a finding by management that the intended expansion project of the continuing care retirement project is financially feasible.

(46) "Project" means all undertakings proposed in a single certificate of need application or for which a single certificate of need is issued.

(47) "Project completion" for projects requiring construction, means the date the facility is licensed. For projects not requiring construction, project completion means initiating the health service.

(48) "Projection period" means the three-year time interval following the projection year.

(49) "Projection year" for nursing home purposes, means the one-year time interval preceding the projection period. ~~((For kidney dialysis station projection purposes, means the base year plus three years.))~~

(50) "Public comment period" means the time interval during which the department shall accept comments regarding a certificate of need application.

(51) "Redistribution" means the shift of nursing home bed allocations between two or more planning areas or the shift of nursing home beds between two or more nursing homes.

(52) "Replacement authorization" means a written authorization by the secretary's designee for a person to implement a proposal to replace existing nursing home beds in accordance with the eligibility requirements in WAC 246-310-044 and notice requirements in WAC 246-310-396.

(53) "Resident population" for purposes of nursing home projects, means the number of residents sixty-five years of age and older living within the same geographic area which:

(*) (a) Excludes contract holders living within a recognized CCRC:

(*) (i) With approval for new nursing home beds under ~~((the provisions of))~~ WAC 246-310-380 ~~((5))~~ (4); or

(*) (i) Excluded from the definition of a health care facility per RCW 70.38.025(6);

(*) (b) Is calculated using demographic data obtained from:

(*) (i) The office of financial management; and

(*) (ii) Certificate of need applications and exemption requests previously submitted by a CCRC.

(54) "Secretary" means the secretary of the Washington state department of health or the secretary's designee.

(55) "State Health Planning and Resources Development Act" means chapter 70.38 RCW.

(56) "Statewide current ratio" means a bed-to-population ratio computed from the most recent statewide nursing home bed supply and the most recent estimate of the statewide resident population.

(57) "Swing beds" means up to the first five hospital beds designated by an eligible rural hospital which are available to provide either acute care or nursing home services.

(58) "Tertiary health service" means a specialized service meeting complicated medical needs of people and requires sufficient patient volume to optimize provider effectiveness, quality of service, and improved outcomes of care.

(59) "Transition period" means the period of time, not exceeding five years, between the date a CCRC is inhabited by a member, and the date it fully meets the requirements of a CCRC.

(60) "Under the established ratio" means the bed-to-population ratio is less than the statewide current established ratio.

(61) "Undertaking" means any action subject to the provisions of chapter 246-310 WAC.

(62) "Working days" excludes Saturdays, Sundays, and legal holidays observed by the state of Washington. Working days are counted in the same way as calendar days.

AMENDATORY SECTION (Amending WSR 96-24-052, filed 11/27/96, effective 12/28/96)

WAC 246-310-280 Kidney disease treatment centers—Definitions. ((1) To receive approval, a kidney disease treatment center providing hemo or peritoneal dialysis, training, or backup must meet the following standards in addition to applicable review criteria in WAC 246-310-210, 246-310-220, 246-310-230, and 246-310-240.

(2) The number of dialysis stations needed in an ESRD service area shall be determined using the following data of the Northwest Renal Network:

(a) The ESRD service area's total number of in-center dialyses provided for the previous five years.

(b) The number of end of year incenter patients for the ESRD service area for the previous five years.

(c) The number of patients trained for home hemo and peritoneal dialysis for the ESRD service area for the previous five years.

(3) The number of dialysis stations projected as needed in an ESRD service area shall be determined using the following methodology:

(a) Project the number of incenter dialyses needed in the ESRD service area through a three-year future regression analysis of the previous five years' data.

(b) Project the number of incenter dialyses needed to serve residents of the ESRD service area by projecting the number of end of year incenter patients through a three-year future regression analysis of patient origin adjusted data for the previous five years. Multiply this result by one hundred fifty-six dialyses per year.

(c) Project the number of patients to be trained for home hemo and peritoneal dialysis in the service area through a three-year regression analysis of the previous five years' data.

(d) Determine the number of dialysis stations needed for incenter dialysis by dividing the result of (a) of this subsection by 748.8 (equivalent to eighty percent of a three patient shift schedule).

(e) Determine the number of dialysis stations needed for incenter dialysis to serve residents of the service area by dividing the result of (b) of this subsection by 748.8 (equivalent to eighty percent of a three patient shift schedule).

(f) Determine the number of stations needed for home hemo and peritoneal training in the service area by dividing the projected number of home hemo patients to be trained by six and peritoneal patients to be trained by twenty.

(g) Determine the number of dialysis stations needed in a service area by the projection year as the total of:

(i) The result of (c) of this subsection, designated as the number of resident stations;

(ii) The result of (d) of this subsection, minus the result of (e) of this subsection, designated as visitor stations;

(iii) The result of (f) of this subsection, designated as the number of training stations.

(h) To determine the net station need for an ESRD service area, subtract the number calculated in (g) of this subsection from the total number of certificate of need approved stations.

(4) All kidney disease treatment centers that would stand to lose market share by approval of the applicant's facility, must be operating at 748.8 dialyses per nontraining station per year before additional nontraining stations are approved.

(5) New incenter kidney disease treatment stations must reasonably project to be operating at 748.8 dialyses per nontraining station per year by the third year of operation.

(6) The department shall not issue certificates of need approving more than the number of stations identified as being needed in a given ESRD service area unless:

(a) The department finds such additional stations are needed to be located reasonably close to the people they serve; or

(b) Existing nontraining dialysis stations in the treatment facility are operating at nine hundred thirty-six dialyses per year (three patient shifts); or

(c) The applicant can document a significant change in ESRD treatment practice has occurred, affecting dialysis station utilization in the service area; and

The department finds that an exceptional need exists and explains such approval in writing.) The following definitions apply to WAC 246-310-280, 246-310-282, 246-310-284, 246-310-286, 246-310-287, 246-310-288, and 246-310-289:

(1) "Base year" means the most recent calendar year for which December 31 data is available as of the first day of the

application submission period from the *Northwest Renal Network's Modality Report* or successor report.

(2) "Capital expenditures," as defined by Generally Accepted Accounting Principles (GAAP), are expenditures made to acquire tangible long-lived assets. Long-lived assets represent property and equipment used in a company's operations that have an estimated useful life greater than one year. Acquired long-lived assets are recorded at acquisition cost and include all costs incurred necessary to bring the asset to working order. The definition of a capital expenditure includes the following types of expenditures or acquisitions:

(a) A force account expenditure or acquisition (i.e., an expenditure for a construction project undertaken by a facility as its own contractor).

(b) The costs of any site planning services (architect or other site planning consultant) including but not limited to studies, surveys, designs, plans, working drawings, specifications, and other activities (including applicant staff payroll and employee benefit costs, consulting and other services which, under GAAP or Financial Accounting Standards Board (FASB) may be chargeable as an operating or nonoperating expense).

(c) Capital expenditure or acquisition under an operating or financing lease or comparable arrangement, or through donation, which would have required certificate of need review if the capital expenditure or acquisition had been made by purchase.

(d) Building owner tenant improvements including but not limited to: Asbestos removal, paving, concrete, contractor's general conditions, contractor's overhead and profit, electrical, heating, ventilation and air conditioning systems (HVAC), plumbing, flooring, rough and finish carpentry and millwork and associated labor and materials, and utility fees.

(e) Capital expenditures include donations of equipment or facilities to a facility.

(f) Capital expenditures do not include routine repairs and maintenance costs that do not add to the utility of useful life of the asset.

(3) "Concurrent review" means the process by which applications competing to provide services in the same planning area are reviewed simultaneously by the department. The department compares the applications to one another and these rules.

(4) "End-of-year data" means data contained in the fourth quarter modality report or successor report from the Northwest Renal Network. For these rules, end-of-year and year-end have the same meaning.

(5) "End-of-year in-center patients" means the number of in-center hemodialysis (HD) and self-dialysis training patients receiving in-center kidney dialysis at the end of the calendar year based on end-of-year data.

(6) "Kidney disease treatment center" means any place, institution, building or agency or a distinct part thereof equipped and operated to provide services, including outpatient dialysis, to persons who have end-stage renal disease (ESRD). In no case shall all stations at a given kidney disease treatment center be designated as self-dialysis training stations. For purposes of these rules, kidney disease treatment center and kidney dialysis facility have the same meaning.

(7) "Kidney dialysis facility" means any place, institution, building or agency or a distinct part thereof equipped and operated to provide services, including outpatient dialysis, to persons who have end-stage renal disease (ESRD). In no case shall all stations at a given kidney disease treatment center be designated as self-dialysis training stations. For purposes of these rules, kidney dialysis facility and kidney disease treatment center have the same meaning.

(8) "Planning area" means an individual geographic area designated by the department for which kidney dialysis station need projections are calculated. For purposes of kidney dialysis projects, planning area and service area have the same meaning.

(9) "Planning area boundaries": Each county is a separate planning area, except for the planning subareas identified for King, Snohomish, Pierce, and Spokane counties. If the United States Postal Service (USPS) changes zip codes in the defined planning areas, the department will update areas to reflect the revisions to the zip codes to be included in the certificate of need definitions, analyses and decisions.

(a) King County is divided by zip code into twelve planning areas as follows:

KING ONE	KING TWO	KING THREE
98028 Kenmore	98101 Business District	98070 Vashon
98103 Green Lake	98102 Eastlake	98106 White Center/West Seattle
98105 Laurelhurst	98104 Business District	98116 Alki/West Seattle
98107 Ballard	98108 Georgetown	98126 West Seattle
98115 View Ridge/Wedgwood	98109 Queen Anne	98136 West Seattle
98117 Crown Hill	98112 Madison/Capitol Hill	98146 West Seattle
98125 Lake City	98118 Columbia City	98168 Riverton
98133 Northgate	98119 Queen Anne	
98155 Shoreline/Lake Forest Park	98121 Denny Regrade	
98177 Richmond Beach	98122 Madrona	
98195 University of Washington	98134 Harbour Island	
	98144 Mt. Baker/Rainier Valley	
	98199 Magnolia	

KING FOUR	KING FIVE	KING SIX
98148 SeaTac	98003 Federal Way	98011 Bothell
98158 SeaTac	98023 Federal Way	98033 Kirkland
98166 Burien/Nor-mandy Park		98034 Kirkland
98188 Tukwila/SeaTac		98052 Redmond
98198 Des Moines		98053 Redmond
		98072 Woodinville
		98077 Woodinville

KING SEVEN	KING EIGHT	KING NINE
98004 Bellevue	98014 Carnation	98055 Renton
98005 Bellevue	98019 Duvall	98056 Renton
98006 Bellevue	98024 Fall City	98058 Renton

<u>KING SEVEN</u>	<u>KING EIGHT</u>	<u>KING NINE</u>
98007 Bellevue	98045 North Bend	98059 Renton
98008 Bellevue	98065 Snoqualmie	98178 Skyway
98027 Issaquah		
98029 Issaquah		
98039 Medina		
98040 Mercer Island		
98074 Sammamish		
98075 Sammamish		

<u>KING TEN</u>	<u>KING ELEVEN</u>	<u>KING TWELVE</u>
98030 Kent	98001 Auburn	98022 Enumclaw
98031 Kent	98002 Auburn	
98032 Kent	98010 Black Diamond	
98038 Maple Valley	98047 Pacific	
98042 Kent	98092 Auburn	
98051 Ravensdale		

(b) Pierce County is divided into five planning areas as follows:

<u>PIERCE ONE</u>	<u>PIERCE TWO</u>	<u>PIERCE THREE</u>
98354 Milton	98304 Ashford	98329 Gig Harbor
98371 Puyallup	98323 Carbonade	98332 Gig Harbor
98372 Puyallup	98328 Eatonville	98333 Fox Island
98373 Puyallup	98330 Elbe	98335 Gig Harbor
98374 Puyallup	98360 Orting	98349 Lakebay
98375 Puyallup	98338 Graham	98351 Longbranch
98390 Sumner	98321 Buckley	98394 Vaughn
98391 Bonney Lake		

<u>PIERCE FOUR</u>	<u>PIERCE FIVE</u>
98402 Tacoma	98303 Anderson Island
98403 Tacoma	98327 DuPont
98404 Tacoma	98387 Spanaway
98405 Tacoma	98388 Steilacoom
98406 Tacoma	98430 Tacoma
98407 Ruston	98433 Tacoma
98408 Tacoma	98438 Tacoma
98409 Lakewood	98439 Lakewood
98416 Tacoma	98444 Parkland
98418 Tacoma	98445 Parkland
98421 Tacoma	98446 Parkland
98422 Tacoma	98447 Tacoma
98424 Fife	98467 University Place
98443 Tacoma	98498 Lakewood
98465 Tacoma	98499 Lakewood
98466 Fircrest	98580 Roy

(c) Snohomish County is divided into three planning areas as follows:

<u>SNOHOMISH ONE</u>	<u>SNOHOMISH TWO</u>	<u>SNOHOMISH THREE</u>
98223 Arlington	98201 Everett	98012 Mill Creek/Bothell
98241 Darrington	98203 Everett	98020 Edmonds/Woodway
98252 Granite Falls	98204 Everett	98021 Bothell

<u>SNOHOMISH ONE</u>	<u>SNOHOMISH TWO</u>	<u>SNOHOMISH THREE</u>
98271 Tulalip Reservation/Marysville	98205 Everett	98026 Edmonds
98282 Camano Island	98208 Everett	98036 Lynnwood/Brier
98292 Stanwood	98251 Gold Bar	98037 Lynnwood
	98224 Baring	98043 Mountlake Terrace
	98258 Lake Stevens	98087 Lynnwood
	98270 Marysville	98296 Snohomish
	98272 Monroe	
	98275 Mukilteo	
	98288 Skykomish	
	98290 Snohomish	
	98294 Sultan	

(d) Spokane County is divided into two planning areas as follows:

<u>SPOKANE ONE</u>	<u>SPOKANE TWO</u>
99001 Airway Heights	99003 Chattaroy
99004 Cheney	99005 Colbert
99011 Fairchild Air Force Base	99006 Deer Park
99012 Fairfield	99009 Elk
99016 Greenacres	99021 Mead
99018 Latah	99025 Newman Lake
99019 Liberty Lake	99026 Nine Mile Falls
99022 Medical Lake	99027 Otis Orchards
99023 Mica	99205 Spokane
99030 Rockford	99207 Spokane
99031 Spangle	99208 Spokane
99036 Valleyford	99217 Spokane
99037 Veradale	99218 Spokane
99201 Spokane	99251 Spokane
99202 Spokane	
99203 Spokane	
99204 Spokane	
99206 Spokane Valley	
99212 Spokane Valley	
99216 Spokane/Spokane Valley	
99223 Spokane	
99224 Spokane	

(10) "Projection year" means the fourth year after the base year. For example, reviews using 2005 year-end data as the base year will use 2009 as the projection year.

(11) "Resident in-center patients" means in-center hemodialysis (HD) and self-dialysis training patients that reside within the planning area. If more than fifty percent of a facility's patients reside outside Washington state, the facility may include these out-of-state patients in the resident count for the planning area.

(12) "Service area" means an individual geographic area designated by the department for which kidney dialysis station need projections are calculated. For purposes of kidney dialysis projects, service area and planning area have the same meaning.

(13) "Training services" means services provided by a kidney dialysis facility to train patients for home dialysis. Types of home dialysis include at least, but are not limited to, the following:

- (a) Home peritoneal dialysis (HPD); and
- (b) Home hemodialysis (HHD).

NEW SECTION

WAC 246-310-282 Kidney disease treatment centers—Concurrent review cycle. The department will review kidney dialysis facility applications using the concurrent review cycle described in this section. There are four concurrent review cycles each year; a cycle begins in January, April, July and October.

(1) Applicants must submit applications for review according to the following table:

Concurrent Review Cycle	Letters of Intent Due	Application Submission Period			Department Action	Application Review Period		
		Receipt of Initial Application	End of Screening Period	Applicant Response		Public Comment Period (includes public hearing if requested)	Rebuttal Period	Exparte Period
Kidney Dialysis Facility Cycle 1	First working day through last working day of January of each year.	First working day through last working day of February of each year.	Last working day of March of each year.	Last working day of April of each year.	May 1 through May 15	60-Day Public comment period Begins May 16 of each year or the first working day after May 16.	30-Day Rebuttal period Applicant and affected party response to public comment.	45-Day Exparte period Department evaluation and decision.
Kidney Dialysis Facility Cycle 2	First working day through last working day of April of each year.	First working day through last working day of May of each year.	Last working day of June of each year.	Last working day of July of each year.	August 1 through August 15	60-Day Public comment period Begins August 16 of each year or the first working day after August 16.	30-Day Rebuttal period Applicant and affected party response to public comment.	45-Day Exparte period Department evaluation and decision.
Kidney Dialysis Facility Cycle 3	First working day through last working day of July of each year.	First working day through last working day of August of each year.	Last working day of September of each year.	Last working day of October of each year.	November 1 through November 15	60-Day Public comment period Begins November 16 of each year or the first working day after November 16.	30-Day Rebuttal period Applicant and affected party response to public comment.	45-Day Exparte period Department evaluation and decision.
Kidney Dialysis Facility Cycle 4	First working day through last working day of October of each year.	First working day through last working day of November of each year.	Last working day of December of each year.	Last working day of January of each year.	February 1 through February 15	60-Day Public comment period Begins February 16 of each year or the first working day after February 16.	30-Day Rebuttal period Applicant and affected party response to public comment.	45-Day Exparte period Department evaluation and decision.

(2) The department should complete a concurrent review cycle within nine months. The department should complete the regular review process within six months.

(3) The department will notify applicants fifteen days prior to the scheduled decision date if it is unable to meet the deadline for making a decision on the application. In that event, the department will establish and commit to a new decision date.

(4) The department will not accept new applications for a planning area if there are any pending applications in that planning area filed under a previous concurrent review cycle or applications submitted prior to the effective date of these rules that affect any of the new planning areas, unless the department has not made a decision on the pending applications within the review timelines of nine months for a concurrent review and six months for a regular review.

(5) The department may convert the review of an application that was initially submitted under a concurrent review cycle to a regular review process if the department determines that the application does not compete with another application.

NEW SECTION

WAC 246-310-284 Kidney disease treatment centers—Methodology. A kidney dialysis facility that provides hemodialysis or peritoneal dialysis, training, or backup must meet the following standards in addition to applicable review criteria in WAC 246-310-210, 246-310-220, 246-310-230, and 246-310-240.

(1) Applications for new stations may only address projected station need in the planning area in which the facility is to be located.

(a) If there is no existing facility in an adjacent planning area, the application may also address the projected station need in that planning area.

(b) Station need projections must be calculated separately for each planning area within the application.

(2) Data used to project station need must be the most recent five-year resident in-center year-end patient data available from the Northwest Renal Network as of the first day of the application submission period, concluding with the base year at the time of application.

(3) Projected station need must be based on 4.8 resident in-center patients per station for all planning areas except Adams, Columbia, Douglas, Ferry, Garfield, Jefferson, Kittitas, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, San Juan, Skamania, Stevens, and Wahkiakum counties. The projected station need for these exception planning areas must be based on 3.2 resident in-center patients per station.

(4) The number of dialysis stations projected as needed in a planning area shall be determined by using the following methodology:

(a) Determine the type of regression analysis to be used to project resident in-center station need by calculating the annual growth rate in the planning area using the year-end number of resident in-center patients for each of the previous six consecutive years, concluding with the base year.

(i) If the planning area has experienced less than six percent growth in any of the previous five annual changes calculations, use linear regression to project station need; or

(ii) If the planning area has experienced six percent or greater growth in each of the previous five annual changes, use nonlinear (exponential) regression to project station need.

(b) Project the number of resident in-center patients in the projection year using the regression type determined in (a) of this subsection. When performing the regression analysis use the previous five consecutive years of year-end data concluding with the base year. For example, if the base year is 2005, use year-end data for 2001 through 2005 to perform the regression analysis.

(c) Determine the number of dialysis stations needed to serve resident in-center patients in the planning area in the projection year by dividing the result of (b) of this subsection by the appropriate resident in-center patient per station number from subsection (3) of this section. In order to assure

access, fractional numbers are rounded up to the nearest whole number. For example, 5.1 would be rounded to 6. Rounding to a whole number is only allowed for determining the number of stations needed.

(d) To determine the net station need for a planning area, subtract the number calculated in (c) of this subsection from the total number of certificate of need approved stations located in the planning area.

(5) Before the department approves new in-center kidney dialysis stations, all certificate of need approved stations in the planning area must be operating at 4.8 in-center patients per station for all planning areas except Adams, Columbia, Douglas, Ferry, Garfield, Jefferson, Kittitas, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, San Juan, Skamania, Stevens, and Wahkiakum counties. For these exception planning areas all certificate of need approved stations in the planning area must be operating at 3.2 in-center patients per station. Both resident and nonresident patients using the dialysis facility are included in this calculation. Data used to make this calculation must be from the most recent quarterly modality report or successor report from the Northwest Renal Network as of the first day of the application submission period.

(6) By the third full year of operation, new in-center kidney dialysis stations must reasonably project to be operating at:

(a) 4.8 in-center patients per station for those facilities required to operate at 4.8 in-center patients as identified in subsection (5) of this section; or

(b) 3.2 in-center patients per station for those facilities required to operate at 3.2 in-center patients as identified in subsection (5) of this section.

NEW SECTION

WAC 246-310-286 Kidney disease treatment centers—Standards for planning areas without an existing facility. Adams, Columbia, Douglas, Ferry, Garfield, Jefferson, Kittitas, Klickitat, Lincoln, Pacific, Pend Oreille, San Juan, Skamania, Stevens, and Wahkiakum planning areas do not have an existing kidney dialysis facility as of the effective date of these rules. The department will award the first project proposing to establish a facility in each of these planning areas a minimum of four stations provided the project meets applicable review criteria and standards. The facility must be projected to operate at 3.2 in-center patients per station by the third full year of operation. For purposes of this section, the applicant may supplement data obtained from the Northwest Renal Network with other documented demographic and utilization data to demonstrate station need.

NEW SECTION

WAC 246-310-287 Kidney disease treatment centers—Exceptions. The department shall not approve new stations in a planning area if the projections in WAC 246-310-284(4) show no net need, and shall not approve more than the number of stations projected as needed unless:

(1) All other applicable review criteria and standards have been met; and

(2) One or more of the following have been met:

(a) The department finds the additional stations are needed to be located reasonably close to the people they serve; or

(b) Existing dialysis stations in the dialysis facility are operating at six patients per station. Data used to make this calculation must be from the most recent quarterly modality report or successor report from the Northwest Renal Network as of the first day of the application submission period; or

(c) The applicant can document a significant change in ESRD treatment practice has occurred, affecting dialysis station use in the planning area; and

(3) The department finds that exceptional circumstances exist within the planning area and explains the approval of additional stations in writing.

NEW SECTION

WAC 246-310-288 Kidney disease treatment centers—Tie-breakers. If two or more applications meet all applicable review criteria and there is not enough station need projected for all applications to be approved, the department will use tie-breakers to determine which application or applications will be approved. The department will approve the application accumulating the largest number of points. If sufficient additional stations remain after approval of the first application, the department will approve the application accumulating the next largest number of points, not to exceed the total number of stations projected for a planning area. If the applications remain tied after applying all the tie-breakers, the department will award stations as equally as possible among those applications, without exceeding the total number of stations projected for a planning area.

(1) The department will award one point per tie-breaker to any applicant that meets a tie-breaker criteria in this subsection.

(a) ***Training services (1 point):***

(i) The applicant is an existing provider in the planning area and either offers training services at the facility proposed to be expanded or offers training services in any of its existing facilities within a thirty-five mile radius of the existing facility; or

(ii) The applicant is an existing provider in the planning area that offers training services in any of its existing facilities within thirty-five miles of the proposed new facility and either intends to offer training services at the new facility or through those existing facilities; or

(iii) The applicant, not currently located in the planning area, proposes to establish a new facility with training services and demonstrates a historical and current provision of training services at its other facilities; and

(iv) Northwest Renal Network's most recent year-end facility survey must document the provision of these training services by the applicant.

(b) ***Private room(s) for isolating patients needing dialysis (1 point).***

(c) ***Permanent bed stations at the facility (1 point).***

(d) ***Evening shift (1 point):*** The applicant currently offers, or as part of its application proposes to offer at the facility a dialysis shift that begins after 5:00 p.m.

(e) ***Meeting the projected need (1 point):*** Each application that proposes the number of stations that most closely approximates the projected need.

(2) Only one applicant may be awarded a point for each of the following four tie-breaker criteria:

(a) ***Economies of scale (1 point):*** Compared to the other applications, an applicant demonstrates its proposal has the lowest capital expenditure per new station.

(b) ***Historical provider (1 point):***

(i) The applicant was the first to establish a facility within a planning area; and

(ii) The application to expand the existing facility is being submitted within five years of the opening of its facility; or

(iii) The application is to build an additional new facility within five years of the opening of its first facility.

(c) ***Patient geographical access (1 point):*** The application proposing to establish a new facility within a planning area that will result in services being offered closer to people in need of them. The department will award the point for the facility located farthest away from existing facilities within the planning area provided:

(i) The facility is at least three miles away from the next closest existing facility in planning areas that qualify for 4.8 patients per station; or

(ii) The facility is at least eight miles from the next closest existing facility in planning areas that qualify for 3.2 patients per station.

(d) ***Provider choice (1 point):***

(i) The applicant does not currently have a facility located within the planning area;

(ii) The department will consider a planning area as having one provider when a single provider has multiple facilities in the same planning area;

(iii) If there are already two unrelated providers located in the same planning area, no point will be awarded.

NEW SECTION

WAC 246-310-289 Kidney disease treatment centers—Relocation of facilities. (1) When an entire facility proposes to relocate to another planning area, a new health care facility is considered to be established under WAC 246-310-020(1).

(2) When an existing facility proposes to relocate a portion of its stations to either another planning area or within the same planning area, a new health care facility is considered to be established under WAC 246-310-020(1).

(3) When an entire facility proposes to relocate within the same planning area, a new health care facility is not considered to be established under WAC 246-310-020(1) if:

(a) The existing facility ceases operation;

(b) No new stations are added to the replacement facility;

(c) There is no break in service between the closure of the existing facility and the operation of the replacement facility;

(d) The existing facility has been in operation for at least five years at its present location; and

(e) The existing facility has not been purchased, sold or leased within the past five years.

((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, 2006

WSR 06-24-054
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed December 1, 2006, 4:23 p.m., effective January 1, 2007]

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

Purpose: Chapter 296-17 WAC, General reporting rules, classifications, audit and recordkeeping, rates and rating system for Washington workers compensation insurance (2007 workers compensation premium rates). This rule-making order will adopt risk classification premium base rates and experience rating plan tables to reflect updated loss experience effective January 1, 2007.

Citation of Existing Rules Affected by this Order: Amending WAC 296-17-855, 296-17-880, 296-17-885, 296-17-890, 296-17-875, 296-17-895, 296-17-89502, 296-17-90492, and 296-17-920.

Statutory Authority for Adoption: RCW 51.16.035 Base rates, 51.32.073 Supplemental pension, 51.08.010 Retrospective rating, and 51.04.020(1) General authority.

Adopted under notice filed as WSR 06-18-078 on September 5, 2006.

Changes Other than Editing from Proposed to Adopted Version: Subsection (2) added to WAC 296-17-855 providing for an alternative experience modification calculation. The alternative calculations are available using Table IIA in WAC 296-17-880 and Table IIIA in WAC 296-17-885. These two tables were added. The premium rates for six horse racing classes were changed in WAC 296-17-895. These changes were announced at all five hearings.

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 9, Repealed 0.

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

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

Date Adopted: December 1, 2006.

Judy Schurke
Acting Director

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-90492 Table I.

Size Group Number	Standard Premium Range
63	\$4,852 - \$5,862
62	5,863 - 7,040
61	7,041 - 8,376
60	8,377 - 9,910
59	9,911 - 11,665
58	11,666 - 13,639
57	13,640 - 15,889
56	15,890 - 18,269
55	18,270 - 20,789
54	20,790 - 23,439
53	23,440 - 26,239
52	26,240 - 29,179
51	29,180 - 32,249
50	32,250 - 35,479
49	35,480 - 38,859
48	38,860 - 42,289
47	42,290 - 45,729
46	45,730 - 49,509
45	49,510 - 53,709
44	53,710 - 58,389
43	58,390 - 63,569
42	63,570 - 69,369
41	69,370 - 75,869
40	75,870 - 83,119
39	83,120 - 91,309
38	91,310 - 100,579
37	100,580 - 111,019
36	111,020 - 122,199
35	122,200 - 134,299
34	134,300 - 147,799
33	147,800 - 162,499
32	162,500 - 178,799
31	178,800 - 195,699
30	195,700 - 214,499
29	214,500 - 235,799
28	235,800 - 259,899
27	259,900 - 287,799
26	287,800 - 319,899
25	319,900 - 356,799
24	356,800 - 399,999
23	400,000 - 450,899
22	450,900 - 510,399
21	510,400 - 581,599

<u>Size Group Number</u>	<u>Standard Premium Range</u>
20	581,600 - 667,499
19	667,500 - 770,499
18	770,500 - 897,399
17	897,400 - 1,055,599
16	1,055,600 - 1,282,999
15	1,283,000 - 1,597,999
14	1,598,000 - 2,041,999
13	2,042,000 - 2,609,999
12	2,610,000 - 3,332,999
11	3,333,000 - 4,417,999
10	4,418,000 - 6,119,999
9	6,120,000 - 8,820,999
8	8,821,000 - 12,779,999
7	12,780,000 - 18,819,999
6	18,820,000 - 29,259,999
5	29,260,000 - 46,189,999
4	46,190,000 & Over (99,999,999))

<u>Size Group Number</u>	<u>Standard Premium Range</u>
41	67,200 - 73,489
40	73,490 - 80,519
39	80,520 - 88,449
38	88,450 - 97,429
37	97,430 - 107,539
36	107,540 - 118,399
35	118,400 - 130,099
34	130,100 - 143,199
33	143,200 - 157,399
32	157,400 - 173,199
31	173,200 - 189,599
30	189,600 - 207,799
29	207,800 - 228,399
28	228,400 - 251,799
27	251,800 - 278,799
26	278,800 - 309,899
25	309,900 - 345,599
24	345,600 - 387,499
23	387,500 - 436,799
22	436,800 - 494,399
21	494,400 - 563,399
20	563,400 - 646,599
19	646,600 - 746,399
18	746,400 - 869,299
17	869,300 - 1,022,499
16	1,022,500 - 1,242,999
15	1,243,000 - 1,547,999
14	1,548,000 - 1,977,999
13	1,978,000 - 2,527,999
12	2,528,000 - 3,228,999
11	3,229,000 - 4,279,999
10	4,280,000 - 5,927,999
9	5,928,000 - 8,544,999
8	8,545,000 - 12,379,999
7	12,380,000 - 18,229,999
6	18,230,000 - 28,339,999
5	28,340,000 - 44,739,999
4	44,740,000 & Over

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
 STANDARD PREMIUM SIZE RANGES
 Effective January 1, 2007

<u>Size Group Number</u>	<u>Standard Premium Range</u>
63	\$4,700 - \$5,678
62	5,679 - 6,819
61	6,820 - 8,114
60	8,115 - 9,599
59	9,600 - 11,299
58	11,300 - 13,209
57	13,210 - 15,389
56	15,390 - 17,699
55	17,700 - 20,139
54	20,140 - 22,709
53	22,710 - 25,419
52	25,420 - 28,269
51	28,270 - 31,239
50	31,240 - 34,369
49	34,370 - 37,639
48	37,640 - 40,959
47	40,960 - 44,299
46	44,300 - 47,959
45	47,960 - 52,029
44	52,030 - 56,559
43	56,560 - 61,579
42	61,580 - 67,199

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of ((31.2 mills (\$0.0312))) 33.4 mils (\$0.0334) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from

the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-875 Table I.

**Primary Losses for Selected Claim Values
Effective January 1, ((2006)) 2007**

CLAIM VALUE	PRIMARY LOSS
((18,972	18,972
20,750	20,000
24,620	22,000
29,150	24,000
34,527	26,000
41,010	28,000
48,981	30,000
59,019	32,000
80,131	35,000
100,000	36,923
125,000	38,634
150,000	39,867
208,747*	41,740
300,000	43,321
474,300**	44,745))
<u>19,560</u>	<u>19,560</u>
<u>20,304</u>	<u>20,000</u>
<u>23,996</u>	<u>22,000</u>
<u>28,280</u>	<u>24,000</u>
<u>33,312</u>	<u>26,000</u>
<u>39,307</u>	<u>28,000</u>
<u>46,571</u>	<u>30,000</u>
<u>55,555</u>	<u>32,000</u>
<u>73,878</u>	<u>35,000</u>
<u>100,000</u>	<u>37,807</u>
<u>125,000</u>	<u>39,604</u>
<u>150,000</u>	<u>40,900</u>
<u>191,760*</u>	<u>42,411</u>
<u>300,000</u>	<u>44,544</u>
<u>489,000**</u>	<u>46,132</u>

* Average death value
** Maximum claim value

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

Class	Base Rates Effective January 1, ((2006)) 2007	
	Accident Fund	Medical Aid Fund
((0101	1.6667	0.7139
0103	2.0294	0.9182
0104	1.1890	0.5209
0105	1.6273	0.8626
0107	1.5402	0.6622
0108	1.1890	0.5209
0112	0.9342	0.4573
0201	3.1182	1.1403
0202	3.7959	1.7571
0210	1.5605	0.6115
0212	1.6140	0.6799
0214	1.6659	0.6528
0217	1.3891	0.6051
0219	1.0705	0.5971
0301	0.6494	0.4089
0302	2.4810	0.8697
0303	2.4361	0.8739
0306	1.3038	0.5123
0307	1.1135	0.5331
0308	0.5709	0.3927
0403	1.9319	1.1305
0502	1.9519	0.7404
0504	1.6418	0.8019
0507	3.4346	1.7575
0508	2.5557	0.8931
0509	1.9463	0.7589
0510	1.8251	0.9186
0511	2.0611	0.8811
0512	1.8684	0.7535
0513	1.0999	0.4801
0514	2.2714	1.0608
0516	2.0142	0.8931
0517	2.0049	1.0194
0518	1.9774	0.8082
0519	2.7292	1.1580
0521	0.6453	0.3491
0601	0.7893	0.3779
0602	0.9445	0.4256
0603	1.3300	0.4828

Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
0604	1.0466	0.6733	2201	0.2725	0.1811
0606	0.5768	0.3671	2202	0.8065	0.4685
0607	0.5473	0.3210	2203	0.5048	0.3752
0608	0.4546	0.2440	2204	0.2725	0.1811
0701	2.8537	0.7345	2401	0.5503	0.3272
0803	0.5366	0.3250	2903	0.7091	0.4978
0901	1.9774	0.8082	2904	0.8083	0.5403
1002	1.0991	0.6519	2905	0.5751	0.4428
1003	0.9242	0.5153	2906	0.3735	0.2377
1004	0.6115	0.3001	2907	0.5634	0.4034
1005	10.0606	4.3933	2908	1.2207	0.6328
1007	0.4532	0.2273	2909	0.4155	0.2960
1101	0.7815	0.4640	3101	1.1844	0.5697
1102	1.6467	0.7382	3102	0.3060	0.2070
1103	1.3317	0.7833	3103	0.6309	0.3837
1104	0.5551	0.4086	3104	0.6947	0.3585
1105	1.0710	0.5933	3105	0.8220	0.5389
1106	0.3395	0.2765	3303	0.4833	0.3067
1108	0.7077	0.4348	3304	0.4806	0.3905
1109	1.5600	0.9744	3309	0.4740	0.3056
1301	0.8487	0.3704	3402	0.5977	0.3631
1303	0.2469	0.1507	3403	0.2248	0.1408
1304	0.0306	0.0187	3404	0.5414	0.3628
1305	0.4485	0.2772	3405	0.3571	0.2217
1401	0.5165	0.3556	3406	0.2129	0.1716
1404	0.7903	0.5117	3407	0.7800	0.4469
1405	0.6079	0.3753	3408	0.1977	0.1193
1407	0.6990	0.4668	3409	0.1760	0.1425
1501	0.6613	0.3673	3410	0.2818	0.2192
1507	0.5901	0.3266	3411	0.5652	0.3113
1701	1.0877	0.5505	3412	0.7102	0.3337
1702	2.7163	0.9725	3414	0.6435	0.3556
1703	1.2060	0.3676	3415	0.8990	0.4995
1704	1.0877	0.5505	3501	1.1818	0.7067
1801	0.6202	0.3491	3503	0.2910	0.2762
1802	0.8298	0.4127	3506	1.4514	0.5401
2002	0.7620	0.5293	3509	0.4156	0.3285
2004	1.0344	0.6347	3510	0.4011	0.2721
2007	0.4941	0.3051	3511	0.8038	0.5052
2008	0.3583	0.2182	3512	0.3479	0.2775
2009	0.3974	0.3136	3513	0.4784	0.3590
2101	0.7442	0.4735	3602	0.1317	0.0959
2102	0.6095	0.4198	3603	0.5061	0.3332
2104	0.3415	0.2937	3604	0.8491	0.5972
2105	0.6561	0.4143	3605	0.6089	0.3368
2106	0.4611	0.3139	3701	0.3060	0.2070

Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
3702	0.4924	0.3347	4907	0.0532	0.0387
3708	0.7507	0.4214	4908	0.0871	0.1458
3802	0.1986	0.1380	4909	0.0402	0.0640
3808	0.5082	0.2679	4910	0.4994	0.3196
3901	0.1598	0.1472	5001	6.2800	2.4003
3902	0.5475	0.3830	5002	0.6881	0.3928
3903	1.0957	0.8900	5003	2.4567	0.9638
3905	0.1523	0.1408	5004	1.0147	0.6423
3906	0.5216	0.3715	5005	0.6985	0.3299
3909	0.2685	0.2180	5006	2.0512	0.8452
4002	1.7271	0.7695	5101	1.0291	0.6327
4101	0.3168	0.1947	5103	0.7765	0.5937
4103	0.4050	0.3712	5106	0.7765	0.5937
4107	0.1815	0.1226	5108	0.9811	0.6798
4108	0.1533	0.1091	5109	0.7020	0.4028
4109	0.2331	0.1498	5201	0.4875	0.2933
4201	0.8508	0.3682	5204	1.0538	0.6174
4301	0.7154	0.5029	5206	0.4817	0.2459
4302	0.7207	0.4572	5207	0.1662	0.1577
4304	1.0793	0.7356	5208	0.9682	0.5996
4305	1.5167	0.6592	5209	0.8769	0.5024
4401	0.4228	0.2897	5301	0.0338	0.0261
4402	0.8686	0.6393	5302	0.0226	0.0160
4404	0.5823	0.4166	5305	0.0522	0.0465
4501	0.1970	0.1556	5306	0.0632	0.0500
4502	0.0415	0.0340	5307	0.5971	0.3322
4504	0.1056	0.1033	6103	0.0762	0.0752
4601	0.8062	0.5159	6104	0.3845	0.2969
4802	0.2995	0.2156	6105	0.3820	0.2308
4803	0.2554	0.2277	6107	0.1253	0.1285
4804	0.5866	0.3966	6108	0.4155	0.3619
4805	0.2944	0.2376	6109	0.1019	0.0671
4806	0.0589	0.0447	6110	0.6422	0.4177
4808	0.5288	0.3427	6201	0.3859	0.2058
4809	0.3928	0.2985	6202	0.6887	0.4884
4810	0.1413	0.1223	6203	0.0839	0.1007
4811	0.2620	0.2207	6204	0.1301	0.1093
4812	0.4157	0.3024	6205	0.2585	0.1960
4813	0.1615	0.1322	6206	0.2400	0.1717
4900	0.4203	0.1921	6207	0.9595	0.9400
4901	0.0918	0.0518	6208	0.2284	0.2140
4902	0.1100	0.0712	6209	0.3065	0.2502
4903	0.1710	0.1008	6301	0.1540	0.0733
4904	0.0327	0.0242	6302	0.1712	0.1291
4905	0.3334	0.2884	6303	0.0735	0.0513
4906	0.1089	0.0696	6304	0.3980	0.3448

Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
6305	0.0939	0.0882	6901	0.0000	0.0646
6306	0.3622	0.2446	6902	1.3737	0.4702
6308	0.0682	0.0465	6903	9.2654	4.0006
6309	0.1806	0.1456	6904	0.4954	0.2367
6402	0.2992	0.2395	6905	0.4448	0.2549
6403	0.1587	0.1366	6906	0.0000	0.2549
6404	0.2227	0.1714	6907	1.3407	0.8325
6405	0.6891	0.4046	6908	0.5268	0.3400
6406	0.1121	0.0943	6909	0.1194	0.0930
6407	0.2903	0.2129	7100	0.0343	0.0242
6408	0.4236	0.2778	7101	0.0267	0.0173
6409	1.0814	0.5343	7102	3.2317	4.2799
6410	0.3073	0.2082	7103	0.6939	0.3507
6501	0.1833	0.1293	7104	0.0325	0.0227
6502	0.0428	0.0320	7105	0.0320	0.0252
6503	0.0935	0.0427	7106	0.1962	0.1576
6504	0.3848	0.3529	7107	0.2121	0.1954
6505	0.1001	0.0962	7108	0.1801	0.1781
6506	0.1040	0.0890	7109	0.1319	0.1071
6509	0.3704	0.3088	7110	0.4097	0.2124
6510	0.5882	0.2795	7111	0.4567	0.2412
6511	0.3178	0.2617	7112	0.6717	0.4732
6601	0.1971	0.1535	7113	0.3535	0.3104
6602	0.4588	0.3286	7114	0.5515	0.4804
6603	0.3750	0.2278	7115	0.5717	0.4762
6604	0.0873	0.0646	7116	0.7301	0.5178
6605	0.2871	0.2751	7117	1.6140	1.1401
6607	0.1886	0.1281	7118	1.3678	1.0116
6608	0.7260	0.2664	7119	1.4485	0.9175
6614	970*	759*	7120	6.7543	4.2809
6615	332*	278*	7121	6.3091	4.0293
6616	237*	167*	7122	0.5515	0.4804
6617	90*	64*	7201	1.5727	0.7553
6618	99*	50*	7202	0.0454	0.0232
6620	5.2052	3.1434	7203	0.1113	0.1192
6704	0.1870	0.1224	7204	0.0000	0.0000
6705	0.7436	0.8004	7301	0.5252	0.3714
6706	0.3189	0.2689	7302	1.0210	0.7168
6707	3.5422	2.7284	7307	0.5208	0.3937
6708	7.2474	7.7311	7308	0.2623	0.2718
6709	0.2805	0.2541	7309	0.2590	0.2375))
6801	0.6933	0.3908			
6802	0.4493	0.3320			
6803	1.0793	0.4628			
6804	0.3197	0.1970			
6809	4.9672	3.9116			
			Class	Accident Fund	Medical Aid Fund
			<u>0101</u>	<u>1.5102</u>	<u>0.7102</u>
			<u>0103</u>	<u>1.9285</u>	<u>0.9063</u>
			<u>0104</u>	<u>1.0954</u>	<u>0.5189</u>

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
<u>0105</u>	<u>1.4873</u>	<u>0.8554</u>	<u>1005</u>	<u>9.6730</u>	<u>4.4009</u>
<u>0107</u>	<u>1.4779</u>	<u>0.6467</u>	<u>1007</u>	<u>0.4244</u>	<u>0.2189</u>
<u>0108</u>	<u>1.0954</u>	<u>0.5189</u>	<u>1101</u>	<u>0.7541</u>	<u>0.4688</u>
<u>0112</u>	<u>0.8855</u>	<u>0.4502</u>	<u>1102</u>	<u>1.5286</u>	<u>0.7283</u>
<u>0201</u>	<u>2.9771</u>	<u>1.1228</u>	<u>1103</u>	<u>1.3045</u>	<u>0.7863</u>
<u>0202</u>	<u>3.5865</u>	<u>1.7260</u>	<u>1104</u>	<u>0.5311</u>	<u>0.4052</u>
<u>0210</u>	<u>1.4481</u>	<u>0.5946</u>	<u>1105</u>	<u>1.0005</u>	<u>0.5747</u>
<u>0212</u>	<u>1.5741</u>	<u>0.6908</u>	<u>1106</u>	<u>0.3267</u>	<u>0.2807</u>
<u>0214</u>	<u>1.5723</u>	<u>0.6391</u>	<u>1108</u>	<u>0.6894</u>	<u>0.4434</u>
<u>0217</u>	<u>1.2903</u>	<u>0.6064</u>	<u>1109</u>	<u>1.5396</u>	<u>0.9942</u>
<u>0219</u>	<u>1.0310</u>	<u>0.5979</u>	<u>1301</u>	<u>0.7669</u>	<u>0.3602</u>
<u>0301</u>	<u>0.6338</u>	<u>0.4127</u>	<u>1303</u>	<u>0.2400</u>	<u>0.1527</u>
<u>0302</u>	<u>2.4031</u>	<u>0.8991</u>	<u>1304</u>	<u>0.0296</u>	<u>0.0192</u>
<u>0303</u>	<u>2.2735</u>	<u>0.8789</u>	<u>1305</u>	<u>0.4356</u>	<u>0.2806</u>
<u>0306</u>	<u>1.2097</u>	<u>0.5013</u>	<u>1401</u>	<u>0.4876</u>	<u>0.3476</u>
<u>0307</u>	<u>1.0909</u>	<u>0.5375</u>	<u>1404</u>	<u>0.7669</u>	<u>0.5189</u>
<u>0308</u>	<u>0.5462</u>	<u>0.3967</u>	<u>1405</u>	<u>0.6008</u>	<u>0.3976</u>
<u>0403</u>	<u>1.8151</u>	<u>1.0914</u>	<u>1407</u>	<u>0.6165</u>	<u>0.4427</u>
<u>0502</u>	<u>1.8533</u>	<u>0.7421</u>	<u>1501</u>	<u>0.6346</u>	<u>0.3723</u>
<u>0504</u>	<u>1.6756</u>	<u>0.8618</u>	<u>1507</u>	<u>0.5820</u>	<u>0.3399</u>
<u>0507</u>	<u>3.1395</u>	<u>1.7331</u>	<u>1701</u>	<u>1.0239</u>	<u>0.5509</u>
<u>0508</u>	<u>2.4004</u>	<u>0.8899</u>	<u>1702</u>	<u>2.5949</u>	<u>0.9691</u>
<u>0509</u>	<u>1.9140</u>	<u>0.7798</u>	<u>1703</u>	<u>1.1204</u>	<u>0.3557</u>
<u>0510</u>	<u>1.6923</u>	<u>0.9163</u>	<u>1704</u>	<u>1.0239</u>	<u>0.5509</u>
<u>0511</u>	<u>1.9177</u>	<u>0.8731</u>	<u>1801</u>	<u>0.5826</u>	<u>0.3513</u>
<u>0512</u>	<u>1.8329</u>	<u>0.7927</u>	<u>1802</u>	<u>0.8068</u>	<u>0.4272</u>
<u>0513</u>	<u>0.9923</u>	<u>0.4630</u>	<u>2002</u>	<u>0.7386</u>	<u>0.5182</u>
<u>0514</u>	<u>2.1735</u>	<u>1.0436</u>	<u>2004</u>	<u>1.0135</u>	<u>0.6728</u>
<u>0516</u>	<u>1.8907</u>	<u>0.8933</u>	<u>2007</u>	<u>0.4854</u>	<u>0.3184</u>
<u>0517</u>	<u>1.9313</u>	<u>1.0352</u>	<u>2008</u>	<u>0.3401</u>	<u>0.2179</u>
<u>0518</u>	<u>1.9005</u>	<u>0.8052</u>	<u>2009</u>	<u>0.3930</u>	<u>0.3170</u>
<u>0519</u>	<u>2.6218</u>	<u>1.1503</u>	<u>2101</u>	<u>0.7007</u>	<u>0.4712</u>
<u>0521</u>	<u>0.6073</u>	<u>0.3376</u>	<u>2102</u>	<u>0.5642</u>	<u>0.4120</u>
<u>0601</u>	<u>0.7416</u>	<u>0.3729</u>	<u>2104</u>	<u>0.3307</u>	<u>0.2965</u>
<u>0602</u>	<u>0.9248</u>	<u>0.4189</u>	<u>2105</u>	<u>0.6213</u>	<u>0.4048</u>
<u>0603</u>	<u>1.2551</u>	<u>0.4830</u>	<u>2106</u>	<u>0.4365</u>	<u>0.3199</u>
<u>0604</u>	<u>1.0086</u>	<u>0.6823</u>	<u>2201</u>	<u>0.2530</u>	<u>0.1745</u>
<u>0606</u>	<u>0.5608</u>	<u>0.3679</u>	<u>2202</u>	<u>0.7733</u>	<u>0.4742</u>
<u>0607</u>	<u>0.5428</u>	<u>0.3239</u>	<u>2203</u>	<u>0.4765</u>	<u>0.3581</u>
<u>0608</u>	<u>0.4330</u>	<u>0.2432</u>	<u>2204</u>	<u>0.2530</u>	<u>0.1745</u>
<u>0701</u>	<u>2.7040</u>	<u>0.7317</u>	<u>2401</u>	<u>0.5360</u>	<u>0.3290</u>
<u>0803</u>	<u>0.4986</u>	<u>0.3150</u>	<u>2903</u>	<u>0.6629</u>	<u>0.4833</u>
<u>0901</u>	<u>1.9005</u>	<u>0.8052</u>	<u>2904</u>	<u>0.7700</u>	<u>0.5325</u>
<u>1002</u>	<u>1.0349</u>	<u>0.6322</u>	<u>2905</u>	<u>0.5443</u>	<u>0.4428</u>
<u>1003</u>	<u>0.8552</u>	<u>0.5082</u>	<u>2906</u>	<u>0.3483</u>	<u>0.2395</u>
<u>1004</u>	<u>0.5814</u>	<u>0.3011</u>	<u>2907</u>	<u>0.5409</u>	<u>0.3986</u>

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
<u>2908</u>	<u>1.1619</u>	<u>0.6262</u>	<u>4002</u>	<u>1.6280</u>	<u>0.7618</u>
<u>2909</u>	<u>0.3916</u>	<u>0.2927</u>	<u>4101</u>	<u>0.3183</u>	<u>0.2031</u>
<u>3101</u>	<u>1.0863</u>	<u>0.5612</u>	<u>4103</u>	<u>0.4048</u>	<u>0.3771</u>
<u>3102</u>	<u>0.2872</u>	<u>0.1983</u>	<u>4107</u>	<u>0.1686</u>	<u>0.1219</u>
<u>3103</u>	<u>0.6003</u>	<u>0.3802</u>	<u>4108</u>	<u>0.1487</u>	<u>0.1119</u>
<u>3104</u>	<u>0.6744</u>	<u>0.3701</u>	<u>4109</u>	<u>0.2210</u>	<u>0.1513</u>
<u>3105</u>	<u>0.7886</u>	<u>0.5375</u>	<u>4201</u>	<u>0.8230</u>	<u>0.3679</u>
<u>3303</u>	<u>0.4653</u>	<u>0.3088</u>	<u>4301</u>	<u>0.6687</u>	<u>0.5001</u>
<u>3304</u>	<u>0.4574</u>	<u>0.3817</u>	<u>4302</u>	<u>0.6992</u>	<u>0.4650</u>
<u>3309</u>	<u>0.4556</u>	<u>0.3036</u>	<u>4304</u>	<u>1.0132</u>	<u>0.7360</u>
<u>3402</u>	<u>0.5828</u>	<u>0.3664</u>	<u>4305</u>	<u>1.4391</u>	<u>0.6544</u>
<u>3403</u>	<u>0.2137</u>	<u>0.1418</u>	<u>4401</u>	<u>0.4070</u>	<u>0.2945</u>
<u>3404</u>	<u>0.5027</u>	<u>0.3517</u>	<u>4402</u>	<u>0.8309</u>	<u>0.6355</u>
<u>3405</u>	<u>0.3434</u>	<u>0.2232</u>	<u>4404</u>	<u>0.5665</u>	<u>0.4215</u>
<u>3406</u>	<u>0.1960</u>	<u>0.1695</u>	<u>4501</u>	<u>0.1849</u>	<u>0.1590</u>
<u>3407</u>	<u>0.7729</u>	<u>0.4525</u>	<u>4502</u>	<u>0.0399</u>	<u>0.0354</u>
<u>3408</u>	<u>0.1880</u>	<u>0.1246</u>	<u>4504</u>	<u>0.1011</u>	<u>0.1050</u>
<u>3409</u>	<u>0.1663</u>	<u>0.1403</u>	<u>4601</u>	<u>0.7733</u>	<u>0.5186</u>
<u>3410</u>	<u>0.2803</u>	<u>0.2240</u>	<u>4802</u>	<u>0.2979</u>	<u>0.2248</u>
<u>3411</u>	<u>0.5284</u>	<u>0.3058</u>	<u>4803</u>	<u>0.2438</u>	<u>0.2354</u>
<u>3412</u>	<u>0.6816</u>	<u>0.3328</u>	<u>4804</u>	<u>0.5360</u>	<u>0.3861</u>
<u>3414</u>	<u>0.6261</u>	<u>0.3601</u>	<u>4805</u>	<u>0.2812</u>	<u>0.2436</u>
<u>3415</u>	<u>0.8773</u>	<u>0.5152</u>	<u>4806</u>	<u>0.0566</u>	<u>0.0450</u>
<u>3501</u>	<u>1.1294</u>	<u>0.7094</u>	<u>4808</u>	<u>0.4945</u>	<u>0.3441</u>
<u>3503</u>	<u>0.2759</u>	<u>0.2748</u>	<u>4809</u>	<u>0.3766</u>	<u>0.3045</u>
<u>3506</u>	<u>1.3792</u>	<u>0.5391</u>	<u>4810</u>	<u>0.1332</u>	<u>0.1225</u>
<u>3509</u>	<u>0.3980</u>	<u>0.3263</u>	<u>4811</u>	<u>0.2506</u>	<u>0.2279</u>
<u>3510</u>	<u>0.3848</u>	<u>0.2760</u>	<u>4812</u>	<u>0.3967</u>	<u>0.3054</u>
<u>3511</u>	<u>0.7602</u>	<u>0.5032</u>	<u>4813</u>	<u>0.1493</u>	<u>0.1295</u>
<u>3512</u>	<u>0.3360</u>	<u>0.2880</u>	<u>4900</u>	<u>0.3884</u>	<u>0.1773</u>
<u>3513</u>	<u>0.4523</u>	<u>0.3564</u>	<u>4901</u>	<u>0.0867</u>	<u>0.0511</u>
<u>3602</u>	<u>0.1286</u>	<u>0.0963</u>	<u>4902</u>	<u>0.1098</u>	<u>0.0738</u>
<u>3603</u>	<u>0.4908</u>	<u>0.3451</u>	<u>4903</u>	<u>0.1675</u>	<u>0.1054</u>
<u>3604</u>	<u>0.8076</u>	<u>0.6067</u>	<u>4904</u>	<u>0.0304</u>	<u>0.0237</u>
<u>3605</u>	<u>0.5803</u>	<u>0.3382</u>	<u>4905</u>	<u>0.3208</u>	<u>0.2955</u>
<u>3701</u>	<u>0.2872</u>	<u>0.1983</u>	<u>4906</u>	<u>0.0986</u>	<u>0.0692</u>
<u>3702</u>	<u>0.4833</u>	<u>0.3360</u>	<u>4907</u>	<u>0.0513</u>	<u>0.0399</u>
<u>3708</u>	<u>0.7128</u>	<u>0.4106</u>	<u>4908</u>	<u>0.0799</u>	<u>0.1152</u>
<u>3802</u>	<u>0.1954</u>	<u>0.1415</u>	<u>4909</u>	<u>0.0381</u>	<u>0.0622</u>
<u>3808</u>	<u>0.4773</u>	<u>0.2627</u>	<u>4910</u>	<u>0.4829</u>	<u>0.3235</u>
<u>3901</u>	<u>0.1540</u>	<u>0.1481</u>	<u>4911</u>	<u>0.0697</u>	<u>0.0500</u>
<u>3902</u>	<u>0.5034</u>	<u>0.3777</u>	<u>5001</u>	<u>6.0252</u>	<u>2.4999</u>
<u>3903</u>	<u>1.0439</u>	<u>0.8858</u>	<u>5002</u>	<u>0.6557</u>	<u>0.3944</u>
<u>3905</u>	<u>0.1447</u>	<u>0.1398</u>	<u>5003</u>	<u>2.3613</u>	<u>0.9947</u>
<u>3906</u>	<u>0.4803</u>	<u>0.3556</u>	<u>5004</u>	<u>0.9584</u>	<u>0.6259</u>
<u>3909</u>	<u>0.2474</u>	<u>0.2162</u>	<u>5005</u>	<u>0.6550</u>	<u>0.3265</u>

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
<u>5006</u>	<u>1.9073</u>	<u>0.8254</u>	<u>6404</u>	<u>0.2184</u>	<u>0.1745</u>
<u>5101</u>	<u>0.9648</u>	<u>0.6286</u>	<u>6405</u>	<u>0.6377</u>	<u>0.3937</u>
<u>5103</u>	<u>0.7356</u>	<u>0.5874</u>	<u>6406</u>	<u>0.1116</u>	<u>0.0981</u>
<u>5106</u>	<u>0.7356</u>	<u>0.5874</u>	<u>6407</u>	<u>0.2793</u>	<u>0.2110</u>
<u>5108</u>	<u>0.9177</u>	<u>0.6739</u>	<u>6408</u>	<u>0.4131</u>	<u>0.2828</u>
<u>5109</u>	<u>0.6542</u>	<u>0.3966</u>	<u>6409</u>	<u>0.9934</u>	<u>0.5215</u>
<u>5201</u>	<u>0.4666</u>	<u>0.2945</u>	<u>6410</u>	<u>0.2946</u>	<u>0.2151</u>
<u>5204</u>	<u>0.9946</u>	<u>0.6060</u>	<u>6501</u>	<u>0.1719</u>	<u>0.1293</u>
<u>5206</u>	<u>0.4708</u>	<u>0.2584</u>	<u>6502</u>	<u>0.0403</u>	<u>0.0313</u>
<u>5207</u>	<u>0.1551</u>	<u>0.1536</u>	<u>6503</u>	<u>0.0902</u>	<u>0.0447</u>
<u>5208</u>	<u>0.8852</u>	<u>0.5790</u>	<u>6504</u>	<u>0.3636</u>	<u>0.3535</u>
<u>5209</u>	<u>0.8151</u>	<u>0.4940</u>	<u>6505</u>	<u>0.0944</u>	<u>0.0974</u>
<u>5300</u>	<u>0.1098</u>	<u>0.0738</u>	<u>6506</u>	<u>0.0994</u>	<u>0.0899</u>
<u>5301</u>	<u>0.0330</u>	<u>0.0267</u>	<u>6509</u>	<u>0.3492</u>	<u>0.3076</u>
<u>5302</u>	<u>0.0207</u>	<u>0.0154</u>	<u>6510</u>	<u>0.5441</u>	<u>0.2700</u>
<u>5305</u>	<u>0.0498</u>	<u>0.0464</u>	<u>6511</u>	<u>0.3269</u>	<u>0.2768</u>
<u>5306</u>	<u>0.0605</u>	<u>0.0494</u>	<u>6512</u>	<u>0.2715</u>	<u>0.2105</u>
<u>5307</u>	<u>0.5858</u>	<u>0.3420</u>	<u>6601</u>	<u>0.1848</u>	<u>0.1493</u>
<u>6103</u>	<u>0.0753</u>	<u>0.0755</u>	<u>6602</u>	<u>0.4685</u>	<u>0.3511</u>
<u>6104</u>	<u>0.3560</u>	<u>0.2884</u>	<u>6603</u>	<u>0.3564</u>	<u>0.2275</u>
<u>6105</u>	<u>0.3714</u>	<u>0.2395</u>	<u>6604</u>	<u>0.0833</u>	<u>0.0656</u>
<u>6107</u>	<u>0.1224</u>	<u>0.1320</u>	<u>6605</u>	<u>0.2779</u>	<u>0.2818</u>
<u>6108</u>	<u>0.4166</u>	<u>0.3694</u>	<u>6607</u>	<u>0.1746</u>	<u>0.1260</u>
<u>6109</u>	<u>0.0980</u>	<u>0.0688</u>	<u>6608</u>	<u>0.6917</u>	<u>0.2648</u>
<u>6110</u>	<u>0.6353</u>	<u>0.4328</u>	<u>6614</u>	<u>44*</u>	<u>35*</u>
<u>6120</u>	<u>0.2971</u>	<u>0.1916</u>	<u>6615</u>	<u>309*</u>	<u>270*</u>
<u>6121</u>	<u>0.3714</u>	<u>0.2395</u>	<u>6616</u>	<u>14*</u>	<u>10*</u>
<u>6201</u>	<u>0.3576</u>	<u>0.2052</u>	<u>6617</u>	<u>103*</u>	<u>76*</u>
<u>6202</u>	<u>0.6582</u>	<u>0.4908</u>	<u>6618</u>	<u>99*</u>	<u>50*</u>
<u>6203</u>	<u>0.0825</u>	<u>0.1050</u>	<u>6620</u>	<u>4.8308</u>	<u>2.9905</u>
<u>6204</u>	<u>0.1219</u>	<u>0.1102</u>	<u>6622</u>	<u>565*</u>	<u>449*</u>
<u>6205</u>	<u>0.2469</u>	<u>0.1932</u>	<u>6623</u>	<u>207*</u>	<u>147*</u>
<u>6206</u>	<u>0.2350</u>	<u>0.1773</u>	<u>6704</u>	<u>0.1754</u>	<u>0.1209</u>
<u>6207</u>	<u>0.9090</u>	<u>0.9446</u>	<u>6705</u>	<u>0.6966</u>	<u>0.7926</u>
<u>6208</u>	<u>0.2207</u>	<u>0.2133</u>	<u>6706</u>	<u>0.3005</u>	<u>0.2637</u>
<u>6209</u>	<u>0.3010</u>	<u>0.2576</u>	<u>6707</u>	<u>3.4221</u>	<u>2.9240</u>
<u>6301</u>	<u>0.1529</u>	<u>0.0747</u>	<u>6708</u>	<u>6.9097</u>	<u>7.8371</u>
<u>6302</u>	<u>0.1776</u>	<u>0.1483</u>	<u>6709</u>	<u>0.2714</u>	<u>0.2477</u>
<u>6303</u>	<u>0.0725</u>	<u>0.0510</u>	<u>6801</u>	<u>0.6708</u>	<u>0.4154</u>
<u>6304</u>	<u>0.3757</u>	<u>0.3458</u>	<u>6802</u>	<u>0.4546</u>	<u>0.3395</u>
<u>6305</u>	<u>0.0909</u>	<u>0.0884</u>	<u>6803</u>	<u>1.0265</u>	<u>0.4432</u>
<u>6306</u>	<u>0.3406</u>	<u>0.2448</u>	<u>6804</u>	<u>0.2946</u>	<u>0.1943</u>
<u>6308</u>	<u>0.0669</u>	<u>0.0483</u>	<u>6809</u>	<u>4.7278</u>	<u>4.0617</u>
<u>6309</u>	<u>0.1776</u>	<u>0.1483</u>	<u>6901</u>	<u>0.0000</u>	<u>0.0584</u>
<u>6402</u>	<u>0.2832</u>	<u>0.2378</u>	<u>6902</u>	<u>1.2857</u>	<u>0.4644</u>
<u>6403</u>	<u>0.1593</u>	<u>0.1422</u>	<u>6903</u>	<u>8.6855</u>	<u>3.9709</u>

Class	Accident Fund	Medical Aid Fund
6904	0.4799	0.2432
6905	0.4281	0.2567
6906	0.0000	0.2567
6907	1.3109	0.8611
6908	0.4925	0.3340
6909	0.1169	0.0963
7100	0.0327	0.0243
7101	0.0255	0.0175
7102	3.0801	4.2970
7103	0.6772	0.3641
7104	0.0310	0.0234
7105	0.0316	0.0254
7106	0.1887	0.1614
7107	0.2015	0.1987
7108	0.1703	0.1730
7109	0.1259	0.1085
7110	0.3871	0.2062
7111	0.4265	0.2329
7112	0.6466	0.4776
7113	0.3368	0.3040
7114	0.5211	0.4502
7115	0.5380	0.4693
7116	0.6929	0.5136
7117	1.5938	1.2207
7118	1.3242	1.0182
7119	1.3808	0.9103
7120	6.4082	4.2401
7121	5.9556	3.9464
7122	0.5236	0.4754
7200	1.2338	0.6227
7201	1.5423	0.7784
7202	0.0414	0.0226
7203	0.1053	0.1217
7204	0.0000	0.0000
7205	0.0000	0.0000
7301	0.5041	0.3715
7302	0.9770	0.7401
7307	0.4868	0.3880
7308	0.2678	0.2871
7309	0.2410	0.2315
7400	1.5423	0.7784

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications. The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Base Rates Effective January 1, ((2006)) 2007			
Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
((0540	0.0301	0.0115	0.0005
0541	0.0169	0.0061	0.0005
0550	0.0412	0.0128	0.0005
0551	0.0230	0.0073	0.0005))
0540	0.0268	0.0111	0.0005
0541	0.0161	0.0062	0.0005
0550	0.0375	0.0124	0.0005
0551	0.0218	0.0073	0.0005

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-855 Experience modification. (1) The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the expected losses (~~((which would be expected))~~) for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to ~~((mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance))~~ weigh the extent to which the actual experience is credible, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification factor shall be calculated from the formula:

$$((MODIFICATION = \frac{Ap + WAe + (1 - W)Ee + B}{E + B}))$$

$$EXPERIENCE MODIFICATION FACTOR = \frac{(Credible Actual Primary Loss + Credible Actual Excess Loss)/Expected Loss$$

Where

Credible Actual Primary Loss = Actual Primary Loss x Primary Credibility

± Expected Primary Loss x (100% - Primary Credibility)

Credible Actual Excess Loss = Actual Excess Loss x Excess Credibility

± Expected Excess Loss x (100% - Excess Credibility)

~~((The components A_p , $W A_e$, and $(1 - W) E_e$ are values which shall be charged against an employer's experience record. The component, E , shall be the expected value of these charges for an average employer reporting the same exposures in each classification.))~~ The meaning and function of each ~~((symbol))~~ term in the formula is specified below.

~~((A_p signifies "primary actual losses."))~~ For each claim, the actual primary ((actual)) loss is ((defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value)) the first dollar portion of the claim costs, which has been shown in actuarial studies, to have the greater credibility in predicting future experience. These amounts are summed over all claims. For each claim in excess of (($\$18,972$)) $\$19,560$ the actual primary ((actual)) loss shall be determined from the formula:

$$\text{ACTUAL PRIMARY LOSS} = \frac{((47,430)) 48,900}{(\text{Total loss} + ((28,458)) 29,340)} \times \text{total loss}$$

~~((Primary actual losses for selected claim values are shown in Table I.))~~ For each claim, less than ~~(($\$18,972$)) $\$19,560$ the full value of the claim shall be considered a primary loss.~~

~~((A_e signifies "excess actual losses."))~~ For each claim, the excess actual loss is ~~((defined as that portion of the claim which is not considered completely rateable for all employers))~~ the remaining portion of the claim costs, which have been shown in actuarial studies to have less credibility in predicting future experience. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss. These amounts are summed over all claims.

For any claim without disability benefits (time loss, partial permanent disability, total permanent disability or death) either actually paid or estimated to be paid, the total actual losses for calculating the primary loss and excess loss shall first be reduced by the lesser of $\$1,510$ or the total cost of the claim. Here are some examples for these claims:

<u>Total Loss</u>	<u>Total Loss (after deduction)</u>	<u>Primary Loss</u>	<u>Excess Loss</u>
200	=	=	=
2,000	490	490	=
20,000	18,490	18,490	=
200,000	198,490	42,603	155,887
2,000,000	487,490	46,124	441,366

Note: The deduction, $\$1,510$, is twice the average case incurred cost of these types of claims occurring during the three-year period used for experience rating. On average this results in reducing the average actual loss about seventy percent for these types of claims adjusted. This is done to help make the transition between the two different experience rating methods better by helping make the change in experience factor reasonable for small changes to the actual losses. The $\$2,000,000$ loss is limited by the Maximum Claim Value before the reduction of $\$1,510$ is applied.

~~((W signifies " W value."))~~ For each employer, the ~~((W value))~~ primary credibility and the excess credibility determines the ((portion of)) percentage weight given to the corre-

sponding actual primary losses and the actual excess losses ((which shall be)) included in the calculation of ((his)) the experience modification, ((due consideration being given to)) based on the volume of ((his experience)) expected losses. ((This amount is represented by the symbol " $W A_e$ " in the experience modification formula. W values)) Primary credibility and excess credibility values are set forth in Table II.

~~((E signifies "expected losses."))~~ An employer's expected losses shall be determined by summing the expected loss for each of the three years of the experience period, which are calculated by multiplying ((his)) the reported exposure in each classification during the ((experience period)) year by the corresponding classification expected loss rate and rounding the result to the nearest cent. Classification expected loss rates by year are set forth in Table III.

~~((E_e signifies "expected excess losses."))~~ Expected losses in each classification shall be multiplied by the classification ~~((Φ))~~ Primary-Ratio" to obtain "expected primary losses((-))" which shall be rounded to the nearest cent. Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses rounded to the nearest cent. ((Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by " $(1 - W) E_e$ " in the experience modification formula. Φ)) Primary-Ratios are also set forth in Table III.

~~((B signifies " B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table H.))~~ (2) Alternative experience modification calculation. The following experience modification factor calculation provides results similar to the experience rating calculation used in 2006. The experience modification factor shall be calculated in the manner identified in subsection (1) of this section with the following exceptions:

(a) The Expected Loss Rate and Primary Ratio Table IIIA shall be used instead of Table III.

(b) No medical only deduction (of $\$1,510$) shall be applied to claims without disability benefits during the three year experience period for purposes of calculating the primary and excess losses.

(c) The Primary and Excess Credibility Table IIA shall be used instead of Table II.

(3) Experience modification calculation for 2007. For calendar year 2007, if the calculated experience modification factor using the manner identified in subsection (1) of this section is greater than the experience modification factor calculated using subsection (2) of this section then the experience modification factor shall be the lower of the two calculations.

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-880 Table II.

**(("B" and "W" Values
Effective January 1, 2006**

Maximum Claim Value = \$ 474,300
Average Death Value = \$ 208,747

Expected Losses

B W

Expected Losses	B	W	Expected Losses	B	W		
			604,530	-	626,282	52,799	0.41
			626,283	-	648,544	51,904	0.42
			648,545	-	671,333	51,009	0.43
			671,334	-	694,669	50,114	0.44
			694,670	-	718,574	49,220	0.45
			718,575	-	743,069	48,325	0.46
10,276 & Under	89,490	0.00	743,070	-	768,176	47,430	0.47
10,277 - 20,706	88,595	0.01	768,177	-	793,921	46,535	0.48
20,707 - 31,292	87,700	0.02	793,922	-	820,329	45,640	0.49
31,293 - 42,038	86,805	0.03	820,330	-	847,426	44,745	0.50
42,039 - 52,947	85,910	0.04	847,427	-	875,241	43,850	0.51
52,948 - 64,026	85,016	0.05	875,242	-	903,804	42,955	0.52
64,027 - 75,277	84,121	0.06	903,805	-	933,146	42,060	0.53
75,278 - 86,705	83,226	0.07	933,147	-	963,300	41,165	0.54
86,706 - 98,315	82,331	0.08	963,301	-	994,303	40,271	0.55
98,316 - 110,111	81,436	0.09	994,304	-	1,026,192	39,376	0.56
110,112 - 122,099	80,541	0.10	1,026,193	-	1,059,006	38,481	0.57
122,100 - 134,283	79,646	0.11	1,059,007	-	1,092,787	37,586	0.58
134,284 - 146,668	78,751	0.12	1,092,788	-	1,127,580	36,691	0.59
146,669 - 159,260	77,856	0.13	1,127,581	-	1,163,432	35,796	0.60
159,261 - 172,064	76,961	0.14	1,163,433	-	1,200,394	34,901	0.61
172,065 - 185,088	76,067	0.15	1,200,395	-	1,238,520	34,006	0.62
185,089 - 198,336	75,172	0.16	1,238,521	-	1,277,866	33,111	0.63
198,337 - 211,815	74,277	0.17	1,277,867	-	1,318,493	32,216	0.64
211,816 - 225,532	73,382	0.18	1,318,494	-	1,360,467	31,322	0.65
225,533 - 239,493	72,487	0.19	1,360,468	-	1,403,859	30,427	0.66
239,494 - 253,705	71,592	0.20	1,403,860	-	1,448,741	29,532	0.67
253,706 - 268,175	70,697	0.21	1,448,742	-	1,495,194	28,637	0.68
268,176 - 282,912	69,802	0.22	1,495,195	-	1,543,304	27,742	0.69
282,913 - 297,923	68,907	0.23	1,543,305	-	1,593,163	26,847	0.70
297,924 - 313,215	68,012	0.24	1,593,164	-	1,644,869	25,952	0.71
313,216 - 328,799	67,118	0.25	1,644,870	-	1,698,530	25,057	0.72
328,800 - 344,683	66,223	0.26	1,698,531	-	1,754,260	24,162	0.73
344,684 - 360,876	65,328	0.27	1,754,261	-	1,812,182	23,267	0.74
360,877 - 377,388	64,433	0.28	1,812,183	-	1,872,433	22,373	0.75
377,389 - 394,228	63,538	0.29	1,872,434	-	1,935,157	21,478	0.76
394,229 - 411,408	62,643	0.30	1,935,158	-	2,000,513	20,583	0.77
411,409 - 428,938	61,748	0.31	2,000,514	-	2,068,670	19,688	0.78
428,939 - 446,829	60,853	0.32	2,068,671	-	2,139,818	18,793	0.79
446,830 - 465,095	59,958	0.33	2,139,819	-	2,214,158	17,898	0.80
465,096 - 483,745	59,063	0.34	2,214,159	-	2,291,915	17,003	0.81
483,746 - 502,795	58,169	0.35	2,291,916	-	2,373,332	16,108	0.82
502,796 - 522,257	57,274	0.36	2,373,333	-	2,458,676	15,213	0.83
522,258 - 542,147	56,379	0.37	2,458,677	-	2,548,242	14,318	0.84
542,148 - 562,478	55,484	0.38	2,548,243	-	2,642,357	13,424	0.85
562,479 - 583,267	54,589	0.39	2,642,358	-	2,741,377	12,529	0.86
583,268 - 604,529	53,694	0.40	2,741,378	-	2,845,702	11,634	0.87

Expected Losses		B	W
2,845,703	-	2,955,773	10,739
2,955,774	-	3,072,082	9,844
3,072,083	-	3,195,181	8,949
3,195,182	-	3,325,685	8,054
3,325,686	-	3,464,291	7,159
3,464,292	-	3,611,781	6,264
3,611,782	-	3,769,044	5,369
3,769,045	-	3,937,090	4,474
3,937,091	-	4,117,076	3,580
4,117,077	-	4,310,328	2,685
4,310,329	-	4,518,378	1,790
4,518,379	-	4,742,999	895
4,743,000 & Over		0	1.00))

Expected Losses	Primary Credibility	Excess Credibility
20,784	37%	7%
21,496	38%	7%
22,227	39%	7%
22,977	40%	7%
23,749	41%	7%
24,544	42%	7%
25,366	43%	7%
26,216	44%	7%
27,098	45%	7%
28,016	46%	7%
28,974	47%	7%
29,979	48%	7%
31,037	49%	7%
32,159	50%	7%
33,358	51%	7%
34,651	52%	7%
36,067	53%	7%
37,647	54%	7%
37,808	54%	8%
39,467	55%	8%
41,688	56%	8%
63,093	57%	8%
69,541	57%	9%
99,329	57%	10%
102,307	58%	10%
129,300	58%	11%
141,521	59%	11%
159,458	59%	12%
180,733	60%	12%
189,800	60%	13%
219,947	61%	13%
220,332	61%	14%
251,054	61%	15%
259,161	62%	15%
281,969	62%	16%
298,374	63%	16%
313,078	63%	17%
337,588	64%	17%
344,382	64%	18%
375,883	64%	19%
376,801	65%	19%
407,585	65%	20%
416,014	66%	20%
439,488	66%	21%
455,228	67%	21%
471,594	67%	22%

PRIMARY AND EXCESS CREDIBILITY VALUES
Effective January 1, 2007

Maximum Claim Value = \$ 489,000
 Average Death Value = \$ 191,760

Expected Losses	Primary Credibility	Excess Credibility
1	12%	7%
7,128	13%	7%
7,608	14%	7%
8,095	15%	7%
8,587	16%	7%
9,084	17%	7%
9,589	18%	7%
10,099	19%	7%
10,616	20%	7%
11,140	21%	7%
11,671	22%	7%
12,210	23%	7%
12,756	24%	7%
13,311	25%	7%
13,875	26%	7%
14,447	27%	7%
15,028	28%	7%
15,620	29%	7%
16,222	30%	7%
16,835	31%	7%
17,460	32%	7%
18,097	33%	7%
18,747	34%	7%
19,411	35%	7%
20,089	36%	7%

Expected Losses		Primary Credibility	Excess Credibility	Expected Losses		Primary Credibility	Excess Credibility
<u>494,442</u>	=	<u>503,904</u>	<u>68%</u>	<u>22%</u>	<u>1,346,496</u>	=	<u>1,357,137</u> <u>89%</u> <u>47%</u>
<u>503,905</u>	=	<u>533,654</u>	<u>68%</u>	<u>23%</u>	<u>1,357,138</u>	=	<u>1,384,652</u> <u>90%</u> <u>47%</u>
<u>533,655</u>	=	<u>536,422</u>	<u>69%</u>	<u>23%</u>	<u>1,384,653</u>	=	<u>1,396,351</u> <u>90%</u> <u>48%</u>
<u>536,423</u>	=	<u>569,150</u>	<u>69%</u>	<u>24%</u>	<u>1,396,352</u>	=	<u>1,423,076</u> <u>91%</u> <u>48%</u>
<u>569,151</u>	=	<u>572,867</u>	<u>69%</u>	<u>25%</u>	<u>1,423,077</u>	=	<u>1,435,564</u> <u>91%</u> <u>49%</u>
<u>572,868</u>	=	<u>602,089</u>	<u>70%</u>	<u>25%</u>	<u>1,435,565</u>	=	<u>1,461,768</u> <u>92%</u> <u>49%</u>
<u>602,090</u>	=	<u>612,081</u>	<u>70%</u>	<u>26%</u>	<u>1,461,769</u>	=	<u>1,474,778</u> <u>92%</u> <u>50%</u>
<u>612,082</u>	=	<u>635,241</u>	<u>71%</u>	<u>26%</u>	<u>1,474,779</u>	=	<u>1,500,732</u> <u>93%</u> <u>50%</u>
<u>635,242</u>	=	<u>651,295</u>	<u>71%</u>	<u>27%</u>	<u>1,500,733</u>	=	<u>1,513,991</u> <u>93%</u> <u>51%</u>
<u>651,296</u>	=	<u>668,609</u>	<u>72%</u>	<u>27%</u>	<u>1,513,992</u>	=	<u>1,539,971</u> <u>94%</u> <u>51%</u>
<u>668,610</u>	=	<u>690,508</u>	<u>72%</u>	<u>28%</u>	<u>1,539,972</u>	=	<u>1,553,204</u> <u>94%</u> <u>52%</u>
<u>690,509</u>	=	<u>702,194</u>	<u>73%</u>	<u>28%</u>	<u>1,553,205</u>	=	<u>1,579,487</u> <u>95%</u> <u>52%</u>
<u>702,195</u>	=	<u>729,722</u>	<u>73%</u>	<u>29%</u>	<u>1,579,488</u>	=	<u>1,592,418</u> <u>95%</u> <u>53%</u>
<u>729,723</u>	=	<u>735,998</u>	<u>74%</u>	<u>29%</u>	<u>1,592,419</u>	=	<u>1,619,283</u> <u>96%</u> <u>53%</u>
<u>735,999</u>	=	<u>768,935</u>	<u>74%</u>	<u>30%</u>	<u>1,619,284</u>	=	<u>1,631,632</u> <u>96%</u> <u>54%</u>
<u>768,936</u>	=	<u>770,025</u>	<u>75%</u>	<u>30%</u>	<u>1,631,633</u>	=	<u>1,659,362</u> <u>97%</u> <u>54%</u>
<u>770,026</u>	=	<u>804,276</u>	<u>75%</u>	<u>31%</u>	<u>1,659,363</u>	=	<u>1,670,845</u> <u>97%</u> <u>55%</u>
<u>804,277</u>	=	<u>808,148</u>	<u>75%</u>	<u>32%</u>	<u>1,670,846</u>	=	<u>1,699,729</u> <u>98%</u> <u>55%</u>
<u>808,149</u>	=	<u>838,753</u>	<u>76%</u>	<u>32%</u>	<u>1,699,730</u>	=	<u>1,710,058</u> <u>98%</u> <u>56%</u>
<u>838,754</u>	=	<u>847,362</u>	<u>76%</u>	<u>33%</u>	<u>1,710,059</u>	=	<u>1,740,385</u> <u>99%</u> <u>56%</u>
<u>847,363</u>	=	<u>873,458</u>	<u>77%</u>	<u>33%</u>	<u>1,740,386</u>	=	<u>1,749,272</u> <u>99%</u> <u>57%</u>
<u>873,459</u>	=	<u>886,576</u>	<u>77%</u>	<u>34%</u>	<u>1,749,273</u>	=	<u>1,781,334</u> <u>100%</u> <u>57%</u>
<u>886,577</u>	=	<u>908,394</u>	<u>78%</u>	<u>34%</u>	<u>1,781,335</u>	=	<u>1,822,578</u> <u>100%</u> <u>58%</u>
<u>908,395</u>	=	<u>925,789</u>	<u>78%</u>	<u>35%</u>	<u>1,822,579</u>	=	<u>1,864,121</u> <u>100%</u> <u>59%</u>
<u>925,790</u>	=	<u>943,563</u>	<u>79%</u>	<u>35%</u>	<u>1,864,122</u>	=	<u>1,905,967</u> <u>100%</u> <u>60%</u>
<u>943,564</u>	=	<u>965,002</u>	<u>79%</u>	<u>36%</u>	<u>1,905,968</u>	=	<u>1,948,118</u> <u>100%</u> <u>61%</u>
<u>965,003</u>	=	<u>978,967</u>	<u>80%</u>	<u>36%</u>	<u>1,948,119</u>	=	<u>1,990,579</u> <u>100%</u> <u>62%</u>
<u>978,968</u>	=	<u>1,004,216</u>	<u>80%</u>	<u>37%</u>	<u>1,990,580</u>	=	<u>2,033,351</u> <u>100%</u> <u>63%</u>
<u>1,004,217</u>	=	<u>1,014,609</u>	<u>81%</u>	<u>37%</u>	<u>2,033,352</u>	=	<u>2,076,439</u> <u>100%</u> <u>64%</u>
<u>1,014,610</u>	=	<u>1,043,429</u>	<u>81%</u>	<u>38%</u>	<u>2,076,440</u>	=	<u>2,119,847</u> <u>100%</u> <u>65%</u>
<u>1,043,430</u>	=	<u>1,050,491</u>	<u>82%</u>	<u>38%</u>	<u>2,119,848</u>	=	<u>2,163,579</u> <u>100%</u> <u>66%</u>
<u>1,050,492</u>	=	<u>1,082,643</u>	<u>82%</u>	<u>39%</u>	<u>2,163,580</u>	=	<u>2,207,637</u> <u>100%</u> <u>67%</u>
<u>1,082,644</u>	=	<u>1,086,617</u>	<u>83%</u>	<u>39%</u>	<u>2,207,638</u>	=	<u>2,252,024</u> <u>100%</u> <u>68%</u>
<u>1,086,618</u>	=	<u>1,121,857</u>	<u>83%</u>	<u>40%</u>	<u>2,252,025</u>	=	<u>2,296,746</u> <u>100%</u> <u>69%</u>
<u>1,121,858</u>	=	<u>1,122,987</u>	<u>84%</u>	<u>40%</u>	<u>2,296,747</u>	=	<u>2,341,805</u> <u>100%</u> <u>70%</u>
<u>1,122,988</u>	=	<u>1,159,604</u>	<u>84%</u>	<u>41%</u>	<u>2,341,806</u>	=	<u>2,387,206</u> <u>100%</u> <u>71%</u>
<u>1,159,605</u>	=	<u>1,161,069</u>	<u>84%</u>	<u>42%</u>	<u>2,387,207</u>	=	<u>2,432,953</u> <u>100%</u> <u>72%</u>
<u>1,161,070</u>	=	<u>1,196,471</u>	<u>85%</u>	<u>42%</u>	<u>2,432,954</u>	=	<u>2,479,048</u> <u>100%</u> <u>73%</u>
<u>1,196,472</u>	=	<u>1,200,283</u>	<u>85%</u>	<u>43%</u>	<u>2,479,049</u>	=	<u>2,525,498</u> <u>100%</u> <u>74%</u>
<u>1,200,284</u>	=	<u>1,233,592</u>	<u>86%</u>	<u>43%</u>	<u>2,525,499</u>	=	<u>2,572,305</u> <u>100%</u> <u>75%</u>
<u>1,233,593</u>	=	<u>1,239,497</u>	<u>86%</u>	<u>44%</u>	<u>2,572,306</u>	=	<u>2,619,473</u> <u>100%</u> <u>76%</u>
<u>1,239,498</u>	=	<u>1,270,967</u>	<u>87%</u>	<u>44%</u>	<u>2,619,474</u>	=	<u>2,667,008</u> <u>100%</u> <u>77%</u>
<u>1,270,968</u>	=	<u>1,278,711</u>	<u>87%</u>	<u>45%</u>	<u>2,667,009</u>	=	<u>2,714,913</u> <u>100%</u> <u>78%</u>
<u>1,278,712</u>	=	<u>1,308,601</u>	<u>88%</u>	<u>45%</u>	<u>2,714,914</u>	=	<u>2,763,192</u> <u>100%</u> <u>79%</u>
<u>1,308,602</u>	=	<u>1,317,923</u>	<u>88%</u>	<u>46%</u>	<u>2,763,193</u>	=	<u>2,811,850</u> <u>100%</u> <u>80%</u>
<u>1,317,924</u>	=	<u>1,346,495</u>	<u>89%</u>	<u>46%</u>	<u>2,811,851</u>	=	<u>2,860,892</u> <u>100%</u> <u>81%</u>

Expected Losses	Primary Credibility	Excess Credibility
<u>2,860,893</u> = <u>2,910,321</u>	<u>100%</u>	<u>82%</u>
<u>2,910,322</u> = <u>2,960,143</u>	<u>100%</u>	<u>83%</u>
<u>2,960,144</u> = <u>3,010,362</u>	<u>100%</u>	<u>84%</u>
<u>3,010,363</u> = <u>3,060,983</u>	<u>100%</u>	<u>85%</u>
<u>3,060,984</u> = <u>99,999,999</u>	<u>100%</u>	<u>86%</u>

Expected Losses	Primary Credibility	Excess Credibility
<u>5,160</u> = <u>5,360</u>	<u>5.60%</u>	<u>0.00%</u>
<u>5,361</u> = <u>5,561</u>	<u>5.80%</u>	<u>0.00%</u>
<u>5,562</u> = <u>5,763</u>	<u>6.00%</u>	<u>0.00%</u>
<u>5,764</u> = <u>5,966</u>	<u>6.20%</u>	<u>0.00%</u>
<u>5,967</u> = <u>6,170</u>	<u>6.40%</u>	<u>0.00%</u>
<u>6,171</u> = <u>6,375</u>	<u>6.60%</u>	<u>0.00%</u>
<u>6,376</u> = <u>6,581</u>	<u>6.80%</u>	<u>0.00%</u>
<u>6,582</u> = <u>6,788</u>	<u>7.00%</u>	<u>0.00%</u>
<u>6,789</u> = <u>6,995</u>	<u>7.20%</u>	<u>0.00%</u>
<u>6,996</u> = <u>7,204</u>	<u>7.40%</u>	<u>0.00%</u>
<u>7,205</u> = <u>7,413</u>	<u>7.60%</u>	<u>0.00%</u>
<u>7,414</u> = <u>7,624</u>	<u>7.80%</u>	<u>0.00%</u>
<u>7,625</u> = <u>7,835</u>	<u>8.00%</u>	<u>0.00%</u>
<u>7,836</u> = <u>8,047</u>	<u>8.20%</u>	<u>0.00%</u>
<u>8,048</u> = <u>8,260</u>	<u>8.40%</u>	<u>0.00%</u>
<u>8,261</u> = <u>8,474</u>	<u>8.60%</u>	<u>0.00%</u>
<u>8,475</u> = <u>8,689</u>	<u>8.80%</u>	<u>0.00%</u>
<u>8,690</u> = <u>8,905</u>	<u>9.00%</u>	<u>0.00%</u>
<u>8,906</u> = <u>9,122</u>	<u>9.20%</u>	<u>0.00%</u>
<u>9,123</u> = <u>9,340</u>	<u>9.40%</u>	<u>0.00%</u>
<u>9,341</u> = <u>9,559</u>	<u>9.60%</u>	<u>0.00%</u>
<u>9,560</u> = <u>9,778</u>	<u>9.80%</u>	<u>0.00%</u>
<u>9,779</u> = <u>9,999</u>	<u>10.00%</u>	<u>0.00%</u>
<u>10,000</u> = <u>10,221</u>	<u>10.20%</u>	<u>0.00%</u>
<u>10,222</u> = <u>10,444</u>	<u>10.40%</u>	<u>0.00%</u>
<u>10,445</u> = <u>10,613</u>	<u>10.60%</u>	<u>0.00%</u>
<u>10,614</u> = <u>10,783</u>	<u>10.80%</u>	<u>0.10%</u>
<u>10,784</u> = <u>11,006</u>	<u>11.00%</u>	<u>0.10%</u>
<u>11,007</u> = <u>11,231</u>	<u>11.20%</u>	<u>0.10%</u>
<u>11,232</u> = <u>11,456</u>	<u>11.40%</u>	<u>0.10%</u>
<u>11,457</u> = <u>11,683</u>	<u>11.60%</u>	<u>0.10%</u>
<u>11,684</u> = <u>11,910</u>	<u>11.80%</u>	<u>0.10%</u>
<u>11,911</u> = <u>12,139</u>	<u>12.00%</u>	<u>0.10%</u>
<u>12,140</u> = <u>12,368</u>	<u>12.20%</u>	<u>0.10%</u>
<u>12,369</u> = <u>12,599</u>	<u>12.40%</u>	<u>0.10%</u>
<u>12,600</u> = <u>12,831</u>	<u>12.60%</u>	<u>0.10%</u>
<u>12,832</u> = <u>13,064</u>	<u>12.80%</u>	<u>0.10%</u>
<u>13,065</u> = <u>13,297</u>	<u>13.00%</u>	<u>0.10%</u>
<u>13,298</u> = <u>13,532</u>	<u>13.20%</u>	<u>0.10%</u>
<u>13,533</u> = <u>13,768</u>	<u>13.40%</u>	<u>0.10%</u>
<u>13,769</u> = <u>14,005</u>	<u>13.60%</u>	<u>0.10%</u>
<u>14,006</u> = <u>14,244</u>	<u>13.80%</u>	<u>0.10%</u>
<u>14,245</u> = <u>14,483</u>	<u>14.00%</u>	<u>0.10%</u>
<u>14,484</u> = <u>14,723</u>	<u>14.20%</u>	<u>0.10%</u>
<u>14,724</u> = <u>14,965</u>	<u>14.40%</u>	<u>0.10%</u>
<u>14,966</u> = <u>15,208</u>	<u>14.60%</u>	<u>0.10%</u>

TABLE IIA

PRIMARY AND EXCESS CREDIBILITY VALUES
Effective January 1, 2007, to December 31, 2007

Maximum Claim Value = \$ 489,000

Average Death Value = \$ 191,760

Expected Losses	Primary Credibility	Excess Credibility
<u>1</u> = <u>90</u>	<u>0.10%</u>	<u>0.00%</u>
<u>91</u> = <u>179</u>	<u>0.20%</u>	<u>0.00%</u>
<u>180</u> = <u>269</u>	<u>0.30%</u>	<u>0.00%</u>
<u>270</u> = <u>360</u>	<u>0.40%</u>	<u>0.00%</u>
<u>361</u> = <u>450</u>	<u>0.50%</u>	<u>0.00%</u>
<u>451</u> = <u>540</u>	<u>0.60%</u>	<u>0.00%</u>
<u>541</u> = <u>631</u>	<u>0.70%</u>	<u>0.00%</u>
<u>632</u> = <u>722</u>	<u>0.80%</u>	<u>0.00%</u>
<u>723</u> = <u>813</u>	<u>0.90%</u>	<u>0.00%</u>
<u>814</u> = <u>950</u>	<u>1.00%</u>	<u>0.00%</u>
<u>951</u> = <u>1,133</u>	<u>1.20%</u>	<u>0.00%</u>
<u>1,134</u> = <u>1,317</u>	<u>1.40%</u>	<u>0.00%</u>
<u>1,318</u> = <u>1,502</u>	<u>1.60%</u>	<u>0.00%</u>
<u>1,503</u> = <u>1,687</u>	<u>1.80%</u>	<u>0.00%</u>
<u>1,688</u> = <u>1,873</u>	<u>2.00%</u>	<u>0.00%</u>
<u>1,874</u> = <u>2,060</u>	<u>2.20%</u>	<u>0.00%</u>
<u>2,061</u> = <u>2,248</u>	<u>2.40%</u>	<u>0.00%</u>
<u>2,249</u> = <u>2,437</u>	<u>2.60%</u>	<u>0.00%</u>
<u>2,438</u> = <u>2,626</u>	<u>2.80%</u>	<u>0.00%</u>
<u>2,627</u> = <u>2,816</u>	<u>3.00%</u>	<u>0.00%</u>
<u>2,817</u> = <u>3,007</u>	<u>3.20%</u>	<u>0.00%</u>
<u>3,008</u> = <u>3,198</u>	<u>3.40%</u>	<u>0.00%</u>
<u>3,199</u> = <u>3,391</u>	<u>3.60%</u>	<u>0.00%</u>
<u>3,392</u> = <u>3,584</u>	<u>3.80%</u>	<u>0.00%</u>
<u>3,585</u> = <u>3,778</u>	<u>4.00%</u>	<u>0.00%</u>
<u>3,779</u> = <u>3,973</u>	<u>4.20%</u>	<u>0.00%</u>
<u>3,974</u> = <u>4,168</u>	<u>4.40%</u>	<u>0.00%</u>
<u>4,169</u> = <u>4,365</u>	<u>4.60%</u>	<u>0.00%</u>
<u>4,366</u> = <u>4,562</u>	<u>4.80%</u>	<u>0.00%</u>
<u>4,563</u> = <u>4,760</u>	<u>5.00%</u>	<u>0.00%</u>
<u>4,761</u> = <u>4,959</u>	<u>5.20%</u>	<u>0.00%</u>
<u>4,960</u> = <u>5,159</u>	<u>5.40%</u>	<u>0.00%</u>

<u>Expected Losses</u>	<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>	<u>Expected Losses</u>	<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>
<u>15.209</u> =	<u>15.451</u>	<u>14.80%</u>	<u>27.469</u> =	<u>27.771</u>	<u>24.00%</u>
<u>15.452</u> =	<u>15.696</u>	<u>15.00%</u>	<u>27.772</u> =	<u>28.076</u>	<u>24.20%</u>
<u>15.697</u> =	<u>15.942</u>	<u>15.20%</u>	<u>28.077</u> =	<u>28.383</u>	<u>24.40%</u>
<u>15.943</u> =	<u>16.189</u>	<u>15.40%</u>	<u>28.384</u> =	<u>28.691</u>	<u>24.60%</u>
<u>16.190</u> =	<u>16.438</u>	<u>15.60%</u>	<u>28.692</u> =	<u>29.000</u>	<u>24.80%</u>
<u>16.439</u> =	<u>16.687</u>	<u>15.80%</u>	<u>29.001</u> =	<u>29.312</u>	<u>25.00%</u>
<u>16.688</u> =	<u>16.938</u>	<u>16.00%</u>	<u>29.313</u> =	<u>29.625</u>	<u>25.20%</u>
<u>16.939</u> =	<u>17.191</u>	<u>16.20%</u>	<u>29.626</u> =	<u>29.940</u>	<u>25.40%</u>
<u>17.192</u> =	<u>17.444</u>	<u>16.40%</u>	<u>29.941</u> =	<u>30.256</u>	<u>25.60%</u>
<u>17.445</u> =	<u>17.698</u>	<u>16.60%</u>	<u>30.257</u> =	<u>30.574</u>	<u>25.80%</u>
<u>17.699</u> =	<u>17.954</u>	<u>16.80%</u>	<u>30.575</u> =	<u>30.894</u>	<u>26.00%</u>
<u>17.955</u> =	<u>18.211</u>	<u>17.00%</u>	<u>30.895</u> =	<u>31.216</u>	<u>26.20%</u>
<u>18.212</u> =	<u>18.469</u>	<u>17.20%</u>	<u>31.217</u> =	<u>31.539</u>	<u>26.40%</u>
<u>18.470</u> =	<u>18.728</u>	<u>17.40%</u>	<u>31.540</u> =	<u>31.864</u>	<u>26.60%</u>
<u>18.729</u> =	<u>18.989</u>	<u>17.60%</u>	<u>31.865</u> =	<u>32.026</u>	<u>26.80%</u>
<u>18.990</u> =	<u>19.251</u>	<u>17.80%</u>	<u>32.027</u> =	<u>32.188</u>	<u>27.00%</u>
<u>19.252</u> =	<u>19.514</u>	<u>18.00%</u>	<u>32.189</u> =	<u>32.515</u>	<u>27.20%</u>
<u>19.515</u> =	<u>19.779</u>	<u>18.20%</u>	<u>32.516</u> =	<u>32.844</u>	<u>27.40%</u>
<u>19.780</u> =	<u>20.044</u>	<u>18.40%</u>	<u>32.845</u> =	<u>33.175</u>	<u>27.60%</u>
<u>20.045</u> =	<u>20.311</u>	<u>18.60%</u>	<u>33.176</u> =	<u>33.507</u>	<u>27.80%</u>
<u>20.312</u> =	<u>20.580</u>	<u>18.80%</u>	<u>33.508</u> =	<u>33.842</u>	<u>28.00%</u>
<u>20.581</u> =	<u>20.849</u>	<u>19.00%</u>	<u>33.843</u> =	<u>34.178</u>	<u>28.20%</u>
<u>20.850</u> =	<u>21.120</u>	<u>19.20%</u>	<u>34.179</u> =	<u>34.516</u>	<u>28.40%</u>
<u>21.121</u> =	<u>21.284</u>	<u>19.40%</u>	<u>34.517</u> =	<u>34.857</u>	<u>28.60%</u>
<u>21.285</u> =	<u>21.448</u>	<u>19.60%</u>	<u>34.858</u> =	<u>35.199</u>	<u>28.80%</u>
<u>21.449</u> =	<u>21.720</u>	<u>19.80%</u>	<u>35.200</u> =	<u>35.542</u>	<u>29.00%</u>
<u>21.721</u> =	<u>21.994</u>	<u>20.00%</u>	<u>35.543</u> =	<u>35.888</u>	<u>29.20%</u>
<u>21.995</u> =	<u>22.269</u>	<u>20.20%</u>	<u>35.889</u> =	<u>36.236</u>	<u>29.40%</u>
<u>22.270</u> =	<u>22.546</u>	<u>20.40%</u>	<u>36.237</u> =	<u>36.586</u>	<u>29.60%</u>
<u>22.547</u> =	<u>22.823</u>	<u>20.60%</u>	<u>36.587</u> =	<u>36.938</u>	<u>29.80%</u>
<u>22.824</u> =	<u>23.102</u>	<u>20.80%</u>	<u>36.939</u> =	<u>37.291</u>	<u>30.00%</u>
<u>23.103</u> =	<u>23.383</u>	<u>21.00%</u>	<u>37.292</u> =	<u>37.647</u>	<u>30.20%</u>
<u>23.384</u> =	<u>23.666</u>	<u>21.20%</u>	<u>37.648</u> =	<u>38.005</u>	<u>30.40%</u>
<u>23.667</u> =	<u>23.949</u>	<u>21.40%</u>	<u>38.006</u> =	<u>38.365</u>	<u>30.60%</u>
<u>23.950</u> =	<u>24.234</u>	<u>21.60%</u>	<u>38.366</u> =	<u>38.727</u>	<u>30.80%</u>
<u>24.235</u> =	<u>24.521</u>	<u>21.80%</u>	<u>38.728</u> =	<u>39.091</u>	<u>31.00%</u>
<u>24.522</u> =	<u>24.809</u>	<u>22.00%</u>	<u>39.092</u> =	<u>39.457</u>	<u>31.20%</u>
<u>24.810</u> =	<u>25.098</u>	<u>22.20%</u>	<u>39.458</u> =	<u>39.826</u>	<u>31.40%</u>
<u>25.099</u> =	<u>25.389</u>	<u>22.40%</u>	<u>39.827</u> =	<u>40.196</u>	<u>31.60%</u>
<u>25.390</u> =	<u>25.681</u>	<u>22.60%</u>	<u>40.197</u> =	<u>40.569</u>	<u>31.80%</u>
<u>25.682</u> =	<u>25.975</u>	<u>22.80%</u>	<u>40.570</u> =	<u>40.944</u>	<u>32.00%</u>
<u>25.976</u> =	<u>26.270</u>	<u>23.00%</u>	<u>40.945</u> =	<u>41.321</u>	<u>32.20%</u>
<u>26.271</u> =	<u>26.567</u>	<u>23.20%</u>	<u>41.322</u> =	<u>41.700</u>	<u>32.40%</u>
<u>26.568</u> =	<u>26.866</u>	<u>23.40%</u>	<u>41.701</u> =	<u>42.082</u>	<u>32.60%</u>
<u>26.867</u> =	<u>27.166</u>	<u>23.60%</u>	<u>42.083</u> =	<u>42.466</u>	<u>32.80%</u>
<u>27.167</u> =	<u>27.468</u>	<u>23.80%</u>	<u>42.467</u> =	<u>42.852</u>	<u>33.00%</u>

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
42,853	43,016	33.20%	62,199	62,710	42.40%
43,017	43,181	33.40%	62,711	63,226	42.60%
43,182	43,570	33.60%	63,227	63,744	42.80%
43,571	43,962	33.80%	63,745	64,266	43.00%
43,963	44,356	34.00%	64,267	64,792	43.20%
44,357	44,752	34.20%	64,793	65,322	43.40%
44,753	45,151	34.40%	65,323	65,508	43.60%
45,152	45,552	34.60%	65,509	65,694	43.80%
45,553	45,956	34.80%	65,695	66,230	44.00%
45,957	46,362	35.00%	66,231	66,770	44.20%
46,363	46,770	35.20%	66,771	67,313	44.40%
46,771	47,181	35.40%	67,314	67,860	44.60%
47,182	47,595	35.60%	67,861	68,411	44.80%
47,596	48,011	35.80%	68,412	68,966	45.00%
48,012	48,430	36.00%	68,967	69,526	45.20%
48,431	48,852	36.20%	69,527	70,089	45.40%
48,853	49,276	36.40%	70,090	70,656	45.60%
49,277	49,702	36.60%	70,657	71,228	45.80%
49,703	50,132	36.80%	71,229	71,804	46.00%
50,133	50,564	37.00%	71,805	72,384	46.20%
50,565	50,999	37.20%	72,385	72,969	46.40%
51,000	51,437	37.40%	72,970	73,558	46.60%
51,438	51,877	37.60%	73,559	74,151	46.80%
51,878	52,321	37.80%	74,152	74,748	47.00%
52,322	52,767	38.00%	74,749	75,351	47.20%
52,768	53,216	38.20%	75,352	75,958	47.40%
53,217	53,668	38.40%	75,959	76,569	47.60%
53,669	54,123	38.60%	76,570	77,186	47.80%
54,124	54,296	38.80%	77,187	77,391	48.00%
54,297	54,469	39.00%	77,392	77,598	48.20%
54,470	54,929	39.20%	77,599	78,222	48.40%
54,930	55,391	39.40%	78,223	78,851	48.60%
55,392	55,856	39.60%	78,852	79,484	48.80%
55,857	56,324	39.80%	79,485	80,123	49.00%
56,325	56,796	40.00%	80,124	80,767	49.20%
56,797	57,271	40.20%	80,768	81,416	49.40%
57,272	57,749	40.40%	81,417	82,070	49.60%
57,750	58,230	40.60%	82,071	82,729	49.80%
58,231	58,714	40.80%	82,730	83,394	50.00%
58,715	59,202	41.00%	83,395	84,063	50.20%
59,203	59,693	41.20%	84,064	84,738	50.40%
59,694	60,187	41.40%	84,739	85,419	50.60%
60,188	60,685	41.60%	85,420	86,106	50.80%
60,686	61,186	41.80%	86,107	86,798	51.00%
61,187	61,690	42.00%	86,799	87,495	51.20%
61,691	62,198	42.20%	87,496	88,198	51.40%

<u>Expected Losses</u>	<u>Primary Credibility</u>	<u>Excess Credibility</u>	<u>Expected Losses</u>	<u>Primary Credibility</u>	<u>Excess Credibility</u>
<u>88,199</u> =	<u>88,907</u>	<u>51.60%</u>	<u>124,140</u> =	<u>125,185</u>	<u>60.80%</u>
<u>88,908</u> =	<u>89,138</u>	<u>51.80%</u>	<u>125,186</u> =	<u>125,537</u>	<u>61.00%</u>
<u>89,139</u> =	<u>89,372</u>	<u>52.00%</u>	<u>125,538</u> =	<u>125,894</u>	<u>61.20%</u>
<u>89,373</u> =	<u>90,091</u>	<u>52.20%</u>	<u>125,895</u> =	<u>126,960</u>	<u>61.40%</u>
<u>90,092</u> =	<u>90,816</u>	<u>52.40%</u>	<u>126,961</u> =	<u>128,038</u>	<u>61.60%</u>
<u>90,817</u> =	<u>91,548</u>	<u>52.60%</u>	<u>128,039</u> =	<u>129,126</u>	<u>61.80%</u>
<u>91,549</u> =	<u>92,285</u>	<u>52.80%</u>	<u>129,127</u> =	<u>130,226</u>	<u>62.00%</u>
<u>92,286</u> =	<u>93,029</u>	<u>53.00%</u>	<u>130,227</u> =	<u>131,338</u>	<u>62.20%</u>
<u>93,030</u> =	<u>93,779</u>	<u>53.20%</u>	<u>131,339</u> =	<u>132,462</u>	<u>62.40%</u>
<u>93,780</u> =	<u>94,536</u>	<u>53.40%</u>	<u>132,463</u> =	<u>133,598</u>	<u>62.60%</u>
<u>94,537</u> =	<u>95,299</u>	<u>53.60%</u>	<u>133,599</u> =	<u>134,746</u>	<u>62.80%</u>
<u>95,300</u> =	<u>96,069</u>	<u>53.80%</u>	<u>134,747</u> =	<u>135,907</u>	<u>63.00%</u>
<u>96,070</u> =	<u>96,845</u>	<u>54.00%</u>	<u>135,908</u> =	<u>137,080</u>	<u>63.20%</u>
<u>96,846</u> =	<u>97,629</u>	<u>54.20%</u>	<u>137,081</u> =	<u>137,485</u>	<u>63.40%</u>
<u>97,630</u> =	<u>98,419</u>	<u>54.40%</u>	<u>137,486</u> =	<u>137,897</u>	<u>63.60%</u>
<u>98,420</u> =	<u>99,216</u>	<u>54.60%</u>	<u>137,898</u> =	<u>139,096</u>	<u>63.80%</u>
<u>99,217</u> =	<u>100,020</u>	<u>54.80%</u>	<u>139,097</u> =	<u>140,308</u>	<u>64.00%</u>
<u>100,021</u> =	<u>100,832</u>	<u>55.00%</u>	<u>140,309</u> =	<u>141,533</u>	<u>64.20%</u>
<u>100,833</u> =	<u>101,095</u>	<u>55.20%</u>	<u>141,534</u> =	<u>142,773</u>	<u>64.40%</u>
<u>101,096</u> =	<u>101,362</u>	<u>55.40%</u>	<u>142,774</u> =	<u>144,026</u>	<u>64.60%</u>
<u>101,363</u> =	<u>102,186</u>	<u>55.60%</u>	<u>144,027</u> =	<u>145,294</u>	<u>64.80%</u>
<u>102,187</u> =	<u>103,018</u>	<u>55.80%</u>	<u>145,295</u> =	<u>146,576</u>	<u>65.00%</u>
<u>103,019</u> =	<u>103,858</u>	<u>56.00%</u>	<u>146,577</u> =	<u>147,873</u>	<u>65.20%</u>
<u>103,859</u> =	<u>104,705</u>	<u>56.20%</u>	<u>147,874</u> =	<u>149,185</u>	<u>65.40%</u>
<u>104,706</u> =	<u>105,560</u>	<u>56.40%</u>	<u>149,186</u> =	<u>150,512</u>	<u>65.60%</u>
<u>105,561</u> =	<u>106,422</u>	<u>56.60%</u>	<u>150,513</u> =	<u>150,988</u>	<u>65.80%</u>
<u>106,423</u> =	<u>107,293</u>	<u>56.80%</u>	<u>150,989</u> =	<u>151,472</u>	<u>66.00%</u>
<u>107,294</u> =	<u>108,172</u>	<u>57.00%</u>	<u>151,473</u> =	<u>152,831</u>	<u>66.20%</u>
<u>108,173</u> =	<u>109,059</u>	<u>57.20%</u>	<u>152,832</u> =	<u>154,206</u>	<u>66.40%</u>
<u>109,060</u> =	<u>109,954</u>	<u>57.40%</u>	<u>154,207</u> =	<u>155,597</u>	<u>66.60%</u>
<u>109,955</u> =	<u>110,858</u>	<u>57.60%</u>	<u>155,598</u> =	<u>157,006</u>	<u>66.80%</u>
<u>110,859</u> =	<u>111,771</u>	<u>57.80%</u>	<u>157,007</u> =	<u>158,432</u>	<u>67.00%</u>
<u>111,772</u> =	<u>112,692</u>	<u>58.00%</u>	<u>158,433</u> =	<u>159,875</u>	<u>67.20%</u>
<u>112,693</u> =	<u>112,995</u>	<u>58.20%</u>	<u>159,876</u> =	<u>161,335</u>	<u>67.40%</u>
<u>112,996</u> =	<u>113,302</u>	<u>58.40%</u>	<u>161,336</u> =	<u>162,814</u>	<u>67.60%</u>
<u>113,303</u> =	<u>114,239</u>	<u>58.60%</u>	<u>162,815</u> =	<u>163,363</u>	<u>67.80%</u>
<u>114,240</u> =	<u>115,186</u>	<u>58.80%</u>	<u>163,364</u> =	<u>163,921</u>	<u>68.00%</u>
<u>115,187</u> =	<u>116,142</u>	<u>59.00%</u>	<u>163,922</u> =	<u>165,439</u>	<u>68.20%</u>
<u>116,143</u> =	<u>117,107</u>	<u>59.20%</u>	<u>165,440</u> =	<u>166,975</u>	<u>68.40%</u>
<u>117,108</u> =	<u>118,082</u>	<u>59.40%</u>	<u>166,976</u> =	<u>168,531</u>	<u>68.60%</u>
<u>118,083</u> =	<u>119,066</u>	<u>59.60%</u>	<u>168,532</u> =	<u>170,108</u>	<u>68.80%</u>
<u>119,067</u> =	<u>120,061</u>	<u>59.80%</u>	<u>170,109</u> =	<u>171,704</u>	<u>69.00%</u>
<u>120,062</u> =	<u>121,065</u>	<u>60.00%</u>	<u>171,705</u> =	<u>173,321</u>	<u>69.20%</u>
<u>121,066</u> =	<u>122,079</u>	<u>60.20%</u>	<u>173,322</u> =	<u>174,960</u>	<u>69.40%</u>
<u>122,080</u> =	<u>123,104</u>	<u>60.40%</u>	<u>174,961</u> =	<u>176,620</u>	<u>69.60%</u>
<u>123,105</u> =	<u>124,139</u>	<u>60.60%</u>	<u>176,621</u> =	<u>177,262</u>	<u>69.80%</u>

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility		
<u>177,263</u>	=	<u>177,916</u> 70.00%	<u>10.50%</u>	<u>266,768</u>	=	<u>270,019</u> 79.20%	<u>16.60%</u>
<u>177,917</u>	=	<u>179,624</u> 70.20%	<u>10.50%</u>	<u>270,020</u>	=	<u>273,336</u> 79.40%	<u>16.70%</u>
<u>179,625</u>	=	<u>181,354</u> 70.40%	<u>10.60%</u>	<u>273,337</u>	=	<u>274,955</u> 79.60%	<u>16.70%</u>
<u>181,355</u>	=	<u>183,108</u> 70.60%	<u>10.60%</u>	<u>274,956</u>	=	<u>276,619</u> 79.80%	<u>17.50%</u>
<u>183,109</u>	=	<u>184,887</u> 70.80%	<u>10.60%</u>	<u>276,620</u>	=	<u>280,092</u> 80.00%	<u>17.60%</u>
<u>184,888</u>	=	<u>186,690</u> 71.00%	<u>10.60%</u>	<u>280,093</u>	=	<u>283,635</u> 80.20%	<u>17.60%</u>
<u>186,691</u>	=	<u>188,517</u> 71.20%	<u>10.70%</u>	<u>283,636</u>	=	<u>287,251</u> 80.40%	<u>17.70%</u>
<u>188,518</u>	=	<u>189,245</u> 71.40%	<u>10.70%</u>	<u>287,252</u>	=	<u>289,064</u> 80.60%	<u>17.70%</u>
<u>189,246</u>	=	<u>189,989</u> 71.60%	<u>11.40%</u>	<u>289,065</u>	=	<u>290,931</u> 80.80%	<u>18.60%</u>
<u>189,990</u>	=	<u>191,873</u> 71.80%	<u>11.50%</u>	<u>290,932</u>	=	<u>294,729</u> 81.00%	<u>18.60%</u>
<u>191,874</u>	=	<u>193,783</u> 72.00%	<u>11.50%</u>	<u>294,730</u>	=	<u>298,608</u> 81.20%	<u>18.70%</u>
<u>193,784</u>	=	<u>195,722</u> 72.20%	<u>11.50%</u>	<u>298,609</u>	=	<u>302,571</u> 81.40%	<u>18.70%</u>
<u>195,723</u>	=	<u>197,689</u> 72.40%	<u>11.60%</u>	<u>302,572</u>	=	<u>304,615</u> 81.60%	<u>18.80%</u>
<u>197,690</u>	=	<u>199,684</u> 72.60%	<u>11.60%</u>	<u>304,616</u>	=	<u>306,721</u> 81.80%	<u>19.60%</u>
<u>199,685</u>	=	<u>201,709</u> 72.80%	<u>11.60%</u>	<u>306,722</u>	=	<u>310,897</u> 82.00%	<u>19.70%</u>
<u>201,710</u>	=	<u>203,763</u> 73.00%	<u>11.70%</u>	<u>310,898</u>	=	<u>315,167</u> 82.20%	<u>19.70%</u>
<u>203,764</u>	=	<u>204,617</u> 73.20%	<u>11.70%</u>	<u>315,168</u>	=	<u>319,534</u> 82.40%	<u>19.80%</u>
<u>204,618</u>	=	<u>205,490</u> 73.40%	<u>12.50%</u>	<u>319,535</u>	=	<u>321,857</u> 82.60%	<u>19.80%</u>
<u>205,491</u>	=	<u>207,613</u> 73.60%	<u>12.50%</u>	<u>321,858</u>	=	<u>324,254</u> 82.80%	<u>20.70%</u>
<u>207,614</u>	=	<u>209,769</u> 73.80%	<u>12.50%</u>	<u>324,255</u>	=	<u>328,872</u> 83.00%	<u>20.70%</u>
<u>209,770</u>	=	<u>211,958</u> 74.00%	<u>12.60%</u>	<u>328,873</u>	=	<u>333,601</u> 83.20%	<u>20.80%</u>
<u>211,959</u>	=	<u>214,182</u> 74.20%	<u>12.60%</u>	<u>333,602</u>	=	<u>336,171</u> 83.40%	<u>20.80%</u>
<u>214,183</u>	=	<u>216,440</u> 74.40%	<u>12.60%</u>	<u>336,172</u>	=	<u>338,826</u> 83.60%	<u>21.70%</u>
<u>216,441</u>	=	<u>217,409</u> 74.60%	<u>12.70%</u>	<u>338,827</u>	=	<u>343,842</u> 83.80%	<u>21.80%</u>
<u>217,410</u>	=	<u>218,400</u> 74.80%	<u>13.50%</u>	<u>343,843</u>	=	<u>348,985</u> 84.00%	<u>21.80%</u>
<u>218,401</u>	=	<u>220,739</u> 75.00%	<u>13.50%</u>	<u>348,986</u>	=	<u>351,846</u> 84.20%	<u>21.90%</u>
<u>220,740</u>	=	<u>223,116</u> 75.20%	<u>13.50%</u>	<u>351,847</u>	=	<u>354,805</u> 84.40%	<u>22.80%</u>
<u>223,117</u>	=	<u>225,532</u> 75.40%	<u>13.60%</u>	<u>354,806</u>	=	<u>360,280</u> 84.60%	<u>22.80%</u>
<u>225,533</u>	=	<u>227,987</u> 75.60%	<u>13.60%</u>	<u>360,281</u>	=	<u>365,899</u> 84.80%	<u>22.90%</u>
<u>227,988</u>	=	<u>230,483</u> 75.80%	<u>13.60%</u>	<u>365,900</u>	=	<u>369,102</u> 85.00%	<u>22.90%</u>
<u>230,484</u>	=	<u>231,592</u> 76.00%	<u>13.70%</u>	<u>369,103</u>	=	<u>372,421</u> 85.20%	<u>23.80%</u>
<u>231,593</u>	=	<u>232,727</u> 76.20%	<u>14.50%</u>	<u>372,422</u>	=	<u>378,427</u> 85.40%	<u>23.90%</u>
<u>232,728</u>	=	<u>235,319</u> 76.40%	<u>14.50%</u>	<u>378,428</u>	=	<u>384,599</u> 85.60%	<u>24.00%</u>
<u>235,320</u>	=	<u>237,956</u> 76.60%	<u>14.50%</u>	<u>384,600</u>	=	<u>388,209</u> 85.80%	<u>24.00%</u>
<u>237,957</u>	=	<u>240,638</u> 76.80%	<u>14.60%</u>	<u>388,210</u>	=	<u>391,955</u> 86.00%	<u>24.90%</u>
<u>240,639</u>	=	<u>243,367</u> 77.00%	<u>14.60%</u>	<u>391,956</u>	=	<u>398,581</u> 86.20%	<u>25.00%</u>
<u>243,368</u>	=	<u>244,615</u> 77.20%	<u>14.70%</u>	<u>398,582</u>	=	<u>402,523</u> 86.40%	<u>25.00%</u>
<u>244,616</u>	=	<u>245,895</u> 77.40%	<u>15.50%</u>	<u>402,524</u>	=	<u>406,619</u> 86.60%	<u>26.00%</u>
<u>245,896</u>	=	<u>248,737</u> 77.60%	<u>15.50%</u>	<u>406,620</u>	=	<u>413,757</u> 86.80%	<u>26.00%</u>
<u>248,738</u>	=	<u>251,629</u> 77.80%	<u>15.60%</u>	<u>413,758</u>	=	<u>421,116</u> 87.00%	<u>26.10%</u>
<u>251,630</u>	=	<u>254,574</u> 78.00%	<u>15.60%</u>	<u>421,117</u>	=	<u>425,615</u> 87.20%	<u>26.10%</u>
<u>254,575</u>	=	<u>257,574</u> 78.20%	<u>15.60%</u>	<u>425,616</u>	=	<u>430,299</u> 87.40%	<u>27.10%</u>
<u>257,575</u>	=	<u>258,990</u> 78.40%	<u>15.70%</u>	<u>430,300</u>	=	<u>438,269</u> 87.60%	<u>27.10%</u>
<u>258,991</u>	=	<u>260,444</u> 78.60%	<u>16.50%</u>	<u>438,270</u>	=	<u>443,234</u> 87.80%	<u>27.20%</u>
<u>260,445</u>	=	<u>263,576</u> 78.80%	<u>16.50%</u>	<u>443,235</u>	=	<u>448,413</u> 88.00%	<u>28.10%</u>
<u>263,577</u>	=	<u>266,767</u> 79.00%	<u>16.60%</u>	<u>448,414</u>	=	<u>457,082</u> 88.20%	<u>28.20%</u>

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
457,083	462,592	88.40%	1,397,700	1,442,306	97.90%
462,593	468,348	88.60%	1,442,307	1,488,446	98.00%
468,349	474,223	88.80%	1,488,447	1,536,203	98.10%
474,224	480,370	89.00%	1,536,204	1,585,664	98.30%
480,371	490,408	89.20%	1,585,665	1,636,923	98.40%
490,409	496,996	89.40%	1,636,924	1,690,083	98.50%
496,997	503,903	89.60%	1,690,084	1,745,254	98.60%
503,904	514,980	89.80%	1,745,255	1,802,552	98.70%
514,981	522,408	90.00%	1,802,553	1,862,106	98.70%
522,409	530,214	90.20%	1,862,107	1,924,055	98.80%
530,215	538,232	90.40%	1,924,056	1,988,548	98.90%
538,233	546,674	90.60%	1,988,549	2,055,747	99.00%
546,675	555,362	90.80%	2,055,748	2,125,829	99.10%
555,363	564,527	91.00%	2,125,830	2,198,987	99.10%
564,528	573,976	91.20%	2,198,988	2,275,428	99.20%
573,977	583,967	91.40%	2,275,429	2,355,384	99.30%
583,968	594,289	91.60%	2,355,385	2,439,104	99.30%
594,290	605,227	91.80%	2,439,105	2,526,865	99.40%
605,228	616,556	92.00%	2,526,866	2,618,968	99.40%
616,557	628,592	92.20%	2,618,969	2,715,749	99.50%
628,593	641,089	92.40%	2,715,750	2,817,577	99.50%
641,090	654,404	92.60%	2,817,578	2,924,860	99.60%
654,405	668,268	92.80%	2,924,861	3,038,054	99.60%
668,269	690,829	93.00%	3,038,055	3,157,666	99.70%
690,830	713,390	93.30%	3,157,667	3,284,260	99.70%
713,391	737,953	93.60%	3,284,261	3,418,473	99.80%
737,954	763,123	94.00%	3,418,474	3,561,018	99.80%
763,124	788,924	94.20%	3,561,019	3,712,702	99.80%
788,925	815,380	94.50%	3,712,703	3,874,438	99.90%
815,381	842,517	94.80%	3,874,439	4,047,266	99.90%
842,518	870,364	95.00%	4,047,267	4,232,376	99.90%
870,365	898,949	95.30%	4,232,377	4,431,132	99.90%
898,950	928,304	95.50%	4,431,133	4,645,107	100.00%
928,305	958,460	95.70%	4,645,108	4,876,129	100.00%
958,461	989,451	95.90%	4,876,130 & Over		100.00%
989,452	1,021,315	96.10%			
1,021,316	1,054,091	96.30%			
1,054,092	1,087,818	96.50%			
1,087,819	1,122,540	96.70%			
1,122,541	1,158,302	96.90%			
1,158,303	1,195,155	97.00%			
1,195,156	1,233,148	97.20%			
1,233,149	1,272,339	97.40%			
1,272,340	1,312,785	97.50%			
1,312,786	1,354,549	97.60%			
1,354,550	1,397,699	97.80%			

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-885 Table III.

**Expected Loss Rates and ((D-)) Primary Ratios
for Indicated Fiscal Year
Expected Loss Rates in Dollars Per Worker Hour
Effective January 1, ((2006)) 2007**

((Class	2002	2003	2004	D-Ratio
0101	1.4847	1.2443	1.1432	0.460
0103	1.8524	1.5387	1.4188	0.484

((Class	2002	2003	2004	D-Ratio	((Class	2002	2003	2004	D-Ratio
0104	1.0684	0.8932	0.8219	0.468	1109	1.6163	1.3290	1.2500	0.538
0105	1.5795	1.2956	1.2082	0.531	1301	0.7680	0.6079	0.5675	0.633
0107	1.3744	1.1518	1.0583	0.460	1303	0.2567	0.2047	0.1933	0.612
0108	1.0684	0.8932	0.8219	0.468	1304	0.0317	0.0254	0.0241	0.590
0112	0.8720	0.7273	0.6739	0.487	1305	0.4671	0.3757	0.3545	0.591
0201	2.6438	2.2267	2.0258	0.430	1401	0.5568	0.4696	0.4408	0.466
0202	3.4469	2.9526	2.7120	0.406	1404	0.8355	0.6812	0.6427	0.560
0210	1.3464	1.1396	1.0401	0.426	1405	0.6330	0.5048	0.4776	0.619
0212	1.4263	1.1989	1.1004	0.454	1407	0.7485	0.6117	0.5778	0.556
0214	1.4435	1.2020	1.1010	0.473	1501	0.6561	0.5333	0.4994	0.558
0217	1.2482	1.0359	0.9545	0.489	1507	0.5838	0.4750	0.4448	0.558
0219	1.0487	0.8818	0.8211	0.473	1701	1.0285	0.8600	0.7975	0.480
0301	0.6809	0.5554	0.5224	0.549	1702	2.2744	1.9440	1.7625	0.390
0302	2.0714	1.7360	1.5801	0.450	1703	0.9667	0.8129	0.7348	0.432
0303	2.0469	1.7232	1.5683	0.437	1704	1.0285	0.8600	0.7975	0.480
0306	1.1351	0.9407	0.8619	0.482	1801	0.6153	0.5176	0.4806	0.454
0307	1.0403	0.8573	0.7940	0.509	1802	0.7814	0.6404	0.5967	0.541
0308	0.6220	0.5022	0.4764	0.590	2002	0.8347	0.6798	0.6431	0.561
0403	1.9600	1.5840	1.4897	0.578	2004	1.0728	0.8686	0.8178	0.571
0502	1.6752	1.3977	1.2772	0.463	2007	0.5126	0.4187	0.3935	0.548
0504	1.5285	1.2855	1.1886	0.462	2008	0.3693	0.3058	0.2860	0.503
0507	3.2625	2.7330	2.5340	0.474	2009	0.4654	0.3757	0.3580	0.585
0508	2.1299	1.8060	1.6381	0.411	2101	0.7774	0.6402	0.6025	0.534
0509	1.6940	1.4102	1.2887	0.463	2102	0.6673	0.5378	0.5097	0.588
0510	1.7290	1.4328	1.3302	0.502	2104	0.4186	0.3368	0.3225	0.598
0511	1.8432	1.5264	1.4052	0.492	2105	0.6932	0.5516	0.5219	0.618
0512	1.6373	1.3641	1.2501	0.470	2106	0.4980	0.4052	0.3837	0.572
0513	0.9899	0.8228	0.7576	0.482	2201	0.2912	0.2378	0.2247	0.557
0514	2.0915	1.7337	1.6037	0.498	2202	0.8161	0.6615	0.6212	0.567
0516	1.8178	1.5205	1.3996	0.467	2203	0.5741	0.4605	0.4384	0.603
0517	1.8986	1.5988	1.4798	0.457	2204	0.2912	0.2378	0.2247	0.557
0518	1.7410	1.4574	1.3344	0.454	2401	0.5623	0.4564	0.4289	0.564
0519	2.4161	2.0474	1.8755	0.428	2903	0.7832	0.6329	0.5998	0.581
0521	0.6270	0.5240	0.4874	0.483	2904	0.8704	0.7181	0.6749	0.515
0601	0.7389	0.6088	0.5635	0.505	2905	0.6640	0.5367	0.5110	0.584
0602	0.8651	0.7028	0.6513	0.549	2906	0.3954	0.3194	0.3010	0.573
0603	1.1278	0.9442	0.8596	0.446	2907	0.6286	0.5051	0.4800	0.599
0604	1.1036	0.9073	0.8533	0.532	2908	1.1697	0.9675	0.9001	0.510
0606	0.6090	0.4915	0.4638	0.581	2909	0.4621	0.3734	0.3542	0.582
0607	0.5578	0.4512	0.4237	0.569	3101	1.0997	0.9233	0.8527	0.461
0608	0.4431	0.3657	0.3406	0.513	3102	0.3342	0.2679	0.2536	0.593
0701	2.2002	1.8733	1.6726	0.373	3103	0.6460	0.5331	0.5001	0.525
0803	0.5562	0.4459	0.4202	0.593	3104	0.6674	0.5509	0.5119	0.508
0901	1.7410	1.4574	1.3344	0.454	3105	0.8809	0.7130	0.6728	0.570
1002	1.1105	0.9228	0.8636	0.506	3303	0.5092	0.4098	0.3871	0.591
1003	0.9129	0.7577	0.7064	0.500	3304	0.5720	0.4592	0.4389	0.603
1004	0.5763	0.4700	0.4373	0.546	3309	0.5043	0.4102	0.3860	0.553
1005	8.9312	7.5026	6.9194	0.473	3402	0.6170	0.5045	0.4733	0.539
1007	0.4313	0.3555	0.3299	0.509	3403	0.2368	0.1937	0.1815	0.527
1101	0.7970	0.6491	0.6096	0.555	3404	0.5855	0.4734	0.4475	0.576
1102	1.4917	1.2375	1.1429	0.496	3405	0.3723	0.3038	0.2854	0.546
1103	1.3294	1.1226	1.0479	0.467	3406	0.2540	0.2020	0.1931	0.622
1104	0.6232	0.5098	0.4834	0.554	3407	0.7797	0.6457	0.6030	0.508
1105	1.0534	0.8796	0.8186	0.483	3408	0.2032	0.1614	0.1530	0.635
1106	0.4027	0.3288	0.3129	0.555	3409	0.2113	0.1642	0.1581	0.685
1108	0.7364	0.5951	0.5601	0.573	3410	0.3271	0.2635	0.2513	0.595

((Class	2002	2003	2004	D-Ratio	((Class	2002	2003	2004	D-Ratio
3411	0.5584	0.4578	0.4274	0.531	4900	0.3838	0.3213	0.2960	0.464
3412	0.6572	0.5462	0.5044	0.484	4901	0.0919	0.0754	0.0704	0.521
3414	0.6396	0.5186	0.4852	0.559	4902	0.1177	0.0935	0.0886	0.623
3415	0.8862	0.7449	0.6916	0.459	4903	0.1757	0.1378	0.1305	0.658
3501	1.1999	0.9879	0.9272	0.534	4904	0.0374	0.0299	0.0284	0.601
3503	0.3753	0.3019	0.2907	0.605	4905	0.4089	0.3286	0.3151	0.607
3506	1.2438	1.0331	0.9430	0.469	4906	0.1157	0.0926	0.0875	0.603
3509	0.4913	0.3878	0.3712	0.643	4907	0.0599	0.0486	0.0460	0.566
3510	0.4383	0.3517	0.3328	0.593	4908	0.1641	0.1285	0.1266	0.659
3511	0.8393	0.6867	0.6461	0.545	4909	0.0725	0.0578	0.0567	0.617
3512	0.4132	0.3299	0.3147	0.606	4910	0.5261	0.4313	0.4056	0.538
3513	0.5362	0.4553	0.4286	0.452	5001	5.3608	4.5191	4.1290	0.443
3602	0.1494	0.1182	0.1127	0.629	5002	0.6924	0.5570	0.5236	0.588
3603	0.5418	0.4414	0.4161	0.554	5003	2.1101	1.7860	1.6330	0.435
3604	0.9344	0.7759	0.7300	0.499	5004	1.0586	0.8780	0.8237	0.508
3605	0.6028	0.4894	0.4584	0.563	5005	0.6429	0.5392	0.4980	0.467
3701	0.3342	0.2679	0.2536	0.593	5006	1.7908	1.5327	1.3997	0.399
3702	0.5396	0.4308	0.4082	0.605	5101	1.0732	0.8602	0.8113	0.596
3708	0.7476	0.6104	0.5712	0.545	5103	0.8988	0.7191	0.6853	0.606
3802	0.2187	0.1742	0.1657	0.623	5106	0.8988	0.7191	0.6853	0.606
3808	0.4930	0.4055	0.3774	0.519	5108	1.0860	0.8621	0.8190	0.622
3901	0.2047	0.1623	0.1562	0.634	5109	0.7087	0.5774	0.5403	0.545
3902	0.6023	0.4908	0.4641	0.558	5201	0.5048	0.4070	0.3823	0.571
3903	1.2941	1.0600	1.0089	0.551	5204	1.0660	0.8881	0.8279	0.484
3905	0.1954	0.1556	0.1496	0.621	5206	0.4615	0.3789	0.3523	0.522
3906	0.5770	0.4700	0.4455	0.565	5207	0.2171	0.1709	0.1650	0.649
3909	0.3220	0.2536	0.2432	0.650	5208	1.0014	0.8278	0.7764	0.516
4002	1.5699	1.2733	1.1816	0.560	5209	0.8788	0.7265	0.6782	0.509
4101	0.3293	0.2681	0.2518	0.551	5301	0.0395	0.0312	0.0299	0.634
4103	0.5175	0.4090	0.3940	0.643	5302	0.0251	0.0203	0.0192	0.568
4107	0.1967	0.1595	0.1507	0.570	5305	0.0661	0.0518	0.0499	0.660
4108	0.1712	0.1390	0.1314	0.556	5306	0.0750	0.0594	0.0567	0.627
4109	0.2468	0.2020	0.1898	0.539	5307	0.5942	0.4783	0.4490	0.585
4201	0.7668	0.6209	0.5753	0.561	6103	0.1021	0.0801	0.0775	0.658
4301	0.7931	0.6332	0.6019	0.614	6104	0.4446	0.3577	0.3411	0.599
4302	0.7589	0.6128	0.5784	0.581	6105	0.3932	0.3212	0.3013	0.543
4304	1.1651	0.9555	0.9029	0.548	6107	0.1728	0.1368	0.1316	0.618
4305	1.3713	1.1131	1.0302	0.550	6108	0.5147	0.4099	0.3936	0.623
4401	0.4581	0.3812	0.3584	0.497	6109	0.1098	0.0884	0.0835	0.583
4402	0.9894	0.7892	0.7507	0.610	6110	0.6838	0.5516	0.5215	0.585
4404	0.6502	0.5199	0.4946	0.612	6201	0.3780	0.3133	0.2906	0.485
4501	0.2325	0.1833	0.1756	0.647	6202	0.7585	0.6247	0.5903	0.533
4502	0.0495	0.0402	0.0383	0.568	6203	0.1273	0.0985	0.0961	0.691
4504	0.1415	0.1105	0.1068	0.663	6204	0.1599	0.1273	0.1215	0.604
4601	0.8454	0.6926	0.6528	0.549	6205	0.2967	0.2391	0.2276	0.590
4802	0.3326	0.2741	0.2590	0.530	6206	0.2690	0.2158	0.2048	0.594
4803	0.3178	0.2569	0.2464	0.590	6207	1.2483	1.0339	0.9902	0.528
4804	0.6370	0.5098	0.4838	0.609	6208	0.2935	0.2361	0.2269	0.598
4805	0.3489	0.2815	0.2685	0.589	6209	0.3657	0.2944	0.2811	0.594
4806	0.0677	0.0550	0.0521	0.560	6301	0.1435	0.1195	0.1103	0.473
4808	0.5594	0.4598	0.4326	0.533	6302	0.1954	0.1599	0.1515	0.544
4809	0.4508	0.3631	0.3459	0.594	6303	0.0809	0.0660	0.0624	0.551
4810	0.1737	0.1391	0.1335	0.612	6304	0.4869	0.3927	0.3767	0.601
4811	0.3189	0.2565	0.2450	0.590	6305	0.1210	0.0967	0.0930	0.618
4812	0.4699	0.3754	0.3569	0.608	6306	0.3936	0.3166	0.2998	0.591
4813	0.1915	0.1563	0.1490	0.562	6308	0.0746	0.0599	0.0567	0.597

((Class	2002	2003	2004	D-Ratio	((Class	2002	2003	2004	D-Ratio
6309	0.2147	0.1716	0.1640	0.611	7108	0.2380	0.1920	0.1849	0.595
6402	0.3559	0.2802	0.2686	0.651	7109	0.1575	0.1252	0.1198	0.629
6403	0.1951	0.1565	0.1498	0.603	7110	0.3927	0.3250	0.3023	0.508
6404	0.2577	0.2066	0.1971	0.607	7111	0.4408	0.3639	0.3391	0.518
6405	0.7024	0.5727	0.5365	0.544	7112	0.7449	0.6029	0.5708	0.571
6406	0.1365	0.1082	0.1038	0.634	7113	0.4383	0.3537	0.3386	0.588
6407	0.3279	0.2641	0.2509	0.591	7114	0.6840	0.5416	0.5207	0.641
6408	0.4588	0.3657	0.3455	0.600	7115	0.6922	0.5518	0.5283	0.618
6409	1.0220	0.8442	0.7825	0.503	7116	0.8052	0.6511	0.6187	0.591
6410	0.3358	0.2724	0.2568	0.556	7117	1.7991	1.4335	1.3622	0.615
6501	0.2034	0.1613	0.1538	0.637	7118	1.5548	1.2448	1.1848	0.606
6502	0.0490	0.0393	0.0374	0.601	7119	1.5223	1.2285	1.1602	0.585
6503	0.0863	0.0701	0.0650	0.546	7120	7.0870	5.8015	5.4564	0.542
6504	0.4922	0.3905	0.3756	0.629	7121	6.6433	5.4387	5.1167	0.542
6505	0.1312	0.1044	0.1006	0.624	7122	0.6840	0.5416	0.5207	0.641
6506	0.1286	0.1015	0.0975	0.636	7201	1.4688	1.1870	1.1071	0.576
6508	0.3735	0.2998	0.2874	0.608	7202	0.0438	0.0357	0.0332	0.541
6509	0.4459	0.3590	0.3434	0.598	7203	0.1548	0.1241	0.1199	0.607
6510	0.5409	0.4567	0.4215	0.451	7204	0.0000	0.0000	0.0000	1.000
6511	0.3805	0.3049	0.2918	0.610	7301	0.5754	0.4762	0.4498	0.524
6601	0.2286	0.1845	0.1759	0.592	7302	1.1130	0.9195	0.8693	0.533
6602	0.5102	0.4137	0.3924	0.576	7307	0.5899	0.4824	0.4589	0.564
6603	0.3874	0.3132	0.2948	0.576	7308	0.3585	0.2850	0.2758	0.631
6604	0.0993	0.0792	0.0754	0.620	7309	0.3288	0.2624	0.2526	0.625))
6605	0.3764	0.2993	0.2883	0.623					
6607	0.2045	0.1661	0.1571	0.569					
6608	0.6192	0.5175	0.4713	0.447	Class	2003	2004	2005	Primary Ratio
6620	5.4294	4.2046	3.9961	0.691	0101	1.3002	1.1927	0.9948	0.444
6704	0.2007	0.1595	0.1513	0.624	0103	1.6586	1.5221	1.2671	0.466
6705	1.0391	0.8299	0.8028	0.617	0104	0.9361	0.8592	0.7154	0.466
6706	0.3863	0.3150	0.3001	0.556	0105	1.3515	1.2515	1.0468	0.522
6707	4.1413	3.1884	3.0724	0.717	0107	1.2411	1.1353	0.9440	0.441
6708	9.7342	8.3312	7.9715	0.452	0108	0.9361	0.8592	0.7154	0.466
6709	0.3543	0.2812	0.2709	0.639	0112	0.7750	0.7136	0.5958	0.476
6801	0.7005	0.5546	0.5219	0.621	0201	2.4024	2.1843	1.8073	0.416
6802	0.5126	0.4073	0.3880	0.623	0202	3.1360	2.8764	2.4111	0.396
6803	0.9573	0.8240	0.7519	0.378	0210	1.2040	1.0989	0.9127	0.425
6804	0.3338	0.2703	0.2541	0.561	0212	1.3292	1.2168	1.0124	0.442
6809	5.7966	4.7009	4.4765	0.575	0214	1.2908	1.1790	0.9755	0.468
6901	0.0543	0.0415	0.0427	0.736	0217	1.1079	1.0177	0.8466	0.481
6902	1.1343	0.9571	0.8696	0.433	0219	0.9444	0.8735	0.7350	0.456
6903	8.2283	7.1994	6.5416	0.323	0301	0.6030	0.5612	0.4713	0.540
6904	0.4649	0.3653	0.3429	0.654	0302	1.9333	1.7593	1.4542	0.435
6905	0.4520	0.3569	0.3366	0.633	0303	1.8529	1.6876	1.3978	0.426
6906	0.2122	0.1638	0.1689	0.715	0306	0.9909	0.9048	0.7488	0.462
6907	1.3956	1.1239	1.0613	0.592	0307	0.9332	0.8578	0.7136	0.489
6908	0.5598	0.4495	0.4252	0.598	0308	0.5434	0.5087	0.4288	0.570
6909	0.1396	0.1113	0.1062	0.616	0403	1.6833	1.5639	1.3084	0.555
7100	0.0378	0.0313	0.0295	0.502	0502	1.5220	1.3889	1.1496	0.453
7101	0.0282	0.0237	0.0221	0.464	0504	1.4965	1.3785	1.1547	0.450
7102	5.0817	4.1052	4.0046	0.601	0507	2.8587	2.6401	2.2154	0.463
7103	0.6621	0.5395	0.5027	0.548	0508	1.9404	1.7630	1.4602	0.400
7104	0.0360	0.0284	0.0271	0.642	0509	1.5837	1.4442	1.1972	0.433
7105	0.0378	0.0296	0.0284	0.666	0510	1.5221	1.4062	1.1761	0.496
7106	0.2326	0.1853	0.1773	0.625	0511	1.6148	1.4800	1.2292	0.472
7107	0.2695	0.2187	0.2095	0.575	0512	1.5271	1.3959	1.1594	0.442

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary</u> <u>Ratio</u>	<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary</u> <u>Ratio</u>
0513	0.8476	0.7780	0.6469	0.478	2106	0.4267	0.3992	0.3371	0.550
0514	1.8596	1.7086	1.4222	0.479	2201	0.2479	0.2314	0.1951	0.530
0516	1.6310	1.4971	1.2481	0.455	2202	0.7180	0.6670	0.5586	0.546
0517	1.7394	1.6035	1.3452	0.446	2203	0.4763	0.4465	0.3764	0.579
0518	1.5740	1.4369	1.1931	0.431	2204	0.2479	0.2314	0.1951	0.530
0519	2.2161	2.0261	1.6886	0.412	2401	0.4900	0.4551	0.3808	0.553
0521	0.5535	0.5115	0.4291	0.476	2903	0.6526	0.6101	0.5146	0.552
0601	0.6359	0.5849	0.4870	0.486	2904	0.7452	0.6937	0.5855	0.499
0602	0.7730	0.7093	0.5871	0.514	2905	0.5552	0.5215	0.4414	0.569
0603	1.0130	0.9215	0.7620	0.427	2906	0.3270	0.3047	0.2559	0.550
0604	0.9723	0.9056	0.7635	0.515	2907	0.5307	0.4969	0.4183	0.583
0606	0.5300	0.4935	0.4141	0.557	2908	1.0383	0.9586	0.8018	0.488
0607	0.4977	0.4618	0.3861	0.544	2909	0.3883	0.3633	0.3067	0.556
0608	0.3904	0.3608	0.3022	0.488	3101	0.9538	0.8780	0.7343	0.458
0701	2.0358	1.8290	1.4994	0.365	3102	0.2745	0.2561	0.2150	0.565
0803	0.4625	0.4301	0.3598	0.568	3103	0.5689	0.5288	0.4450	0.507
0901	1.5740	1.4369	1.1931	0.431	3104	0.5997	0.5536	0.4628	0.490
1002	0.9693	0.8996	0.7564	0.500	3105	0.7432	0.6924	0.5820	0.544
1003	0.7891	0.7308	0.6138	0.487	3303	0.4418	0.4120	0.3455	0.573
1004	0.5047	0.4656	0.3875	0.527	3304	0.4754	0.4476	0.3787	0.595
1005	8.2420	7.5668	6.3058	0.459	3309	0.4372	0.4069	0.3421	0.531
1007	0.3725	0.3431	0.2861	0.490	3402	0.5376	0.4989	0.4188	0.514
1101	0.7051	0.6553	0.5495	0.538	3403	0.2027	0.1883	0.1584	0.508
1102	1.3280	1.2212	1.0168	0.487	3404	0.4801	0.4481	0.3769	0.553
1103	1.2321	1.1421	0.9637	0.454	3405	0.3202	0.2977	0.2499	0.530
1104	0.5356	0.5016	0.4245	0.540	3406	0.1983	0.1865	0.1579	0.592
1105	0.9143	0.8454	0.7097	0.472	3407	0.7076	0.6552	0.5495	0.493
1106	0.3417	0.3212	0.2733	0.533	3408	0.1731	0.1617	0.1351	0.617
1108	0.6391	0.5942	0.4981	0.548	3409	0.1714	0.1617	0.1361	0.662
1109	1.4817	1.3789	1.1610	0.518	3410	0.2914	0.2738	0.2316	0.584
1301	0.6502	0.6003	0.4950	0.612	3411	0.4780	0.4424	0.3703	0.510
1303	0.2230	0.2077	0.1736	0.592	3412	0.5850	0.5374	0.4476	0.472
1304	0.0276	0.0257	0.0215	0.564	3414	0.5649	0.5232	0.4368	0.540
1305	0.4086	0.3807	0.3189	0.572	3415	0.8062	0.7447	0.6268	0.438
1401	0.4911	0.4576	0.3888	0.449	3501	1.0604	0.9859	0.8288	0.518
1404	0.7420	0.6923	0.5823	0.551	3503	0.3095	0.2932	0.2502	0.581
1405	0.5516	0.5146	0.4302	0.602	3506	1.1142	1.0148	0.8383	0.452
1407	0.6186	0.5785	0.4886	0.540	3509	0.4107	0.3866	0.3259	0.622
1501	0.5812	0.5390	0.4506	0.542	3510	0.3711	0.3466	0.2915	0.567
1507	0.5248	0.4864	0.4065	0.536	3511	0.7201	0.6702	0.5640	0.524
1701	0.9180	0.8472	0.7100	0.466	3512	0.3361	0.3158	0.2672	0.576
1702	2.1109	1.9174	1.5913	0.379	3513	0.4723	0.4416	0.3771	0.437
1703	0.8700	0.7875	0.6474	0.426	3602	0.1257	0.1177	0.0990	0.593
1704	0.9180	0.8472	0.7100	0.466	3603	0.4703	0.4386	0.3695	0.534
1801	0.5376	0.4969	0.4187	0.438	3604	0.8148	0.7606	0.6452	0.479
1802	0.7070	0.6531	0.5445	0.522	3605	0.5243	0.4859	0.4060	0.543
2002	0.7175	0.6699	0.5645	0.542	3701	0.2745	0.2561	0.2150	0.565
2004	0.9662	0.9004	0.7562	0.553	3702	0.4558	0.4253	0.3568	0.578
2007	0.4589	0.4271	0.3590	0.531	3708	0.6488	0.6008	0.5025	0.522
2008	0.3223	0.2991	0.2519	0.484	3802	0.1904	0.1784	0.1499	0.598
2009	0.3982	0.3737	0.3164	0.559	3808	0.4286	0.3959	0.3310	0.498
2101	0.6768	0.6307	0.5320	0.511	3901	0.1687	0.1596	0.1356	0.612
2102	0.5574	0.5215	0.4393	0.568	3902	0.5038	0.4713	0.3984	0.535
2104	0.3557	0.3354	0.2851	0.570	3903	1.1085	1.0421	0.8867	0.529
2105	0.5783	0.5390	0.4506	0.594	3905	0.1567	0.1482	0.1261	0.593

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
3906	0.4808	0.4501	0.3802	0.548	5204	0.9313	0.8623	0.7259	0.463
3909	0.2595	0.2448	0.2069	0.620	5206	0.4139	0.3820	0.3188	0.508
4002	1.3863	1.2755	1.0570	0.534	5207	0.1731	0.1641	0.1395	0.622
4101	0.2967	0.2757	0.2314	0.528	5208	0.8347	0.7759	0.6536	0.498
4103	0.4320	0.4083	0.3462	0.617	5209	0.7538	0.6986	0.5870	0.489
4107	0.1636	0.1528	0.1289	0.539	5301	0.0327	0.0307	0.0259	0.604
4108	0.1471	0.1375	0.1160	0.538	5302	0.0205	0.0191	0.0161	0.544
4109	0.2118	0.1972	0.1661	0.521	5305	0.0524	0.0496	0.0419	0.637
4201	0.6866	0.6307	0.5212	0.539	5306	0.0608	0.0571	0.0482	0.602
4301	0.6683	0.6264	0.5276	0.589	5307	0.5369	0.4984	0.4160	0.564
4302	0.6574	0.6127	0.5141	0.560	6103	0.0818	0.0775	0.0658	0.633
4304	1.0079	0.9422	0.7968	0.525	6104	0.3640	0.3421	0.2894	0.578
4305	1.2164	1.1179	0.9247	0.537	6105	0.3478	0.3233	0.2715	0.530
4401	0.4022	0.3751	0.3179	0.481	6107	0.1321	0.1252	0.1067	0.590
4402	0.8363	0.7840	0.6604	0.591	6108	0.4412	0.4162	0.3527	0.602
4404	0.5546	0.5196	0.4373	0.590	6109	0.0925	0.0864	0.0725	0.561
4501	0.1872	0.1765	0.1490	0.625	6110	0.6150	0.5740	0.4826	0.560
4502	0.0405	0.0380	0.0323	0.541	6201	0.3215	0.2966	0.2486	0.464
4504	0.1082	0.1025	0.0871	0.635	6202	0.6584	0.6155	0.5212	0.514
4601	0.7410	0.6907	0.5817	0.532	6203	0.0985	0.0942	0.0806	0.674
4802	0.3017	0.2821	0.2394	0.501	6204	0.1257	0.1184	0.1003	0.583
4803	0.2766	0.2618	0.2233	0.576	6205	0.2497	0.2341	0.1979	0.565
4804	0.5277	0.4939	0.4154	0.586	6206	0.2331	0.2183	0.1839	0.578
4805	0.2981	0.2808	0.2381	0.578	6207	1.0628	1.0063	0.8652	0.511
4806	0.0581	0.0545	0.0462	0.539	6208	0.2425	0.2293	0.1955	0.576
4808	0.4851	0.4523	0.3820	0.508	6209	0.3114	0.2929	0.2483	0.571
4809	0.3925	0.3689	0.3120	0.580	6301	0.1330	0.1220	0.1018	0.456
4810	0.1444	0.1365	0.1160	0.586	6302	0.1818	0.1710	0.1446	0.585
4811	0.2657	0.2504	0.2128	0.568	6303	0.0694	0.0647	0.0545	0.532
4812	0.3940	0.3693	0.3112	0.586	6304	0.4120	0.3894	0.3313	0.584
4813	0.1595	0.1501	0.1277	0.542	6305	0.1004	0.0950	0.0809	0.597
4900	0.3343	0.3062	0.2554	0.430	6306	0.3306	0.3090	0.2600	0.571
4901	0.0787	0.0728	0.0610	0.499	6308	0.0654	0.0611	0.0514	0.581
4902	0.1035	0.0966	0.0808	0.597	6309	0.1818	0.1710	0.1446	0.585
4903	0.1516	0.1413	0.1176	0.637	6402	0.2935	0.2765	0.2333	0.634
4904	0.0298	0.0281	0.0236	0.573	6403	0.1683	0.1587	0.1347	0.585
4905	0.3538	0.3343	0.2844	0.581	6404	0.2219	0.2083	0.1760	0.583
4906	0.0942	0.0880	0.0738	0.583	6405	0.5863	0.5437	0.4558	0.518
4907	0.0512	0.0479	0.0406	0.548	6406	0.1168	0.1101	0.0932	0.610
4908	0.0815	0.0781	0.0678	0.565	6407	0.2772	0.2596	0.2189	0.576
4909	0.0407	0.0392	0.0344	0.532	6408	0.3908	0.3642	0.3052	0.575
4910	0.4629	0.4310	0.3631	0.511	6409	0.8714	0.8032	0.6700	0.495
4911	0.0674	0.0628	0.0531	0.525	6410	0.2841	0.2651	0.2233	0.539
5001	5.0574	4.6226	3.8427	0.433	6501	0.1710	0.1605	0.1349	0.616
5002	0.5958	0.5533	0.4620	0.568	6502	0.0399	0.0373	0.0315	0.570
5003	1.9974	1.8258	1.5207	0.417	6503	0.0760	0.0699	0.0579	0.531
5004	0.9321	0.8667	0.7316	0.484	6504	0.3983	0.3770	0.3204	0.608
5005	0.5785	0.5323	0.4453	0.452	6505	0.1051	0.0997	0.0849	0.602
5006	1.6200	1.4803	1.2356	0.393	6506	0.1061	0.1000	0.0847	0.613
5101	0.9020	0.8400	0.7033	0.573	6509	0.3705	0.3493	0.2964	0.582
5103	0.7352	0.6899	0.5825	0.581	6510	0.4791	0.4408	0.3687	0.450
5106	0.7352	0.6899	0.5825	0.581	6511	0.3464	0.3264	0.2764	0.594
5108	0.8982	0.8409	0.7063	0.600	6512	0.2818	0.2647	0.2238	0.574
5109	0.5941	0.5509	0.4610	0.531	6601	0.1900	0.1785	0.1511	0.561
5201	0.4322	0.4013	0.3360	0.548	6602	0.4752	0.4452	0.3761	0.556

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
6603	0.3338	0.3106	0.2603	0.556
6604	0.0832	0.0781	0.0658	0.599
6605	0.3004	0.2844	0.2422	0.598
6607	0.1723	0.1611	0.1359	0.546
6608	0.5550	0.5046	0.4169	0.429
6620	4.3471	4.0529	3.3620	0.665
6704	0.1687	0.1577	0.1321	0.603
6705	0.8304	0.7903	0.6775	0.593
6706	0.3245	0.3053	0.2599	0.534
6707	3.3484	3.1625	2.6539	0.699
6708	8.5624	8.1221	7.0557	0.434
6709	0.2900	0.2742	0.2326	0.611
6801	0.5907	0.5484	0.4563	0.597
6802	0.4463	0.4181	0.3515	0.601
6803	0.8728	0.7962	0.6652	0.367
6804	0.2742	0.2549	0.2139	0.538
6809	4.8700	4.5804	3.8879	0.557
6901	0.0181	0.0191	0.0181	0.699
6902	1.0364	0.9424	0.7793	0.421
6903	7.5675	6.9051	5.8009	0.317
6904	0.4097	0.3793	0.3129	0.639
6905	0.3807	0.3536	0.2939	0.607
6906	0.1463	0.1482	0.1345	0.696
6907	1.2537	1.1688	0.9813	0.561
6908	0.4654	0.4342	0.3644	0.576
6909	0.1179	0.1109	0.0937	0.601
7100	0.0329	0.0306	0.0259	0.482
7101	0.0246	0.0228	0.0193	0.447
7102	4.1468	3.9788	3.4480	0.578
7103	0.6039	0.5583	0.4653	0.537
7104	0.0302	0.0283	0.0238	0.622
7105	0.0317	0.0300	0.0251	0.648
7106	0.1985	0.1871	0.1584	0.603
7107	0.2231	0.2109	0.1802	0.553
7108	0.1947	0.1845	0.1578	0.574
7109	0.1317	0.1241	0.1049	0.613
7110	0.3469	0.3203	0.2678	0.495
7111	0.3820	0.3530	0.2952	0.498
7112	0.6431	0.6014	0.5073	0.553
7113	0.3676	0.3466	0.2949	0.563
7114	0.5580	0.5265	0.4454	0.619
7115	0.5750	0.5419	0.4594	0.591
7116	0.7040	0.6601	0.5573	0.570
7117	1.5934	1.4945	1.2581	0.601
7118	1.3430	1.2596	1.0627	0.581
7119	1.3218	1.2328	1.0345	0.569
7120	6.1185	5.6949	4.7930	0.521
7121	5.6948	5.3007	4.4623	0.520
7122	0.5720	0.5406	0.4582	0.622
7201	1.3596	1.2563	1.0435	0.558
7202	0.0362	0.0334	0.0278	0.523
7203	0.1251	0.1190	0.1022	0.586
7204	0.0000	0.0000	0.0000	0.500
7301	0.5068	0.4737	0.4015	0.502
7302	1.0016	0.9381	0.7956	0.521

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
7307	0.4998	0.4693	0.3981	0.541
7308	0.3009	0.2858	0.2441	0.606
7309	0.2702	0.2558	0.2178	0.596

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed

<u>Class</u>	<u>((2002)) 2003</u>	<u>((2003)) 2004</u>	<u>((2004)) 2005</u>	<u>((D-)) Primary Ratio</u>
((0524	0.0248	0.0206	0.0189	0.473
0526	0.0133	0.0112	0.0102	0.438
0527	0.0014	0.0009	0.0009	0.438
0528	0.0034	0.0028	0.0026	0.493
0529	0.0018	0.0015	0.0014	0.473
0530	0.0327	0.0279	0.0252	0.378
0531	0.0178	0.0152	0.0137	0.391
0532	0.0016	0.0014	0.0012	0.391
0533	0.0042	0.0035	0.0033	0.434
0534	0.0030	0.0025	0.0023	0.378
0540	0.0259	0.0216	0.0198	0.473
0541	0.0142	0.0119	0.0109	0.438
0550	0.0332	0.0284	0.0256	0.378
0551	0.0186	0.0159	0.0143	0.391
0540	0.0221	0.0202	0.0168	0.463
0541	0.0132	0.0120	0.0099	0.432
0550	0.0297	0.0269	0.0222	0.374
0551	0.0173	0.0156	0.0130	0.382

**TABLE IIIA
Expected Loss Rates and D-Ratios (No Medical Only Deduction)
for Indicated Fiscal Year
Expected Loss Rates in Dollars Per Worker Hour
Effective January 1, 2007, to December 31, 2007**

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
0101	1.3134	1.2126	1.0180	0.464
0103	1.6777	1.5501	1.2993	0.486
0104	0.9539	0.8827	0.7409	0.490
0105	1.3873	1.2966	1.0947	0.547
0107	1.2554	1.1562	0.9678	0.462
0108	0.9539	0.8827	0.7409	0.490
0112	0.7894	0.7326	0.6166	0.500
0201	2.4212	2.2151	1.8442	0.436
0202	3.1456	2.8993	2.4418	0.413
0210	1.2073	1.1074	0.9245	0.441
0212	1.3379	1.2317	1.0308	0.460
0214	1.3042	1.1992	0.9990	0.488
0217	1.1208	1.0365	0.8683	0.500
0219	0.9641	0.8990	0.7623	0.482
0301	0.6214	0.5840	0.4954	0.567
0302	1.9464	1.7819	1.4818	0.454
0303	1.8606	1.7037	1.4189	0.443
0306	1.0096	0.9296	0.7758	0.487
0307	0.9619	0.8934	0.7509	0.519

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
0308	0.5599	0.5291	0.4505	0.594	1802	0.7274	0.6784	0.5713	0.548
0403	1.7211	1.6127	1.3614	0.576	2002	0.7457	0.7039	0.5998	0.572
0502	1.5323	1.4065	1.1715	0.470	2004	1.0002	0.9419	0.7997	0.581
0504	1.5027	1.3913	1.1716	0.466	2007	0.4767	0.4485	0.3812	0.562
0507	2.8886	2.6847	2.2672	0.483	2008	0.3318	0.3110	0.2644	0.513
0508	1.9440	1.7750	1.4774	0.416	2009	0.4219	0.4015	0.3445	0.597
0509	1.5945	1.4628	1.2200	0.451	2101	0.6953	0.6537	0.5564	0.537
0510	1.5442	1.4367	1.2105	0.516	2102	0.5801	0.5487	0.4677	0.597
0511	1.6481	1.5235	1.2761	0.497	2104	0.3744	0.3574	0.3076	0.603
0512	1.5509	1.4285	1.1955	0.466	2105	0.6071	0.5732	0.4858	0.625
0513	0.8602	0.7954	0.6664	0.499	2106	0.4478	0.4242	0.3625	0.584
0514	1.8993	1.7600	1.4775	0.504	2201	0.2539	0.2389	0.2033	0.553
0516	1.6468	1.5211	1.2763	0.474	2202	0.7391	0.6933	0.5864	0.571
0517	1.7583	1.6314	1.3773	0.466	2203	0.4959	0.4700	0.4008	0.607
0518	1.5988	1.4709	1.2304	0.456	2204	0.2539	0.2389	0.2033	0.553
0519	2.2307	2.0511	1.7193	0.431	2401	0.5114	0.4808	0.4071	0.585
0521	0.5599	0.5209	0.4398	0.496	2903	0.6808	0.6440	0.5494	0.583
0601	0.6584	0.6122	0.5153	0.518	2904	0.7749	0.7296	0.6225	0.533
0602	0.7923	0.7338	0.6134	0.540	2905	0.5869	0.5587	0.4791	0.604
0603	1.0268	0.9410	0.7839	0.451	2906	0.3483	0.3296	0.2809	0.591
0604	1.0042	0.9448	0.8043	0.544	2907	0.5572	0.5284	0.4505	0.614
0606	0.5506	0.5186	0.4401	0.586	2908	1.0577	0.9842	0.8299	0.511
0607	0.5134	0.4811	0.4065	0.571	2909	0.4066	0.3852	0.3290	0.589
0608	0.4004	0.3734	0.3156	0.515	3101	0.9744	0.9046	0.7629	0.484
0701	2.0283	1.8295	1.5058	0.378	3102	0.2882	0.2723	0.2317	0.598
0803	0.4823	0.4539	0.3842	0.597	3103	0.5814	0.5449	0.4623	0.531
0901	1.5988	1.4709	1.2304	0.456	3104	0.6182	0.5764	0.4867	0.520
1002	0.9881	0.9242	0.7832	0.522	3105	0.7858	0.7425	0.6326	0.582
1003	0.8083	0.7552	0.6398	0.513	3303	0.4586	0.4324	0.3668	0.601
1004	0.5206	0.4853	0.4081	0.555	3304	0.4995	0.4759	0.4077	0.625
1005	8.2869	7.6493	6.4097	0.476	3309	0.4517	0.4248	0.3608	0.559
1007	0.3807	0.3538	0.2977	0.515	3402	0.5623	0.5285	0.4490	0.550
1101	0.7249	0.6800	0.5757	0.563	3403	0.2117	0.1990	0.1694	0.543
1102	1.3342	1.2336	1.0331	0.502	3404	0.5065	0.4790	0.4083	0.589
1103	1.2400	1.1556	0.9804	0.471	3405	0.3358	0.3162	0.2688	0.566
1104	0.5566	0.5271	0.4508	0.570	3406	0.2170	0.2080	0.1792	0.639
1105	0.9338	0.8706	0.7369	0.497	3407	0.7257	0.6781	0.5740	0.520
1106	0.3618	0.3447	0.2970	0.572	3408	0.1841	0.1745	0.1481	0.650
1108	0.6708	0.6320	0.5366	0.583	3409	0.1823	0.1745	0.1491	0.691
1109	1.5045	1.4103	1.1962	0.538	3410	0.3004	0.2850	0.2435	0.607
1301	0.6624	0.6165	0.5131	0.629	3411	0.4939	0.4619	0.3906	0.539
1303	0.2324	0.2191	0.1853	0.619	3412	0.5995	0.5559	0.4672	0.500
1304	0.0288	0.0272	0.0231	0.595	3414	0.5838	0.5463	0.4611	0.568
1305	0.4241	0.3993	0.3383	0.599	3415	0.8269	0.7709	0.6544	0.468
1401	0.4979	0.4671	0.3995	0.471	3501	1.0884	1.0210	0.8662	0.543
1404	0.7631	0.7185	0.6103	0.576	3503	0.3287	0.3157	0.2731	0.618
1405	0.5886	0.5576	0.4737	0.638	3506	1.1323	1.0396	0.8657	0.475
1407	0.6301	0.5938	0.5054	0.561	3509	0.4314	0.4112	0.3513	0.650
1501	0.5964	0.5582	0.4711	0.566	3510	0.3921	0.3714	0.3168	0.603
1507	0.5448	0.5106	0.4318	0.566	3511	0.7488	0.7049	0.5997	0.556
1701	0.9315	0.8658	0.7308	0.488	3512	0.3704	0.3552	0.3062	0.629
1702	2.1073	1.9222	1.6017	0.393	3513	0.4827	0.4549	0.3913	0.464
1703	0.8692	0.7904	0.6528	0.439	3602	0.1335	0.1268	0.1082	0.628
1704	0.9315	0.8658	0.7308	0.488	3603	0.4958	0.4687	0.4000	0.572
1801	0.5548	0.5180	0.4405	0.471	3604	0.8438	0.7959	0.6819	0.512

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
3605	0.5428	0.5088	0.4298	0.571	5003	1.9840	1.8191	1.5199	0.427
3701	0.2882	0.2723	0.2317	0.598	5004	0.9429	0.8824	0.7497	0.504
3702	0.4853	0.4598	0.3917	0.616	5005	0.5808	0.5372	0.4517	0.468
3708	0.6655	0.6219	0.5251	0.547	5006	1.6169	1.4835	1.2432	0.407
3802	0.1997	0.1893	0.1611	0.627	5101	0.9440	0.8901	0.7549	0.604
3808	0.4384	0.4085	0.3446	0.523	5103	0.7856	0.7487	0.6417	0.620
3901	0.1803	0.1732	0.1493	0.648	5106	0.7856	0.7487	0.6417	0.620
3902	0.5243	0.4959	0.4239	0.566	5108	0.9456	0.8969	0.7637	0.631
3903	1.1511	1.0935	0.9401	0.559	5109	0.6219	0.5840	0.4950	0.565
3905	0.1696	0.1631	0.1410	0.635	5201	0.4517	0.4248	0.3600	0.580
3906	0.4968	0.4697	0.4008	0.575	5204	0.9517	0.8886	0.7542	0.489
3909	0.2762	0.2643	0.2267	0.654	5206	0.4310	0.4027	0.3401	0.542
4002	1.4091	1.3065	1.0916	0.554	5207	0.1847	0.1774	0.1530	0.656
4101	0.3092	0.2907	0.2468	0.561	5208	0.8678	0.8159	0.6947	0.532
4103	0.4657	0.4473	0.3855	0.656	5209	0.7762	0.7263	0.6160	0.518
4107	0.1724	0.1631	0.1393	0.576	5301	0.0354	0.0338	0.0290	0.646
4108	0.1551	0.1470	0.1257	0.575	5302	0.0215	0.0204	0.0174	0.580
4109	0.2211	0.2084	0.1777	0.555	5305	0.0573	0.0551	0.0475	0.678
4201	0.7011	0.6495	0.5417	0.561	5306	0.0654	0.0624	0.0536	0.642
4301	0.6947	0.6584	0.5609	0.616	5307	0.5495	0.5143	0.4334	0.586
4302	0.6890	0.6503	0.5527	0.593	6103	0.0899	0.0869	0.0751	0.676
4304	1.0390	0.9805	0.8370	0.552	6104	0.3829	0.3645	0.3123	0.611
4305	1.2352	1.1437	0.9540	0.556	6105	0.3623	0.3407	0.2895	0.562
4401	0.4173	0.3933	0.3366	0.514	6107	0.1518	0.1474	0.1286	0.656
4402	0.8734	0.8284	0.7064	0.619	6108	0.4682	0.4479	0.3849	0.636
4404	0.5857	0.5561	0.4745	0.623	6109	0.0989	0.0936	0.0800	0.602
4501	0.2039	0.1957	0.1682	0.666	6110	0.6341	0.5975	0.5074	0.585
4502	0.0447	0.0428	0.0371	0.599	6201	0.3343	0.3120	0.2644	0.500
4504	0.1227	0.1191	0.1034	0.689	6202	0.6833	0.6457	0.5524	0.546
4601	0.7654	0.7206	0.6129	0.559	6203	0.1122	0.1099	0.0961	0.723
4802	0.3110	0.2936	0.2514	0.529	6204	0.1384	0.1329	0.1147	0.633
4803	0.2867	0.2742	0.2363	0.602	6205	0.2617	0.2485	0.2126	0.597
4804	0.5475	0.5180	0.4405	0.612	6206	0.2452	0.2326	0.1986	0.610
4805	0.3130	0.2985	0.2563	0.610	6207	1.1108	1.0635	0.9238	0.546
4806	0.0606	0.0574	0.0492	0.570	6208	0.2590	0.2485	0.2148	0.615
4808	0.4986	0.4691	0.3999	0.535	6209	0.3323	0.3173	0.2729	0.611
4809	0.4059	0.3854	0.3295	0.606	6301	0.1348	0.1248	0.1048	0.478
4810	0.1525	0.1459	0.1256	0.620	6302	0.1939	0.1850	0.1588	0.623
4811	0.2853	0.2732	0.2357	0.611	6303	0.0733	0.0693	0.0591	0.570
4812	0.4172	0.3966	0.3390	0.621	6304	0.4303	0.4113	0.3540	0.613
4813	0.1663	0.1583	0.1361	0.573	6305	0.1070	0.1027	0.0887	0.634
4900	0.3352	0.3085	0.2586	0.446	6306	0.3473	0.3289	0.2803	0.603
4901	0.0817	0.0765	0.0648	0.532	6308	0.0685	0.0648	0.0552	0.612
4902	0.1088	0.1028	0.0872	0.627	6309	0.1939	0.1850	0.1588	0.623
4903	0.1609	0.1521	0.1286	0.668	6402	0.3102	0.2963	0.2533	0.664
4904	0.0321	0.0306	0.0262	0.616	6403	0.1795	0.1717	0.1479	0.623
4905	0.3682	0.3516	0.3025	0.609	6404	0.2334	0.2221	0.1901	0.615
4906	0.0995	0.0942	0.0802	0.617	6405	0.6115	0.5739	0.4869	0.552
4907	0.0542	0.0515	0.0441	0.586	6406	0.1249	0.1195	0.1027	0.646
4908	0.1142	0.1147	0.1032	0.705	6407	0.2911	0.2762	0.2359	0.608
4909	0.0587	0.0594	0.0538	0.692	6408	0.4134	0.3908	0.3323	0.611
4910	0.4788	0.4503	0.3832	0.541	6409	0.8962	0.8341	0.7026	0.523
4911	0.0711	0.0673	0.0575	0.563	6410	0.3030	0.2871	0.2455	0.582
5001	5.0354	4.6187	3.8543	0.444	6501	0.1789	0.1698	0.1446	0.643
5002	0.6206	0.5831	0.4929	0.597	6502	0.0425	0.0404	0.0346	0.609

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
6503	0.0795	0.0742	0.0622	0.566	7119	1.3587	1.2789	1.0837	0.592
6504	0.4283	0.4117	0.3553	0.647	7120	6.3206	5.9429	5.0526	0.550
6505	0.1146	0.1105	0.0958	0.647	7121	5.8785	5.5267	4.6990	0.548
6506	0.1130	0.1082	0.0930	0.648	7122	0.5968	0.5704	0.4893	0.648
6509	0.3913	0.3738	0.3214	0.616	7201	1.3704	1.2738	1.0655	0.572
6510	0.4816	0.4455	0.3746	0.466	7202	0.0379	0.0354	0.0299	0.558
6511	0.3599	0.3426	0.2934	0.620	7203	0.1359	0.1317	0.1147	0.631
6512	0.2872	0.2716	0.2317	0.592	7204	0.0000	0.0000	0.0000	0.500
6601	0.1988	0.1889	0.1619	0.593	7301	0.5209	0.4912	0.4199	0.529
6602	0.4880	0.4611	0.3932	0.580	7302	1.0217	0.9644	0.8242	0.543
6603	0.3460	0.3254	0.2758	0.584	7307	0.5195	0.4930	0.4227	0.571
6604	0.0884	0.0842	0.0720	0.634	7308	0.3310	0.3203	0.2784	0.653
6605	0.3334	0.3221	0.2796	0.650	7309	0.2825	0.2704	0.2330	0.624
6607	0.1785	0.1687	0.1438	0.575					
6608	0.5649	0.5180	0.4314	0.455					
6620	4.6097	4.3617	3.6771	0.693					
6704	0.1757	0.1660	0.1410	0.629					
6705	0.8930	0.8628	0.7504	0.633					
6706	0.3376	0.3210	0.2761	0.565					
6707	3.7428	3.6125	3.1004	0.738					
6708	8.8493	8.4704	7.4145	0.468					
6709	0.3088	0.2961	0.2548	0.645					
6801	0.6404	0.6059	0.5138	0.640					
6802	0.4714	0.4478	0.3817	0.634					
6803	0.8716	0.7986	0.6699	0.382					
6804	0.2899	0.2735	0.2326	0.577					
6809	5.2243	4.9914	4.3002	0.600					
6901	0.0377	0.0407	0.0389	0.850					
6902	1.0322	0.9419	0.7820	0.433					
6903	7.5329	6.8972	5.8126	0.331					
6904	0.4245	0.3975	0.3321	0.661					
6905	0.4039	0.3809	0.3217	0.641					
6906	0.1742	0.1796	0.1654	0.750					
6907	1.2878	1.2116	1.0271	0.584					
6908	0.4892	0.4624	0.3931	0.608					
6909	0.1266	0.1209	0.1037	0.640					
7100	0.0341	0.0321	0.0275	0.515					
7101	0.0255	0.0240	0.0206	0.485					
7102	4.4406	4.3195	3.7911	0.618					
7103	0.6159	0.5740	0.4826	0.558					
7104	0.0322	0.0307	0.0262	0.656					
7105	0.0338	0.0323	0.0276	0.679					
7106	0.2085	0.1989	0.1705	0.633					
7107	0.2390	0.2295	0.1988	0.596					
7108	0.2054	0.1972	0.1705	0.608					
7109	0.1395	0.1334	0.1143	0.646					
7110	0.3511	0.3264	0.2748	0.514					
7111	0.3900	0.3634	0.3065	0.522					
7112	0.6692	0.6329	0.5399	0.583					
7113	0.3830	0.3652	0.3142	0.593					
7114	0.5795	0.5526	0.4727	0.643					
7115	0.6015	0.5736	0.4920	0.620					
7116	0.7175	0.6777	0.5768	0.589					
7117	1.6735	1.5896	1.3557	0.631					
7118	1.3946	1.3220	1.1278	0.608					

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed

<u>Class</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>D-Ratio</u>
0540	0.0223	0.0206	0.0171	0.482
0541	0.0133	0.0120	0.0101	0.448
0550	0.0295	0.0267	0.0221	0.382
0551	0.0171	0.0156	0.0129	0.392

AMENDATORY SECTION (Amending WSR 05-23-162, filed 11/22/05, effective 1/1/06)

WAC 296-17-890 Table IV.

Maximum experience modifications for firms with no compensable accidents: Effective ((~~1/1/2006~~) 1/1/2007)

<u>((Expected Loss Range</u>	<u>Maximum Experience Modification</u>
+ - 2,905	0.90
2,906 - 3,534	0.89
3,535 - 4,192	0.88
4,193 - 4,880	0.87
4,881 - 5,603	0.86
5,604 - 6,361	0.85
6,362 - 7,159	0.84
7,160 - 7,998	0.83
7,999 - 8,882	0.82
8,883 - 9,816	0.81
9,817 - 10,802	0.80
10,803 - 11,847	0.79
11,848 - 12,954	0.78
12,955 - 14,131	0.77
14,132 - 15,383	0.76
15,384 - 16,719	0.75
16,720 - 18,146	0.74

<u>((Expected Loss Range</u>	<u>Maximum Experi- ence Modification</u>
18,147 - 19,675	0.73
19,676 - 21,316	0.72
21,317 - 23,084	0.71
23,085 - 24,992	0.70
24,993 - 27,059	0.69
27,060 - 29,305	0.68
29,306 - 31,754	0.67
31,755 - 34,435	0.66
34,436 - 37,383	0.65
37,384 - 40,640	0.64
40,641 - 44,257	0.63
44,258 - 48,296	0.62
48,297 - 52,838	0.61
52,839 & Higher	0.60))

<u>Expected Loss Range</u>	<u>Maximum Experi- ence Modification</u>
41,255 - 47,959	0.61
47,960 & Over	0.60

**WSR 06-24-055
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed December 1, 2006, 4:29 p.m., effective January 1, 2007]

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

Purpose: In April 2006, the department filed a proposal to consolidate five metal goods classifications into one classification with three sub codes. Four existing metal goods classifications would have been repealed. Following hearings in May, two firms petitioned the department to withdraw the proposal because of the economic effect on their classification. The department agreed to reconsider the proposal. The department agreed to restore the five metal goods classifications as they previously existed. This rule making is necessary to restore the classifications as they existed January 1, 2006.

Citation of Existing Rules Affected by this Order: Amending WAC 296-17-580 Classification 3402; and new sections WAC 296-17-58105 Classification 3404, 296-17-66901 Classification 5109, 296-17-676001 Classification 5208, and 296-17-676002 Classification 5209.

Statutory Authority for Adoption: RCW 51.16.035 and 51.16.100.

Adopted under notice filed as WSR 06-19-076 on September 19, 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 4, Amended 1, Repealed 0.

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

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

Date Adopted: December 1, 2006.

Judy Schurke
Acting Director

AMENDATORY SECTION (Amending WSR 06-12-075, filed 6/6/06, effective 1/1/07)

WAC 296-17-580 Classification 3402.

~~((3402-84 Metal goods manufacturing, N.O.C.~~

<u>Expected Loss Range</u>	<u>Maximum Experi- ence Modification</u>
<u>1</u> - <u>6,468</u>	<u>0.90</u>
<u>6,469</u> - <u>7,900</u>	<u>0.89</u>
<u>7,901</u> - <u>8,752</u>	<u>0.88</u>
<u>8,753</u> - <u>9,539</u>	<u>0.87</u>
<u>9,540</u> - <u>10,369</u>	<u>0.86</u>
<u>10,370</u> - <u>11,240</u>	<u>0.85</u>
<u>11,241</u> - <u>12,006</u>	<u>0.84</u>
<u>12,007</u> - <u>12,783</u>	<u>0.83</u>
<u>12,784</u> - <u>13,593</u>	<u>0.82</u>
<u>13,594</u> - <u>14,435</u>	<u>0.81</u>
<u>14,436</u> - <u>15,312</u>	<u>0.80</u>
<u>15,313</u> - <u>16,220</u>	<u>0.79</u>
<u>16,221</u> - <u>17,163</u>	<u>0.78</u>
<u>17,164</u> - <u>18,140</u>	<u>0.77</u>
<u>18,141</u> - <u>19,151</u>	<u>0.76</u>
<u>19,152</u> - <u>20,198</u>	<u>0.75</u>
<u>20,199</u> - <u>21,279</u>	<u>0.74</u>
<u>21,280</u> - <u>22,395</u>	<u>0.73</u>
<u>22,396</u> - <u>23,548</u>	<u>0.72</u>
<u>23,549</u> - <u>24,736</u>	<u>0.71</u>
<u>24,737</u> - <u>25,961</u>	<u>0.70</u>
<u>25,962</u> - <u>27,221</u>	<u>0.69</u>
<u>27,222</u> - <u>28,518</u>	<u>0.68</u>
<u>28,519</u> - <u>29,852</u>	<u>0.67</u>
<u>29,853</u> - <u>31,222</u>	<u>0.66</u>
<u>31,223</u> - <u>32,629</u>	<u>0.65</u>
<u>32,630</u> - <u>34,823</u>	<u>0.64</u>
<u>34,824</u> - <u>37,807</u>	<u>0.63</u>
<u>37,808</u> - <u>41,254</u>	<u>0.62</u>

This classification applies to all establishments engaged in the manufacture of metal products not covered by another classification (N.O.C.), the manufacturing of metal products by die casting, and battery manufacturing. Types of metals used include, but are not limited to, aluminum, stainless, iron, steel, copper and brass. Metal materials used vary in size, shape and dimension. Some of the more common types are sheet, flat bar, plate, angle, solid, channel, I-beams, and hollow stock. Typical types of machinery used would include, but not be limited to, drills, mills, lathes, saws, welders, brake presses, iron workers, boring mills, paint booths, sandblasting booths, hoists, shears, grinders, baking ovens and some computer numeric controlled machinery. This classification includes the repair of items being manufactured when done by employees of the employer having operations subject to this classification when the repair is done as part of, and in connection with, manufacturing operations.

This classification excludes repairs to buildings and structures which are to be reported separately in the appropriate construction classification, firms which machine or manufacture metal products primarily with computer numeric controlled machinery which are to be reported in 3405, and the installation of machinery which is to be reported in the applicable risk classification.

3402-89 Metal products assembly, N.O.C.

This classification applies to establishments engaged in the assembly of machinery, or metal products or equipment that are not engaged in the manufacture or fabrication of the composite parts. Establishments assigned to this classification will purchase all of the parts used in the assembly of goods from other nonrelated businesses. This classification includes the repair of the product that they are assembling provided the repair activities are limited to replacement of parts purchased from others and does not involve the manufacture, fabrication or machining of parts.

3402-90 Machine shop services, N.O.C.

This classification applies to establishments that are involved in activities such as but not limited to, welding services, multimedia blasting in shop, small engine repair, saw and knife sharpening, heat treating and gear grinding. This classification also includes "mobile shops" which are used exclusively to repair machinery or equipment. A "mobile shop" in this classification usually means a van or pickup pulling a utility trailer equipped with hand tools, air tools, a compressor, and a portable welding unit. The machinery or equipment is usually repaired at the customer's location; however, sometimes the broken part is removed and taken back to the shop for repair. If a firm is involved in any fabrication or manufacturing operations then the applicable manufacturing classification shall be assigned.

This classification excludes repairs to buildings and structures which are to be reported separately in the appropriate construction classification, mechanical repairs of industrial machinery and construction equipment which are to be reported separately in 6409, and mechanical repairs to passenger vehicles which are to be reported separately in 3411.)

3402-00 Air compressor: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of air compressors. This includes air or gas com-

pressors used for paint sprayers, air tools, tire inflation, and general industrial purposes. Operations contemplated include, but are not limited to, welding, machining, general mechanical and electrical work. Machinery and equipment includes, but is not limited to, hand and air tools, welders, punches, shears, and compression equipment. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-01 Printing or bookbinding machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of printing or bookbinding machinery. The outside casings of the machines may be made of plate metal that varies between 1" to 2 1/2" in thickness. The machines used to make the presses and binding machinery may include both Computer Numeric Controlled (CNC) and manual mills and lathes. Other machinery used in the manufacturing process includes, but is not limited to, welders or cutters, grinders, and drill presses. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; and the set up, installation and repair of printing or bookbinding machinery which is to be reported separately in classification 0603.

3402-02 Pump, safe, scale, auto jack, and water meter: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of pumps, safes, scales, auto jacks, and water meters. Materials range from brass screws and rubber washers used to rebuild water meters to plate metal and steel castings used for safe and pump manufacturing. Machinery includes, but is not limited to, hand tools used for repairs, lathes, welders, and pressure testers. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; the installation and repair of safes which is to be reported separately in classification 0607; and the installa-

tion of pumps which is to be reported separately in the applicable classification.

3402-03 Shoe or textile machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of shoe machinery or textile machinery. Metal materials used vary in size, shape and dimension. Machinery includes, but is not limited to, drills, mills, lathes, saws, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the installation and repair of shoe or textile machinery which is to be reported separately in classification 0603.

3402-04 Confectioners or food processing machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of food processing or confectioners machinery. Metal materials used vary in size, shape and weight. These establishments often have an assembly line operation and a separate electronic assembly area. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the installation and repair of confectioners and food processing machinery which is to be reported separately in classification 0603.

3402-05 Machine shops, N.O.C.

Applies to establishments engaged in general machine shop operations not covered by another classification (N.O.C.), tool sharpening, and mobile welding shops. Many of the establishments in this classification are "job shops." Size and shape of materials vary with steel and aluminum being the most common. Plastics, light weight aluminum, and alloyed metals are becoming increasingly popular in the manufacture of equipment for some industries. These establishments often have welding shops along with machine shops. Machinery and equipment includes, but is not limited to, mills, lathes, grinders, saws, welding equipment, inspection equipment, and material handling equipment. Machinery is both manual and Computer Numeric Controlled (CNC). This classification also includes "mobile shops" which are used *exclusively* to repair machinery or equipment. A "mobile shop" in this classification usually means a van or pick up pulling a utility trailer equipped with hand tools, specialty tools, air tools, a compressor, and a portable welding unit. The machinery or equipment is usually repaired at the

customer's location, however, sometimes the broken part is removed and taken back to the shop for repair.

This classification excludes repairs to buildings and structures which are to be reported separately in the appropriate construction classification, and mechanical repairs which are to be reported separately in the classification applicable to the work being performed.

Special note: The term "job shop" is an industry term that means the shop will produce products to customer specifications.

3402-06 Power saw, lawn and garden equipment, small motor, N.O.C.: Repair

Applies to establishments engaged in repairing small power tools, small motors powered by gas or diesel, outboard marine engines, and lawn and garden equipment not covered by another classification (N.O.C.). The largest piece of equipment repaired in this classification is generally a riding lawn mower. Classification 3402-06 is assigned in conjunction with a store classification for establishments that have a store operation and also repair the type of items they sell. Classification 3402-06 may also be assigned to a manufacturer representative who performs warranty repairs. Tools used in this type of repair are mainly hand and air tools. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the repair of electrical motors which is to be reported separately in classification 5201.

3402-07 Gear: Manufacturing or grinding

Applies to establishments engaged in the manufacture or grinding of gears. Establishments in this classification may also cut key slots and broaches. Establishments that cut stock to manufacture the gear are often not the same ones that perform the final grinding process. Gears may go through two, three, or four different grinding, slotting, and/or keying establishments and then go to another establishment for electroplating or galvanizing before they are ready for sale or use. Precision machine shops may grind gears to the ten thousandths of an inch. Materials used are usually stainless steel, aluminum, or plastic. Machinery includes, but is not limited to, gear shapers, drill presses, mill, hobbers, grinders, some of which might be Computer Numeric Controlled (CNC). This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-08 Elevator: Manufacturing

Applies to establishments engaged in the manufacture of elevators and associated electronic components. Machinery includes, but is not limited to, mills, drills, lathes, saws, and grinders. This classification includes the repair of items being manufactured or assembled when done by employees

of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the installation, service, and repair of elevators which is to be reported separately in classification 0602.

3402-11 Metal goods: Manufacturing and shop services (temporary classification)

Applies temporarily to all establishments assigned any classification within WAC 296-17-580. When the metal goods study is complete, the establishments within this classification will be assigned to the appropriate classifications. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation.

This classification excludes all activities away from the shop or plant.

3402-12 Multimedia blasting

Applies to establishments engaged in multimedia (such as, but not limited to, glass, plastic and sand) blasting operations which strip paint or other coatings from metal or fiberglass. Most of the blasting operations in this classification are done on automobiles, but it also applies to establishments that perform blasting on items such as, but not limited to, barbecue grills, and cast iron pieces. Multimedia blasting processes in this classification are performed in a shop, use less air pressure and media with softer finishes than other blasting operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and sandblasting of buildings or structures which is to be reported separately in classification 0504.

3402-14 Furnace, heater, radiator, wood, propane, or pellet stoves: Manufacturing

Applies to establishments engaged in the manufacture of furnaces, radiators, wood, propane, or pellet burning stoves or similar heating fixtures. Materials include, but are not limited to, metal cast parts, sheet metal, plate metal, aluminum, or stainless steel. Machinery includes, but is not limited to, hand tools, solder guns, punches, lathes, and saws. Establishments in this classification may have separate areas for electronic assembly and/or painting. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of radiators for automobiles or trucks which are to be reported

separately in classification 3402-48; and establishments engaged in the manufacture of baseboard heaters which are to be reported separately in classification 3404.

3402-16 Die casting

Applies to establishments engaged in the manufacture of products by die casting. Die casting is a manufacturing process for producing accurately-dimensioned, sharply-defined metal products which are referred to as "die castings." "Dies" are the steel molds used to mass produce the product. The process begins when ingots of various metal alloys are melted in die casting machines. The machine forces the metal into the die under hydraulic or pneumatic pressure. The casting quickly solidifies in the die, and is automatically ejected by the machine, and the cycle starts again. The castings are cleaned by grinding or sanding, which also removes any excess metal "flash." Many die casting manufacturers maintain their own machine shop for making the dies. Die making, when done as a part of die casting operations, is included within the scope of this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; and establishments engaged in making dies for others which are to be reported separately in classification 3402-74.

3402-26 Saw blade: Manufacturing, assembly, or sharpening

Applies to establishments engaged in the manufacture, assembly, or sharpening of saw blades such as, but not limited to, those used in circular saws, band saws, rip saws, key-hole saws, and handsaws such as hacksaws or meat saws. This classification also includes sharpening services for items such as, but not limited to, tools, scissors, and knives. Materials include, but are not limited to, high tensile steel and carbide tipped blades. Machinery includes, but is not limited to, saws, mills, drills, and hand tools. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the repair or sharpening of chain saws which are to be reported separately in classification 3402-06; and establishments engaged in the manufacture or repair of electrical saws which are to be reported separately in classification 5201.

3402-28 Heat treating metal

Applies to establishments engaged in heat treating metal. The heat treating process may use computer numeric con-

trolled ovens or furnaces. The oven may heat up to 1200 degrees Fahrenheit and a furnace may heat up to 2000 degrees Fahrenheit. The metal(s) is placed on a platform; the platform is hydraulically moved into the first chamber and the door is automatically closed. At this time, the oxygen is burned from the chamber. Then the second chamber door is opened and the metal enters the oven/furnace. Depending upon the specifications, the heat treating process usually takes six to sixteen hours. When the metal is finished in the heating chamber it returns automatically to the first chamber. Then the platform lowers and the metals are dipped into a cooling agent. Once the metals are cooled to room temperature the platform rises, the door opens, and the materials are removed. The process is essentially the same using noncomputer numeric controlled heat treating equipment except that, rather than being hydraulically operated, the machine operators move the metals through the system. Many establishments do not produce a product, but heat treat a variety of products to customer specifications. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-29 Nut, bolt, screw, nail, tack, rivet, eyelet spike, needle, N.O.C.: Manufacturing

Sprinkler head, speedometer, carburetor: Manufacturing or assembly

Applies to establishments engaged in the manufacture of nuts, bolts, screws, nails, tacks, rivets, eyelets, spikes, and needles not covered by another classification (N.O.C.). This classification also applies to establishments engaged in the manufacture or assembly of sprinkler heads, speedometers, or carburetors. Materials include, but are not limited to, steel or iron rods which may be pressed or formed, and small component parts. Machinery includes, but is not limited to, saws, shears, presses, chucks, threading and tapping machines, some of which may be Computer Numeric Controlled (CNC). Establishments may have separate areas for deburring, inspecting, packing and shipping. The carburetor rebuilding may be performed on vehicles that are driven or towed into the shop, or on carburetors that have been already removed from the vehicles. In either case the repairs are made exclusively with hand and air tools and sometimes a diagnostic scope and a drill press. A speedometer is usually embodied with a mileage recording mechanism. The central feature of the device is a permanent magnet. There are gears, spindles, and a drive shaft present in most speedometers. There is also a unit counting disc and a spiral spring calibrator. Hand tools are used almost exclusively in the repair of this kind of speedometer. Today many speedometers are computer controlled. Basically, if this kind of speedometer is in need of repair, a computer chip(s) is replaced, using hand tools. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an

adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of hardware that is not covered under another classification, such as handles, latches, and hinges which are to be reported separately in classification 3404, and the repair of speedometers or carburetors in a vehicle which is to be reported separately in the appropriate vehicle repair classification.

3402-32 Abrasive wheel: Manufacturing

Applies to establishments engaged in the manufacture of abrasive wheels. Manufacturing operations often include a laboratory where carbon and other materials are mixed together to form the abrasive edge of the mainly high tensile steel wheels. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-40 Welding or cutting, N.O.C. (mobile operations limited to repair of equipment and machinery)

Applies to establishments engaged in welding or cutting operations not covered by another classification (N.O.C.) either in the shop or at the customer's site. Steel is the predominant material along with some aluminum alloys. Machinery is predominantly welding equipment, but may include tools such as, but not limited to, grinders, saws, drills, and material handling equipment. This classification also includes "mobile shops" which are used *exclusively* to repair machinery or equipment. A "mobile shop" in this classification usually means a van or pick up pulling a utility trailer equipped with hand tools, specialty tools, air tools, a compressor, and a portable welding unit. The machinery or equipment is usually repaired at the customer's location, sometimes with the use of the customer's equipment; however, broken parts may be removed and taken back to the shop for repair.

This classification excludes repairs to buildings or structures which are to be reported separately in the appropriate construction classification and mechanical repairs which are to be reported separately in the classification applicable to the work being performed.

3402-48 Automobile or truck, radiator and heater core: Manufacturing and repair shops

Applies to establishments engaged in the manufacture and/or repair of automobile or truck radiator and heater cores. Manufacturers in this classification may have a die casting area and a separate electronic assembly area. Tools and equipment include, but are not limited to, hand tools, solder guns, and punches. Shops that repair radiators may work on the radiators in the vehicles, but usually the radiators have been removed from the vehicle. The radiator is examined and the core may be removed. Next the radiator is cleaned, air pressurized, and dipped in a water tank to check it for

leaks. Once the leaks are found they can generally be repaired by welding the holes shut. The radiator is dipped again to ensure the repair has been made properly. Cleaning the radiator may be done by sandblasting, ultra sound baths or by "rodding" the radiator to remove corrosion. Repair equipment includes, but is not limited to, welders, air and hand tools, dipping tanks, hoists, and forklifts. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-60 Office machinery, N.O.C.: Manufacturing or assembly; Cash register or sewing machines: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of cash registers, sewing machines and office machinery not covered by another classification (N.O.C.) such as, but not limited to, copiers, collators, mail/postage machines, calculators and automatic letter openers. Component parts may be metal, plastic, or wood. Operations include, but are not limited to, cutting, shaping, forming, drilling, riveting, clamping, and bolting; there may be a separate electronic assembly area. Machinery and tools vary within this classification; some establishments use hand and air tools only, others use additional equipment such as, but not limited to, saws, lathes, mills, drills, or water jets, some of which may be Computer Numeric Controlled (CNC). This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-61 Small arms: Manufacturing, assembly, or rebuild

Applies to establishments engaged in the manufacture, assembly, or rebuild of small arms. For the purpose of this classification, small arms means .50 caliber or less, such as pistols, rifles, shotguns, and light machine guns. Operations include, but are not limited to, metal stamping of casings, machining, assembling, and a high proportion of inspecting. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of ammunition which is to be reported separately in classification 4601; the manufacture or repair of heavy arms which is to be reported separately in classification 5109; and gun stores which are to be reported separately in classification 6309.

3402-74 Tool: Manufacturing, not hot forming or stamping; Die: Manufacturing - ferrous

Applies to establishments engaged in tool manufacturing or die manufacturing, for others, from ferrous materials. Tools manufactured in this classification are usually cutting tools used in lathes, mills, rotors, and saws. Machinery includes, but is not limited to, sharpeners, grinders, lathes and mills, which are both manual or Computer Numeric Controlled (CNC). The die manufacturing included in this classification includes those made exclusively of ferrous materials including, but not limited to, jigs, fixtures, and dies for metal work in general. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of machine-finished tools which are to be reported separately in classification 3402-83.

3402-77 Auto, truck, semi-trailer and bus body: Manufacturing;

Travel trailer body: Manufacturing or repair

Applies to establishments engaged in the manufacture of auto, truck, and bus bodies, and in the manufacture or repair of travel trailer bodies or cargo containers. Repairs are usually made with the use of welders or cutting torches and air or hand tools. These establishments will also repair or replace hydraulic units. Material used in the manufacture of goods in this classification is usually steel and aluminum, varying in thickness from 16 gauge to plate metal up to one inch thick. Shapes include, but are not limited to, sheet metal, tubes, solid rod or I-beams. Equipment includes, but is not limited to, shears, breaks, hydraulic presses, iron workers, drill presses, grinders, welders, hoist, cranes, and forklifts. Shops may have a finish sanding area as well as a paint area where the vehicle bodies are sprayed with primer, a body bonding material, or a finish coat of paint. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-83 Tool: Manufacturing and machine finishing

Applies to establishments engaged in manufacturing and machine finishing tools. Tools manufactured in this classification are usually hand held instruments such as, but not limited to, wrenches, screw drivers, hammers, torque wrenches, pliers, and sockets. Machinery includes, but is not limited to, air and hand tools, polishers, grinders, inspection equipment, mills, lathes, shapers, and drill presses, some of which may be Computer Numeric Control (CNC). Establishments may have a galvanizing and/or electroplating area for the finish work which is included when performed by employees of employers subject to this classification. Other establishments in this classification send the finish work out. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of tools from ferrous materials which are to be reported separately in classification 3402-74; and establishments engaged in tool forging which are to be reported separately in classification 5106.

3402-85 Auto or truck parts: Machining or rebuild not in vehicle

Applies to establishments engaged in machining or rebuilding auto or truck parts such as, but not limited to, water pumps, fuel pumps, transmissions, heads, brake drums, ball joints, and rear ends, which are not in the vehicle. Work contemplated in this classification may also include manufacturing sockets, pulleys, shafts, fittings, flywheels, and/or bearings. Machinery includes, but is not limited to, mills, lathes, grinders, sanders, presses, welders, and balancing equipment. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in manufacturing or rebuilding auto, truck, or aircraft engines which are to be reported separately in classification 3402-86.

3402-86 Auto, truck or aircraft engine, N.O.C.: Manufacturing or rebuilding

Applies to establishments engaged in manufacturing or rebuilding auto, truck, or aircraft engines not covered by another classification (N.O.C.), including manufacturing the component parts. Establishments in this classification often specialize in the type of engines they make or rebuild. The basic difference between automobile, truck, and aircraft engines is the size and weight of the parts being worked on. Engine rebuild shops use many specialized machines and air tools to tear the core down to an engine block; then rebuild the engine. After the engine is stripped down to the engine block, it is placed in a machine called a baker which heats to approximately 600 degrees and bakes away the grease. After

baking, the engine block is placed in a sand blaster where the surface is cleaned with very fine steel shot. The engine block is then placed in a large pressure washer which removes the steel shot. Next, the crank and cam shafts are ground and turned on machinery similar to lathes. There is usually a separate room or area which is called the "head shop" where the heads and valves are machined on valve grinders, valve facers, and head grinders. Engine rebuild shops that do not have the equipment to grind the crank and cam shafts will contract work out to other shops, or buy new crank shafts and cam shafts. Other machinery includes, but is not limited to, boring bars and hones to polish cylinder walls, small pressure washers for oil pans and other smaller parts, solvent tanks, and hoists or forklifts for lifting the engines or engine parts. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in machining or rebuilding auto or truck parts, other than engines, which are to be reported separately in classification 3402-85.

3402-91 Bed spring or wire mattress: Manufacturing

Applies to establishments engaged in the manufacture of bed springs or wire mattresses. The wire stock is coiled and cut to length on a coiling machine, then tempered in an oven to produce the spring. The coils are fastened to the frame either by hand or by machine. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of stuffed mattresses which are to be reported separately in classification 3708.

3402-93 Valve: Manufacturing

Applies to establishments engaged in the manufacture of valves. Valves regulate the flow of air, gases, liquids, or loose material through structures by opening, closing, or obstructing passageways. They are operated manually, electrically, with compressed air, or hydraulic pressure. Valves are usually cut from aluminum, steel, or stainless steel either by a Computer Numeric Controlled machine (CNC) or water jet machine. Depending upon the complexity of the valve, they are assembled in one or several stages. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard

when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of valves made in a die mold which are to be reported separately in classification 3402-74.

3402-94 Precision machined parts, N.O.C.: Manufacturing

Applies to establishments engaged in manufacturing precision machined parts not covered by another classification (N.O.C.). Most of these establishments are "job shops." Job shops make component parts for other businesses according to customer specifications, rather than manufacturing a specific product. Many establishments in this classification manufacture precision parts for the aerospace industry. Machining usually begins with solid blocks of material such as, but not limited to, steel, aluminum, titanium, inconel, or plastic, although some hollow tube, flat bar, and angle stock may also be used. The "rough cuts" are often made on manual machines, and the finish cuts on Computer Numeric Controlled (CNC) machines. Depending on the establishment and the job specifications, a specific part may be sent to one or more additional shops to be tempered, milled, or inspected before the original establishment is through with the manufacturing process. Some parts are so sensitive that climate controlled conditions are necessary. Both manual and CNC mills and lathes are the most common types of machines used. Others include, but are not limited to, saws, drills, and grinding machines. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-95 Storage battery: Manufacturing, assembly or repair

Applies to establishments engaged in the manufacture, assembly, or repair of storage batteries. Lead ingots, weighing 20-25 pounds, are melted and poured into a mold or casting machine. After the grids are cooled lead oxide is then pumped onto each side of a grid and cured by baking in an oven of about 300 - 400 degrees F. The plates are then assembled by placing a negative separator (zinc) between a positive separator (copper), and so forth until there are enough of these cells to form the battery. Next, they are sent to a burning machine that cures the paste and plates. After the burning process, the plates are placed into a plastic or hard rubber box-like container and cured for two or three days. The plates are welded together and the top is attached to the body of the battery case with an epoxy glue. Diluted sulfuric acid is added to the battery and then it is put on a charger. The battery is then cleaned and packed for shipping. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification

when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of dry cell (flashlight type) batteries which are to be reported separately in classification 3602; and establishments engaged in battery sales and installation which are to be reported separately in the applicable automotive services classification.

3402-96 Automobile or motorcycle: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of automobiles or motorcycles. Most of the manufacturing operations, such as cutting, milling, and turning, are performed with Computer Numerically Controlled (CNC) machinery. Most of the assembly operations are performed with air and hand tools. Other machinery includes but is not limited to saws, grinders, and drill presses. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged only in the manufacture of auto bodies which are to be reported separately in classification 3402-77.

3402-98 Machinery, N.O.C.: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of machinery not covered by another classification (N.O.C.). For purposes of this classification, machinery means any combination of mechanical parts constructed primarily with metal. Finished products vary widely and range from hand held machines to those weighing thousands of pounds; products include, but are not limited to, grinding machines, boring machines, conveyer systems, and wood chippers. Machinery used to manufacture these items includes, but is not limited to, lathes, mills, press, breaks, shears, and welders, some of which may be Computer Numerically Controlled (CNC). This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-99 Photo processing machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of photo processing machinery such as, but not limited to, photo processors or film enlargers. This classification

includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

NEW SECTION

WAC 296-17-58105 Classification 3404.

3404-01 Can: Manufacturing - aluminum or galvanized

Applies to establishments engaged in the manufacture of cans from aluminum or galvanized metals lighter than 9 gauge. Products include, but are not limited to, soda cans, food cans, and garbage cans. The galvanizing process includes dipping the tin/metal into liquid zinc. The manufacturing process involves cutting, forming, stamping, and soldering/welding. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-02 Galvanized iron works: Manufacturing - non-structural

Applies to establishments engaged in the manufacture of nonstructural galvanized iron from sheet metal lighter than 9 gauge. Processes include cutting, forming, welding, riveting, punching, and drilling. The equipment used includes, but is not limited to, drills, presses, punches, shears, and press breaks. Establishments in this classification may paint, powder coat, or silk screen their products; which is included when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of employers subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-03 Hardware, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of hardware that is not covered by another classification (N.O.C.), such as, but not limited to, handles, latches, hinges, and buckles. Operations include, but are not limited to, stamping and assembly, electroplating and/or other types of finishing. This classification includes the repair of items being manufactured or assembled when done by employees

of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of nuts, bolts, screws, nails, tacks, rivets, eyelets, spikes, and needles which are to be reported separately in classification 3402.

3404-04 Metal stamping

Applies to establishments engaged in the mass production of products by metal stamping techniques which impress, cut out, or shape something to a desired size. Products produced by this technique include, but are not limited to, license plates, pie plates, pots, and waste baskets. This classification includes any finish work when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-06 Metal sign: Manufacturing

Applies to establishments engaged in the manufacture of signs from metals lighter than 9 gauge. Materials may be cut, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, water jets and welders. All operations necessary to make a sign operative, such as, but not limited to, adding electrical wiring or circuitry, painting, powder coating, or silk screening are included within the scope of this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; the installation or removal of signs outside of buildings which is to be reported separately in classification 0403; the installation or removal of signs inside of buildings which is to be reported separately in classification 0513; sign painting or lettering on the inside of buildings, or establishments that paint on or apply lettering to sign "backings" that are manufactured by others, which is to be reported separately in classification 4109; and establishments engaged in the manufacture of wood or plastic signs which are to be reported separately in the classification applicable to the manufacturing process and materials.

3404-07 Metal goods, N.O.C.: Manufacturing or assembly from materials lighter than 9 gauge

Applies to establishments engaged in the manufacture or assembly of metal goods from materials lighter than 9 gauge which are not covered by another classification (N.O.C.) including water heaters, electric baseboard heaters, electric furnaces and bicycles. Materials may be cut, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-12 Aluminum ware: Manufacturing from sheet aluminum

Applies to establishments engaged in the manufacture of aluminum ware such as, but not limited to, mail boxes, buckets, gutters, and down spouts, from sheet aluminum. Materials may be cut, bent, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-18 Metal coffin/casket: Manufacturing or assembly

Applies to establishments engaged in the manufacture of coffins or caskets out of metal. Materials may be cut, bent, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Physically separated upholstery departments of establishments engaged in furniture, coffin, casket manufacturing, assembly, or finishing may be reported separately in classification 3808 provided all the conditions in the general reporting rule covering the division of an employees hours have been met.

This classification excludes all activities away from the shop or plant, and establishments engaged in the manufacture of caskets from wood or plastic which are to be reported sep-

arately in the classification applicable to the manufacturing process and materials.

3404-19 Metal awnings: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of awnings from metals lighter than 9 gauge. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant, and establishments engaged in the manufacture of awnings from canvas or other textiles which is to be reported separately in classification 3802.

3404-20 Metal furniture, shower door, showcases: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of furniture, shower doors, or showcases made with metals lighter than 9 gauge. Other items manufactured in this classification include, but are not limited to, file cabinets, desks, and stands. Material may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Physically separated upholstery departments of establishments engaged in furniture, coffin, casket manufacturing, assembly, or finishing may be reported separately in classification 3808, provided all the conditions of the general reporting rule covering the division of an employee's hours have been met.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of wood furniture which are to be reported separately in classification 2905.

3404-21 Stove: Manufacturing from metals lighter than 9 gauge

Applies to establishments engaged in the manufacture of stoves from metals *lighter than 9 gauge*. Types of stoves include, but are not limited to, electric or gas cook stoves. Accessory materials such as, but not limited to, electrical assembly units, glass, plastic, or wood may be used in the manufacture of stoves. Materials may be cut, punched, drilled, riveted, and bent. Establishments in this classification may paint or powder coat their products which is included when performed by employees of employers subject to this classification. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, grinders

and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant, and establishments engaged in the manufacture of wood stoves or other stoves made of metals 9 gauge or heavier which are to be reported separately in classification 3402.

3404-24 Metal electric or gas lighting fixtures, lampshades or lantern: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of metal fixtures, lampshades, or lanterns from materials lighter than 9 gauge. The metal fixtures may be equipped with electrical or gas lighting and used as signs or other display mediums. Metal may be cut, punched, drilled, riveted, and bent. Depending on the item being made, electrical or gas-filled tubes or bulbs may be attached. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, grinders, welders, and solders. Establishments in this classification may make a finished product or only component pieces. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes establishments engaged in the manufacture of neon tube signs or displays that are not attached to metal backings which are to be reported separately in classification 3602, and all activities away from the shop or plant.

3404-25 Brass or copper goods: Manufacturing

Applies to establishments engaged in the manufacture of brass or copper goods such as, but not limited to, belt buckles, lamp stands, cooking utensils, and flower pots. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, water jets, grinders, welders/solders and brazing guns. Establishments in this classification may make a finished product or a component part. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-26 Aluminum window, sash or door: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of windows, sashes or doors from aluminum. Accessory materials such as, but not limited to, glass, wood or plastic may also be used in the assembly process. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, grinders, and welders/solders. Establishments in this classification may make a finished product or only component parts. Manufacturers may paint, enamel, or bake a finish onto products, which is included when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in manufacturing vinyl window sashes which are to be reported separately in classification 3512; and establishments engaged in manufacturing wooden window sashes and doors which are to be reported separately in classification 2903.

3404-27 Auto or truck parts, N.O.C.: Manufacturing or assembly; miscellaneous stamped parts

Applies to establishments engaged in the manufacture or assembly of auto or truck parts not covered by another classification (N.O.C.), and of miscellaneous stamped parts, such as, but not limited to, hub caps, fenders, and trim. Galvanizing or electroplating is included in this classification when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-29 Metal ski and toboggan: Manufacturing

Applies to establishments engaged in the manufacture of skies or toboggans primarily from metal although wood or plastic component parts may also be used. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, water jets, shears, break presses, grinders, and welders/solders. Establishments in this classification may make a finished product or only a component part. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it

includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

NEW SECTION

WAC 296-17-66901 Classification 5109.

5109-46 Heavy machinery & equipment including locomotive engines: Manufacture or repair; Press roller recoating/resurfacing

Applies to establishments engaged in the manufacture, assembly, and repair of heavy equipment. Machinery and equipment subject to this classification are usually made of steel and steel/iron castings and include, but are not limited to, bulldozers, dump trucks, graders, skidders, forklifts and logging towers. The component parts may weigh several hundred to thousands of pounds. Overhead cranes are commonly used in the assembly process. Machinery used in the manufacturing, assembly, and repair includes, but is not limited to, boring mills, lathes, iron workers, welders/cutters, cut saws, and drills. Some establishments use CNC (computer numeric controlled) machinery; however, most establishments in this classification primarily use manual machinery and conventional welders/cutters. Other common operations covered by this classification include paint, welding, and electronic assembly areas. This classification also includes establishments that repair, recoat or resurface press rollers such as, but not limited to, the type rollers used by printing and paper making mills. Operations include repairing the interior shafts of the rollers, then grinding fiberglass or ceramic finishes until they are smooth. For rubber-coated surfaces, they remove the old rubber from the metal surface, sandblast the roller, then recoat it with new rubber. Most establishments that recoat the surface with rubber will mix and extrude their own rubber which is included in this classification when performed by employees of employers subject to this classification.

Special note: Field work as well as shop work is contemplated as an integral part of this classification. A vehicle may be equipped with welding equipment and other tools used for field repair. The broken part may be replaced in the field or returned to the shop, repaired if feasible, or a new part is ordered. The part is then loaded onto the field vehicle taken to the job site and reconnected. Some establishments perform this type of field work almost exclusively.

5109-47 Heavy arms: Manufacturing or repair

Applies to establishments engaged in the manufacture or repair of heavy arms including large munitions. This classification applies to all types of guns 20 MM and larger including, but not limited to, aircraft guns, tank guns, naval guns, torpedoes and aircraft gun turrets.

Special note: Field work as well as shop work is contemplated as an integral part of this classification. A vehicle may be equipped with welding equipment and other tools used for field repair. The broken part may be replaced in the field or returned to the shop, repaired if feasible, or a new part is ordered. The part is then loaded onto the field vehicle

taken to the job site and reconnected. Some establishments perform this type of field work almost exclusively.

NEW SECTION

WAC 296-17-676001 Classification 5208.

5208-00 Iron or steel works: Fabrication or assembly - structural iron or steel

Applies to establishments engaged in the fabrication or assembly of structural iron or steel. Structural in this classification will mean when fabricated for and used in the frame or grid work of a building, tower, bridge, or similar construction. Fabrication means the laying out of the pieces, the marking, cutting, sawing, drilling, punching, bolting, welding, assembling and finishing of the structural steel products. Raw materials include, but are not limited to, steel I-beams, tube steel, angle steel, and flat steel. Machinery includes overhead cranes, horizontal and vertical band saws, shears, punches, drill press, brake presses, and welding equipment. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes the erection of structural iron or steel in connection with towers, refineries, elevated railways, and buildings which is to be reported separately in the applicable iron or steel construction classification; contractors engaged in building construction who are to be reported separately in the applicable iron or steel construction class; bridge construction, including structural iron or steel erection, which is to be reported separately in the classification applicable to the work being performed; and manufacturing of rebar for construction which is to be reported separately in classification 5209.

5208-01 Brass, bronze, iron - ornamental: Shop fabrication, assembly or manufacture

Applies to establishments engaged in the manufacture, fabrication, or assembly of ornamental items from brass, bronze and/or iron. Products include, but are not limited to, railings, guards, staircases, fire escapes, and art items. Products are often light and do not require cranes or hoists to move them. The processes vary depending on the product being produced. The equipment includes, but is not limited to, iron workers, shears, drill presses, band saws, forklifts, welders, and grinders. The painting of products manufactured is included in this classification when performed by employees of employers subject to this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation which is to be reported separately in the classification applicable to the work being performed.

5208-02 Iron works: Fabrication, assembly, or manufacture; nonstructural iron or steel

Applies to establishments engaged in the manufacture, fabrication or assembly of nonstructural iron or steel. Fabrication means the laying out of the pieces, the marking, cutting, sawing, drilling, punching, bolting, welding, assembling and finishing operations including painting. Products

include, but are not limited to, cattle crossing grates, window gratings, grill pieces, and storage racks used by warehouses. Equipment includes, but is not limited to, cut saws, welders, drill presses, grinders, band saws, and hoists. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation which is to be reported separately in the classification applicable to the work being performed.

NEW SECTION

WAC 296-17-676002 Classification 5209.

5209-00 Boiler or tank construction

Applies to establishments engaged in the construction of boilers or steel tanks. Boilers are tanks used to either store hot water or make steam. Tanks may be used to hold products such as, but not limited to, sand and gravel, water, solid waste or fuels. The product is constructed from steel plate and may use I-beams for structural support. The materials may be purchased in bulk, if the business has the brake presses and rollers to cut and shape the metals to the appropriate dimensions, or as fabricated components. These establishments may also use cutting torches and other welding equipment in the manufacture of their products. They usually have a large shop area in one or more buildings that is equipped with overhead cranes. There is usually a yard to store raw materials, work-in-process, and finished goods. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation of boilers or tanks which is to be reported separately in the classification applicable to the work being performed.

5209-01 Metal goods, N.O.C. from 9 gauge or heavier metals

Applies to establishments engaged in the manufacture of goods using ferrous and nonferrous metal of 9 gauge or heavier. 9 gauge metals are approximately 1/8" thick. Items manufactured include, but are not limited to, crab pots, gaff hooks, firewood boxes, rims for basketball hoops, and rebar. Raw material is cut to desired size with saws, shears, brake presses, punches, and flame cutters. Parts may be joined by welding, riveting, screwing, or bolting. The parts may be handled by overhead cranes, hoists, and forklifts. The products may be finished in a variety of ways including, but not limited to, sanding, grinding, cleaning with solvents and applying paint or lacquer. Finish work is included in this classification when performed by employees of employers subject to this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes establishments primarily engaged in structural iron or steel manufacturing which are to be reported separately in classification 5208; establishments primarily engaged in welding and machine shop activities which are to be reported separately in classification 3402;

and establishments primarily engaged in manufacturing products from metal lighter than 9 gauge which are to be reported separately in classification 3404.

5209-02 Wood or pellet burning stove: Manufacturing (to be assigned only by classification services staff)

Applies to establishments engaged in the manufacture of wood or pellet burning stoves. Sheet steel or plate metal is sheared, formed, punched, baked and decreased. Parts are assembled by spot welding, then enameled or painted. Grey iron parts are foundry cast, chipped, and ground. Heating elements, insulation, wiring and control assemblies, glass panels and grey iron parts are assembled into stove shells on the production assembly line. The stoves are then packed for shipment. Materials include, but are not limited to, sheet steel, grey iron or ferrous castings, insulation materials, glass, aluminum and brass tubing control assemblies, chrome trim and hardware, and paints and enamels. Equipment includes, but is not limited to, power presses, shears, brake presses, welding equipment, spray painting equipment, baking oven, pneumatic and electric grinders and chippers, and pneumatic tools. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

WSR 06-24-056 PERMANENT RULES NOXIOUS WEED CONTROL BOARD

[Filed December 4, 2006, 8:36 a.m., effective January 4, 2007]

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

Purpose: The state noxious weed list provides the basis for noxious weed control efforts by county noxious weed control boards, weed districts, the state noxious weed control board and the Washington state department of agriculture, under the auspices of chapter 17.10 RCW. The effect of the state noxious weed list is to prioritize control of noxious weed species statewide, concentrating on prevention and early detection, while also allowing for local program flexibility.

This rule-making order adds two weed species to the Class B noxious weed list (common fennel and spurge laurel), changes the designated control areas for orange hawkweed and houndstongue and updates the scientific name for spotted knapweed. This order also adds one species to the Class C noxious weed list (yellow archangel) and corrects the spelling of the scientific name of yellow flag iris.

Citation of Existing Rules Affected by this Order: Amending WAC 16-750-011 and 16-750-015.

Statutory Authority for Adoption: Chapters 17.10 and 34.05 RCW.

Adopted under notice filed as WSR 06-20-060 on September 29, 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 2, Repealed 0.

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

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

Date Adopted: December 4, 2006.

Ray H. Fann
Chair

AMENDATORY SECTION (Amending WSR 05-24-026, filed 11/30/05, effective 12/31/05)

WAC 16-750-011 State noxious weed list—Class B noxious weeds.

Name		Will be a "Class B designate" in all lands lying within:	
(1)	alyssum, hoary <i>Berteroa incana</i>	(a)	regions 1, 2, 5, 6, 8, 9, 10
		(b)	region 3, except Okanogan County
		(c)	Okanogan County, of region 3, except Ranges 29 through 31 East of Townships 37 through 40 North
		(d)	Adams and Whitman counties of region 7.
(2)	arrowhead, grass-leaved <i>Sagittaria graminea</i>	(a)	regions 1, 3, 4, 6, 7, 8, 9, 10
		(b)	region 2 except Lake Roesiger, Lake Serene, Lake Loma and Echo Lake in Snohomish County
		(c)	region 5 except Mason Lake in Mason County.
(3)	blackgrass <i>Alopecurus myosuroides</i>	(a)	regions 1, 2, 3, 5, 6, 8, 9, 10
		(b)	Ferry, Stevens, Pend Oreille counties of region 4
		(c)	Adams County of region 7.
(4)	blueweed <i>Echium vulgare</i>	(a)	regions 1, 2, 3, 4, 5, 6, 8, 9, 10
		(b)	region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
(5)	broom, Scotch <i>Cytisus scoparius</i>	(a)	regions 3, 4, 6, 7, 9, 10.
(6)	bryony, white <i>Bryonia alba</i>	(a)	regions 1, 2, 3, 4, 5, 6, 8, 9
		(b)	region 7 except Whitman County
		(c)	Franklin County of region 10.
(7)	bugloss, common <i>Anchusa officinalis</i>	(a)	regions 1, 2, 3, 5, 6, 8, 9, 10
		(b)	region 4 except Stevens and Spokane counties
		(c)	Lincoln, Adams, and Whitman counties of region 7.
(8)	bugloss, annual <i>Anchusa arvensis</i>	(a)	regions 1, 2, 3, 4, 5, 6, 8, 9
		(b)	Lincoln and Adams counties

Name	Will be a "Class B designate" in all lands lying within:
(9) camelthorn <i>Alhagi maurorum</i>	<p>(c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.</p> <p>(a) regions 1, 2, 3, 4, 5, 7, 8, 9</p> <p>(b) region 6 except those portions of Sections 23, 24, 25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County</p> <p>(c) Franklin, Columbia, Garfield, and Asotin counties of region 10</p> <p>(d) an area beginning at the Washington—Oregon border at the southwest portion of section 5, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington—Oregon border, then west along the Washington—Oregon border to the point of beginning.</p>
(10) carrot, wild <i>Daucus carota</i>	<p>(a) regions 3, 7 (except where intentionally cultivated)</p> <p>(b) Spokane and Ferry counties of region 4 (except where intentionally cultivated)</p> <p>(c) region 6, except Yakima County (except where intentionally cultivated)</p> <p>(d) region 9, except Yakima County (except where intentionally cultivated)</p> <p>(e) region 10, except Walla Walla County (except where intentionally cultivated).</p>
(11) catsear, common <i>Hypochaeris radicata</i>	<p>(a) regions 3, 4, 6, 7, 10</p> <p>(b) region 9 except Klickitat County.</p>
(12) chervil, wild <i>Anthriscus sylvestris</i>	<p>(a) regions 1, 3, 4, 6, 7, 9, 10</p> <p>(b) region 5 except those portions of Thurston County within T15, 16, 17N, R2, 3, 4W</p> <p>(c) region 2 except Guemes Island in Skagit County</p> <p>(d) region 8 except Clark County.</p>
(13) cinquefoil, sulfur <i>Potentilla recta</i>	<p>(a) regions 1, 3, 8, 10</p> <p>(b) region 2 except Skagit County</p> <p>(c) region 4 except Stevens, Ferry, and Pend Oreille counties</p> <p>(d) region 5 except Thurston and Pierce counties</p> <p>(e) region 6 except Yakima County</p> <p>(f) region 7 except Spokane County</p> <p>(g) region 8 except Lewis County</p> <p>(h) region 9 except Klickitat County.</p>
(14) cordgrass, smooth <i>Spartina alterniflora</i>	<p>(a) regions 1, 3, 4, 5, 6, 7, 9, 10</p> <p>(b) region 2 except Padilla Bay of Skagit County</p> <p>(c) region 8 except bays and estuaries of Pacific County.</p>
(15) cordgrass, common <i>Spartina anglica</i>	<p>(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10</p> <p>(b) region 2 except bays and estuaries of Skagit and Island counties and except bays and estuaries north of Everett in Snohomish County.</p>

		Will be a "Class B designate" in all lands lying within:	
Name			
(16)	daisy, oxeye <i>Leucanthemum vulgare</i>	(a)	regions 7, 10
		(b)	region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East
		(c)	region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
(17)	elodea, Brazilian <i>Egeria densa</i>	(a)	regions 3, 4, 6, 7, 9, 10
		(b)	Lewis County of region 8
		(c)	Clallam County of region 1
		(d)	King County of region 5, except lakes Washington, Sammamish, Union and Fenwick.
(18)	fanwort <i>Cabomba caroliniana</i>	(a)	regions 1, 2, 3, 4, 5, 6, 7, 9, 10
		(b)	region 8 except T8N, R3W of Cowlitz County.
(19)	<u>fennel, common <i>Foeniculum vulgare</i> (except var. <i>azoricum</i>)</u>	(a)	<u>regions 3, 4, 6, 7, 8, 9, 10</u>
		(b)	<u>region 1 except the incorporated areas of Port Townsend</u>
		(c)	<u>region 2 except the incorporated areas of Anacortes and Mount Vernon</u>
		(d)	<u>region 5 except King and Kitsap counties.</u>
(20)	fieldcress, Austrian <i>Rorippa austriaca</i>	(a)	regions 1, 2, 3, 4, 5, 6, 8, 9
		(b)	regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
((20)) (21)	floating heart, yellow <i>Nymphoides peltata</i>	(a)	regions 1, 2, 3, 5, 6, 7, 8, 9, 10
		(b)	region 4 except the Spokane River between Long Lake Dam and Nine Mile Dam.
((21)) (22)	gorse <i>Ulex europaeus</i>	(a)	regions 1, 3, 4, 6, 7, 9, 10
		(b)	Skagit, Island, and Whatcom counties of region 2
		(c)	Thurston, Kitsap, Pierce, and King counties of region 5
		(d)	Wahkiakum, Clark, Skamania, Cowlitz, and Lewis counties of region 8.
((22)) (23)	hawkweed, mouseear <i>Hieracium pilosella</i>	(a)	regions 1, 2, 3, 4, 6, 7, 8, 9, 10
		(b)	region 5 except Thurston County
		(c)	Thurston County lying within T17N, R1W, S31; T16N, R2W, S30 W1/2; T16N, R3W, S25, SE1/4; T16N, R3W, S36, N1/2; T16N, R2W, S31, NW1/4.
((23)) (24)	hawkweed, orange <i>Hieracium aurantiacum</i>	(a)	regions 1, 3, 6, 9, 10
		(b)	((Clallam County of region 1
		(c))	Skagit County of region 2
		((d)) (c)	Ferry County of region 4
		((e)) (d)	Thurston and King counties of region 5
		((f)) (e)	Lincoln and Adams counties of region 7
		((g)) (f)	Lewis County of region 8.
((24)) (25)	hawkweed, polar <i>Hieracium atratum</i>	(a)	regions 1, 2, 3, 4, 6, 7, 8, 9, 10
		(b)	region 5 outside the boundaries of Mt. Rainier National Park.
((25)) (26)	hawkweed, queen-devil <i>Hieracium glomeratum</i>	(a)	regions 1, 2, 3, 5, 6, 7, 8, 9, 10
		(b)	Ferry County of region 4.
((26)) (27)	hawkweed, smooth <i>Hieracium laevigatum</i>	(a)	regions 1, 3, 4, 5, 6, 7, 8, 9, 10
		(b)	San Juan, Island, and Skagit counties of region 2.

Name	Will be a "Class B designate" in all lands lying within:	
((27)) (28) hawkweed, yellow <i>Hieracium caespitosum</i>	(a)	regions 1, 2, 3, 5, 6, 7, 8, 10
	(b)	region 4 except Stevens and Pend Oreille counties
	(c)	region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E, of Klickitat County.
((28)) (29) hedgeparsley <i>Torilis arvensis</i>	(a)	regions 1, 2, 3, 4, 5, 6, 7, 8, 10
	(b)	Yakima, Benton, Franklin counties
	(c)	Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.
((29)) (30) helmet, policeman's <i>Impatiens glandulifera</i>	(a)	regions 1, 3, 4, 6, 7, 8, 9, 10
	(b)	region 2 except Whatcom County
	(c)	region 5 except Pierce and Thurston counties.
((30)) (31) herb-Robert <i>Geranium robertianum</i>	(a)	regions 3, 4, 6, 7, 9, 10
((31)) (32) houndstongue <i>Cynoglossum officinale</i>	(a)	Kittitas County of region 6
((32)) (33) indigobush <i>Amorpha fruticosa</i>	(b)	Douglas (County) and Chelan counties of regions 3 and 6.
	(a)	regions 1, 2, 3, 4, 5, 6
	(b)	regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream
	(c)	regions 8, 9, and 10 except within 200 feet of the Columbia River.
((33)) (34) knapweed, black <i>Centaurea nigra</i>	(a)	regions 1, 2, 3, 4, 7, 9, 10
	(b)	region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties
	(c)	region 6 except Kittitas County
	(d)	region 8 except Clark County.
((34)) (35) knapweed, brown <i>Centaurea jacea</i>	(a)	regions 1, 2, 3, 4, 7, 9, 10
	(b)	region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties
	(c)	region 6 except Kittitas County
	(d)	region 8 except Clark County.
((35)) (36) knapweed, diffuse <i>Centaurea diffusa</i>	(a)	regions 1, 2, 5, 8
	(b)	Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5, 6, 7, 8, 17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 E; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M.

Name	Will be a "Class B designate" in all lands lying within:
	(c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22, 26, 27, 28, 31, 32, 33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2, 10, 11, 14, 15, 19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6
((36)) (37) knapweed, meadow <i>Centaurea jacea x nigra</i>	(d) Franklin County of regions 9 and 10. (a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties
((37)) (38) knapweed, Russian <i>Acroptilon repens</i>	(c) region 6 except Kittitas County (d) region 8 except Clark County. (a) regions 1, 2, 5, 7, 8 (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County
((38)) (39) knapweed, spotted <i>Centaurea ((biebersteini)) stoebe</i>	(c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26 (d) Intercounty Weed District No. 52 (e) region 10 except Franklin County. (a) regions 1, 2, 3, 5, 6, 9 (b) Ferry County of region 4 (c) Adams and Whitman counties of region 7 (d) region 8, except that portion of Lewis County below the ordinary high watermark of the Tilton River from Hwy. 508 to Lake Mayfield
((39)) (40) knotweed, Bohemian <i>Polygonum bohemicum</i>	(e) region 10 except Garfield County. (a) Kittitas County of region 6 (b) Chelan and Douglas counties of regions 3 and 6 (c) Pend Oreille County of region 4.
((40)) (41) knotweed, giant <i>Polygonum sachalinense</i>	(a) Kittitas County of region 6 (b) Pend Oreille County of region 4.
((41)) (42) knotweed, Himalayan <i>Polygonum polystachyum</i>	(a) Kittitas County of region 6 (b) Pend Oreille County of region 4 (c) Lewis County of region 8.
((42)) (43) knotweed, Japanese <i>Polygonum cuspidatum</i>	(a) Kittitas County of region 6 (b) Chelan and Douglas counties of regions 3 and 6 (c) Pend Oreille County of region 4.
((43)) (44) kochia <i>Kochia scoparia</i>	(a) Regions 1, 2, 5, 8 (b) Pend Oreille County of region 4 (c) Kittitas County of region 6.
(45) laurel, spurge <i>Daphne laureola</i>	(a) <u>regions 3, 4, 6, 7, 8, 9, 10</u> (b) <u>San Juan, Snohomish and Skagit counties of region 2</u> (c) <u>Grays Harbor and Mason counties of region 5.</u>
((44)) (46) lepyrodiclis <i>Lepyrodiclis holosteoides</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except an area within Whitman County east of the Pullman—Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.

Name	Will be a "Class B designate" in all lands lying within:
((45)) (47) loosestrife, garden <i>Lythymachia vulgaris</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 except King County (c) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line.
((46)) (48) loosestrife, purple <i>Lythrum salicaria</i>	<ul style="list-style-type: none"> (a) regions 1, 4, 7, 8 (b) region 2 except Snohomish County (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside (d) Grays Harbor, Mason, Kitsap, and Thurston counties of region 5 (e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line (f) Pierce County, except those areas lying within T2D, 21, 22N, R1W and R1E, all sections (g) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed (h) region 9 except Benton County (i) region 10 except Walla Walla County (j) Intercounty Weed Districts No. 51 and No. 52.
((47)) (49) loosestrife, wand <i>Lythrum virgatum</i>	<ul style="list-style-type: none"> (a) regions 1, 4, 7, 8 (b) region 2 except Snohomish County (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside (d) region 5 except King County (e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line (f) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed (g) region 9 except Benton County (h) region 10 except Walla Walla County (i) Intercounty Weed Districts No. 51 and No. 52.

Name	Will be a "Class B designate" in all lands lying within:
((48)) (50) nutsedge, yellow <i>Cyperus esculentus</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 7, 8 (b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M. (c) region 9 except: <ul style="list-style-type: none"> (i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road. (ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County
((49)) (51) oxtongue, hawkweed <i>Picris hieracioides</i>	<ul style="list-style-type: none"> (d) region 10 except Walla Walla County.
((50)) (52) parrotfeather <i>Myriophyllum aquaticum</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Skamania County.
((51)) (53) pepperweed, perennial <i>Lepidium latifolium</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 7, 8, 10 (b) Intercounty Weed Districts No. 51 and 52 (c) Kittitas County of region 6 (d) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.
((52)) (54) primrose, water <i>Ludwigia hexapetala</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except T8N, R3W, S14 of Cowlitz County.
((53)) (55) puncturevine <i>Tribulus terrestris</i>	<ul style="list-style-type: none"> (a) Skagit County of region 2 (b) Kittitas County of region 6 (c) Adams County (d) Clallam County of region 1.

Name	Will be a "Class B designate" in all lands lying within:
((54)) (56) ragwort, tansy <i>Senecio jacobaea</i>	(a) regions 3, 4, 6, 7, 9, 10 (b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.
((55)) (57) Saltcedar <i>Tamarix ramosissima</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, unless intentionally established prior to 2004 (b) region 6 except Grant County, unless intentionally established prior to 2004 (c) region 9 except Benton and Franklin counties, unless intentionally established prior to 2004 (d) region 10 except Franklin County, unless intentionally established prior to 2004.
((56)) (58) sandbur, longspine <i>Cenchrus longispinus</i>	(a) regions 1, 2, 3, 4, 5, 7, 8 (b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52 (c) Intercounty Weed District No. 51 (d) Kittitas County of region 6.
((57)) (59) skeletonweed, rush <i>Chondrilla juncea</i>	(a) regions 1, 2, 3, 5, 8, 9 (b) Franklin County except T13N, R36E; and T14N, R36E (c) Adams County except those areas lying east of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north to the Lincoln County line. (d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road I Northwest (e) Stevens County north of Township 33 North of region 4 (f) Ferry and Pend Oreille counties of region 4 (g) Asotin County of region 10 (h) Garfield County south of Highway 12 (i) Columbia County from the Walla Walla County line on Highway 12, all areas south of Turner Road; at Turner Road to the Garfield county line, all areas south and east of Turner Road (j) Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East.

Name	Will be a "Class B designate" in all lands lying within:	
((58)) (60) sowthistle, perennial <i>Sonchus arvensis ssp. arvensis</i>	(a)	regions 1, 2, 3, 4, 7, 8, 9, 10
	(b)	Adams County of region 6
	(c)	region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.
((59)) (61) spurge, leafy <i>Euphorbia esula</i>	(a)	regions 1, 2, 3, 4, 5, 6, 8, 9, 10
	(b)	region 7 except as follows:
	(i)	T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County
	(ii)	T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.
((60)) (62) spurge, myrtle <i>Euphorbia myrsinites L</i>	(a)	Pend Oreille County of region 4.
((61)) (63) starthistle, yellow <i>Centaurea solstitialis</i>	(a)	regions 1, 2, 3, 5, 6, 8
	(b)	region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25
	(c)	region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
	(d)	Franklin County
	(e)	region 9 except Klickitat County
	(f)	in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E, Sections 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35; T11N, R45E, Sections 21, 22, 23, and 25; T11N, R36E, Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33; T10N, R44E, Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, and 16; T10N, R45E, Sections 23 and 24; T10N, R46E, Sections 7, 8, 17, 18, 19, 20, 21, 22, 27, 34, and 35; T9N, R46E, Sections 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36; T9N, R47E, Sections 18, 19, 30, and 31; T8N, R46E, Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24; T8N, R47E, Sections 8, 17, 18, 19, 20, 29, 30, 31, and 32.
((62)) (64) Swainsonpea <i>Sphaerophysa salsula</i>	(a)	regions 1, 2, 3, 4, 5, 7, 8
	(b)	Columbia, Garfield, Asotin, and Franklin counties
	(c)	an area beginning at the Washington—Oregon border at the southwest portion of Section 15, R32E, T6N, then north to the northwest corner of Section 3, R32E, T7N, then east to the northeast corner of Section 3, R36E, T7N, then south to the southeast portion of Section 15, R36E, T6N, at the Washington—Oregon border, then west along the Washington—Oregon border to the point of beginning

Name	Will be a "Class B designate" in all lands lying within:
(((63))) (65) thistle, musk <i>Carduus nutans</i>	(d) Weed District No. 3 of Grant County
	(e) Adams County of region 6.
(((64))) (66) thistle, plumeless <i>Carduus acanthoides</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10
	(b) Spokane and Pend Oreille counties.
(((65))) (67) thistle, Scotch <i>Onopordum acanthium</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10
	(b) region 4 except those areas within Stevens County lying north of State Highway 20.
(((66))) (68) toadflax, Dalmatian <i>Linaria dalmatica ssp. dalmatica</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9
	(b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
(((67))) (69) watermilfoil, Eurasian <i>Myriophyllum spicatum</i>	(c) Franklin County.
	(a) regions 1, 2, 5, 8, 10
	(b) Douglas County of region 3 lying south of T25N and west of R25E
	(c) Okanogan County lying within T 33, 34, 35N, R19, 20, 21, 22E, except the southwest, southeast, and northeast quarters of the northeast quarter of section 27, T35N, R21E; and the northeast quarter of the southeast quarter of section 27, T35N, R21E
	(d) Kittitas, Chelan, Douglas, and Adams counties of region 6
	(e) Intercounty Weed District No. 51
	(f) Weed District No. 3 of Grant County
	(g) Lincoln and Adams counties
	(h) The western two miles of Spokane County of region 7
	(i) region 9 except as follows: <ul style="list-style-type: none"> (i) those areas lying within Yakima County (ii) those areas lying west of the Klickitat River and within Klickitat County.

AMENDATORY SECTION (Amending WSR 05-01-012, filed 12/2/04, effective 1/2/05)

WAC 16-750-015 State noxious weed list—Class C noxious weeds.

Common Name	Scientific Name
archangel, yellow	<i>Lamiastrum galeobdolon</i>
babysbreath	<i>Gypsophila paniculata</i>
beard, old man's	<i>Clematis vitalba</i>
bindweed, field	<i>Convolvulus arvensis</i>
butterfly bush	<i>Buddleja davidii</i>

Common Name	Scientific Name
canarygrass, reed	<i>Phalaris arundinacea</i>
cockle, white	<i>Silene latifolia ssp. alba</i>
cocklebur, spiny	<i>Xanthium spinosum</i>
cress, hoary	<i>Cardaria draba</i>
dodder, smoothseed alfalfa	<i>Cuscuta approximata</i>
goatgrass, jointed	<i>Aegilops cylindrica</i>
groundsel, common	<i>Senecio vulgaris</i>
hawkweed, nonnative species	<i>Hieracium sp.</i> , except species designated in the note in the left-hand column

Common Name	Scientific Name
Note:	
This listing includes all species of Hieracium, except the following:	
<ul style="list-style-type: none"> • Species designated as Class A noxious weeds in WAC 16-750-005; • Species designated as Class B noxious weeds in WAC 16-750-011; • Native species designated below: <ul style="list-style-type: none"> – Canada hawkweed (H. canadense) – houndstongue hawkweed (H. cynoglossoides) – long-beaked hawkweed (H. longiberbe) – narrow-leaved hawkweed (H. umbellatum) – slender hawkweed (H. gracile) – western hawkweed (H. albertinum) – white-flowered hawkweed (H. albiflorum) – woolley-weed (H. scouleri) 	
henbane, black	<i>Hyoscyamus niger</i>
iris, yellow flag	<i>Iris (pseudocorus) pseudocorus</i>
ivy, English, 4 cultivars only:	<i>Hedera hibernica 'Hibernica'</i> <i>Hedera helix 'Baltica'</i> <i>Hedera helix 'Pittsburgh'</i> <i>Hedera helix 'Star'</i>
mayweed, scentless	<i>Matricaria perforata</i>
poison-hemlock	<i>Conium maculatum</i>
pondweed, curly-leaf	<i>Potamogeton crispus</i>
reed, common, nonnative genotypes	<i>Phragmites australis</i>
rye, cereal	<i>Secale cereale</i>
spikeweed	<i>Hemizonia pungens</i>
St. Johnswort, common	<i>Hypericum perforatum</i>
tansy, common	<i>Tanacetum vulgare</i>
thistle, bull	<i>Cirsium vulgare</i>
thistle, Canada	<i>Cirsium arvense</i>
toadflax, yellow	<i>Linaria vulgaris</i>
water lily, fragrant	<i>Nymphaea odorata</i>
whitetop, hairy	<i>Cardaria pubescens</i>
willow-herb, hairy	<i>Epilobium hirsutum</i>
wormwood, absinth	<i>Artemisia absinthium</i>

WSR 06-24-072
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Management Services Administration)
(Administrative Services Division)

[Filed December 4, 2006, 4:14 p.m., effective January 4, 2007]

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

Purpose: Amending WAC 388-02-0650 How do you serve your petition for judicial review?, to reflect the current physical address for the attorney general's office.

Citation of Existing Rules Affected by this Order: Amending WAC 388-02-0650.

Statutory Authority for Adoption: RCW 34.05.220.

Adopted under notice filed as WSR 06-19-035 on September 13, 2006.

Changes Other than Editing from Proposed to Adopted Version: Corrections only.

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

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

Date Adopted: December 4, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-21-061, filed 10/15/02, effective 11/15/02)

WAC 388-02-0650 How do you serve your petition for judicial review? (1) You must file and serve the petition for judicial review of a final order within thirty days after the date it was mailed. You must file your petition for judicial review with the court. You must serve copies of your petition on DSHS, the office of the attorney general, and all other parties.

(2) To serve DSHS, you must deliver a copy of the petition to the secretary of DSHS or to BOA. You may hand deliver the petition or send it by mail that gives proof of receipt. The physical location of the secretary is:

DSHS Office of the Secretary
OB-2, 4th Floor
Mail Stop 45010
14th and Jefferson
Olympia, WA 98504-5010

The mailing address of the secretary is:

DSHS Office of the Secretary
P.O. Box 45010
Olympia, WA 98504-5010

The physical and mailing addresses for BOA are in WAC 388-02-0030.

(3) To serve the office of the attorney general and other parties, you may send a copy of the petition for judicial review by regular mail. You may send a petition to the

address for the attorney of record to serve a party. You may serve the office of the attorney general by hand delivery to:

Office of the Attorney General
 ((670 Woodland Square Loop S.E.)) 7141 Cleanwater Drive S.W.
 ((Lacey, WA 98503)) Tumwater, Washington 98501
 The mailing address of the attorney general is:
 Office of the Attorney General
 P.O. Box 40124
 Olympia WA 98504-0124

WSR 06-24-073
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)
 [Filed December 4, 2006, 4:17 p.m., effective January 4, 2007]

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

Purpose: The amendment eliminates a numbering/typographical error that has existed in the rule. Specifically, there have been two subsections (1)(d). The amendment renumbers the second subsection (1)(d) and correctly identifies it as subsection (1)(e). Amending the rule will eliminate confusion regarding which subsection of WAC 388-78A-2480 is being referenced.

Citation of Existing Rules Affected by this Order:
 Amending WAC 388-78A-2480.

Statutory Authority for Adoption: RCW 18.20.090.

Adopted under notice filed as WSR 06-19-086 on September 19, 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 1, Repealed 0.

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

Date Adopted: November 27, 2006.

Andy Fernando, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 06-01-047, filed 12/15/05, effective 1/15/06)

WAC 388-78A-2480 TB tests. (1) The boarding home must ensure each staff person, except for volunteers and contractors, is screened for tuberculosis, as follows:

(a) Except when a staff person provided the boarding home with documentation of a previous positive Mantoux skin test, a staff person hired before September 1, 2004 must have had:

(i) A tuberculin skin test by the Mantoux method within six months preceding the date of employment in the boarding home; and

(ii) A second tuberculin skin test within one to three weeks after a negative Mantoux test if the staff person was thirty-five years of age or older at the time of hiring.

(b) A staff person hired on or after September 1, 2004 must have a baseline two-step skin test initiated within three days of being hired unless the staff person meets the requirements in (c) or (d) of this subsection. The skin tests must be:

(i) Given no less than one and no more than three weeks apart;

(ii) By intradermal (Mantoux) administration of purified protein derivative (PPD);

(iii) Read between forty-eight and seventy-two hours following administration, by trained personnel; and

(iv) Recorded in millimeters of induration.

(c) A staff person needs to have only a one-step skin test within three days of being hired if:

(i) There is documented history of a negative result from previous two-step testing; or

(ii) There was a documented negative result from one-step skin testing in the previous twelve months.

(d) A staff person does not need to be skin tested for tuberculosis if he/she has:

(i) Documented history of a previous positive skin test consisting of ten or more millimeters of induration; or

(ii) Documented evidence of adequate therapy for active disease; or

(iii) Documented evidence of adequate preventive therapy for infection.

~~((e))~~ (e) If a skin test results in a positive reaction, the boarding home must:

(i) Ensure that the staff person has a chest X ray within seven days;

(ii) Report positive chest X rays to the appropriate public health authority; and

(iii) Follow precautions ordered by a physician or public health authority.

(2) The boarding home must:

(a) Keep in the boarding home for the duration of the staff person's employment, and at least two years following termination of employment, records of:

(i) Tuberculin test results;

(ii) Reports of X-ray findings; and

(iii) Physician or public health official orders.

(b) Provide staff persons with a copy of the records specified in (a) of this subsection:

(i) During the time the staff person is employed in the boarding home, limited to one copy per report; and

(ii) When requested by the staff person.

(3) The boarding home must ensure that caregivers caring for a resident with suspected tuberculosis comply with the WISHA standard for respiratory protection.

WSR 06-24-074
PERMANENT RULES
DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed December 4, 2006, 4:21 p.m., effective January 4, 2007]

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

Purpose: The purpose of the amended sections is to expand the population eligible to receive the state supplementary payment (SSP) to include certain individuals in residential settings; to clarify and increase the amount of SSP certain individuals who were previously on family support are eligible to receive; to expand the window for the receipt of Supplemental Security Income to qualify for SSP; and to establish rules allowing one-time payments to certain individuals.

Citation of Existing Rules Affected by this Order: Amending WAC 388-827-0115 and 388-827-0145.

Statutory Authority for Adoption: RCW 71A.12.030, 74.04.057.

Other Authority: 20 C.F.R. 416.2099.

Adopted under notice filed as WSR 06-21-120 on October 17, 2006.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-827-0145 (2)(a)(ii) is amended for clarity to read: "The remainder up to the maximum allowed yearly award for traditional family support or family support opportunities may be authorized by DDD to purchase HCBS waiver services and will be paid directly to the provider."

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: November 30, 2006.

Andy Fernando, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 05-10-039, filed 4/28/05, effective 5/29/05)

WAC 388-827-0115 What are the programmatic eligibility requirements for DDD/SSP? (1) You received one or more of the following services from DDD with state-only funding between March 1, 2001 and June 30, 2003 and continue to demonstrate a need for and meet the DDD program eligibility requirements for these services. Additionally, you must have been eligible for or received SSI prior to July 1, (~~2003~~) 2006; or you received Social Security Title II bene-

fits as a disabled adult child prior to July 1, (~~2003~~) 2006 and would have been eligible for SSI if you did not receive these benefits.

(a) Certain voluntary placement program services, which include:

- (i) Foster care basic maintenance,
- (ii) Foster care specialized support,
- (iii) Agency specialized support,
- (iv) Staffed residential home,
- (v) Out-of-home respite care,
- (vi) Agency in-home specialized support,
- (vii) Group care basic maintenance,
- (viii) Group care specialized support,
- (ix) Transportation,
- (x) Agency attendant care,
- (xi) Child care,
- (xii) Professional services,
- (xiii) Nursing services,
- (xiv) Interpreter services,

(b) Family support;

(c) One or more of the following residential services:

- (i) Adult family home,
- (ii) Adult residential care facility,
- (iii) Alternative living,
- (iv) Group home,
- (v) Supported living,
- (vi) Agency attendant care,
- (vii) Supported living or other residential service allowance,
- (viii) Intensive individual supported living support (companion homes).

(2) For individuals with community protection issues as defined in WAC 388-820-020, the department will determine eligibility for SSP on a case-by-case basis.

(3) For new authorizations of family support opportunity:

(a) You were on the family support opportunity waiting list prior to January 1, 2003; and

(b) You are on the home and community based services (HCBS) waiver administered by DDD; and

(c) You continue to meet the eligibility requirements for the family support opportunity program contained in WAC 388-825-200 through 388-825-242; and

(d) You must have been eligible for or received SSI prior to July 1, 2003; or you received Social Security Title II benefits as a disabled adult child prior to July 1, 2003 and would have been eligible for SSI if you did not receive these benefits.

(4) For individuals on one of the HCBS waivers administered by DDD (Basic, Basic Plus, Core or community protection):

(a) You must have been eligible for or received SSI prior to April 1, 2004; and

(b) You were determined eligible for SSP prior to April 1, 2004.

(5) You received Medicaid personal care (MPC) between September 2003 and August 2004; and

(a) You are under age eighteen at the time of your initial comprehensive assessment and reporting evaluation (CARE) assessment;

(b) You received or were eligible to receive SSI at the time of your initial CARE assessment;

(c) You are not on a home and community based services waiver administered by DDD; and

(d) You live with your family, as defined in WAC 388-825-020.

(6) If you meet all of the requirements listed in (5) above, your SSP will continue.

(7) You received one or more of the following state-only funded residential services between July 1, 2003 and June 30, 2006 and continue to demonstrate a need for and meet the DDD program eligibility requirements for these services:

(a) Adult residential care facility;

(b) Alternative living;

(c) Group home;

(d) Supported living;

(e) Agency attendant care;

(f) Supported living or other residential allowance.

AMENDATORY SECTION (Amending WSR 05-10-039, filed 4/28/05, effective 5/29/05)

WAC 388-827-0145 How much money will I receive?

The purpose of the SSP is to increase the amount of income to meet your needs. The department will determine your payment amount based on your living arrangement and your assessed needs.

(1) For residential and voluntary placement program services, the amount of your SSP will be based on the amount of state-only dollars spent on certain services at the time the funding source was converted to SSP. If the type of your residential living arrangement changes, your need will be reassessed and your payment adjusted based on your new living arrangement and assessed need.

(2) For family support services, refer to WAC 388-825-200 through ((388-825-284)) 388-825-256.

(a) If you are on the home and community based services (HCBS) waiver administered by DDD:

(i) You will receive nine hundred dollars DDD/SSP money per year to use as you determine.

(ii) The remainder up to the maximum ((allowed)) yearly award for traditional family support or family support opportunities may be authorized by DDD to purchase HCBS waiver services and will be paid directly to the provider.

(b) If you are not on the HCBS waiver administered by DDD, and you received state-only funding for the Traditional Family Support Program between March 1, 2001 and June 30, 2003 the amount of your SSP will be based on the yearly maximum allowed at the time the funding source was converted to SSP unless your need changes.

(i) Need is based on your Service Need Level and whether you receive Medicaid Personal Care as specified in WAC 388-825-254.

(ii) If your need changes, the amount of your SSP will be adjusted accordingly.

(c) If you are not on the HCBS waiver administered by DDD, and you received state-only funding for the Family Support Opportunity Program between March 1, 2001 and June 30, 2003 the amount of your SSP will be fifteen hundred dollars per year.

(d) The yearly amount of DDD/SSP money will be prorated into monthly amounts. You will receive one twelfth of the yearly amount each month.

(3) If you are eligible for SSP because you meet the criteria in WAC 388-827-0115(5), you will receive one hundred dollars per month.

~~((a) For individuals whose initial CARE assessment was completed prior to January 1, 2005, January 2005 is the first month for which payment is made.~~

~~(b) For individuals whose initial CARE assessment is completed after December 31, 2004, the first month for which payment is made is the month in which the results of the initial CARE assessment are effective.))~~

(4) DDD may authorize additional payments to certain individuals if the SSP budget has sufficient funds to allow this payment.

WSR 06-24-082

PERMANENT RULES

**PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed December 5, 2006, 8:44 a.m., effective January 5, 2007]

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

Purpose: Provide more specific processes and procedures to assess higher education preparation programs for state approval and review.

Citation of Existing Rules Affected by this Order: Amending WAC 181-78A-100, 181-78A-105, and 181-78A-110.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 06-20-121 on October 4, 2006.

A final cost-benefit analysis is available by contacting Nasue Nishida, P.O. Box 47236, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail nasue.nishida@k12.wa.us.

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 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

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

Date Adopted: November 16, 2006.

Nasue Nishida
Policy and Research Analyst

AMENDATORY SECTION (Amending WSR 06-14-010, filed 6/22/06, effective 7/23/06)

WAC 181-78A-100 Existing approved programs.

Chapter 181-78A WAC rules shall govern all policies related to programs upon adoption by the professional educator standards board, which shall provide assistance to colleges and universities in the revision of their existing programs.

(1) All professional education programs shall be reviewed for approval under the 1997 program approval standards of chapter 181-78A WAC by August 31, 2000. Colleges and universities may permit individuals accepted into teacher preparation programs on or before August 31, 2000, to obtain certification by meeting requirements of programs approved under approval standards described in chapter 181-78 WAC if the individuals complete the program on or before August 31, 2003, and the college or university verifies program completion to the superintendent of public instruction on or before December 31, 2003: Provided, That the professional educator standards board or its designee may waive this deadline on a case-by-case basis.

(2) All principal/program administrator programs shall be reviewed for approval under the 2002 program approval standards of chapter 181-78A WAC by August 31, 2004. Colleges and universities may permit individuals accepted into principal/program administrator programs on or before August 31, 2004, to obtain a residency certificate by meeting requirements of programs approved under 1997 approval standards described in chapter 181-78A WAC if the individuals complete the program on or before August 31, 2006, and the college or university verifies program completion to the superintendent of public instruction on or before December 31, 2006. Provided, That the professional educator standards board or its designee may waive this deadline on a case-by-case basis.

(3) All school counselor, school psychologist, or school social worker programs shall be approved under the 2004 program approval standards of chapter 181-78A WAC by August 31, 2005. Colleges and universities may permit individuals accepted into the school counselor, school psychologist, or school social worker programs on or before August 31, 2005, to obtain a residency certificate by meeting requirements of programs approved under the 1997 approval standards described in chapter 181-78A WAC if the individuals complete the program on or before August 31, 2007, and the college or university verifies program completion to the superintendent of public instruction on or before December 31, 2007. Provided that the professional educator standards board or its designee may waive this deadline on a case-by-case basis.

(4) Individuals who completed a principal/program administrator program on or before August 31, 2004, shall be granted an initial certificate if the preparing college or university verifies completion by December 31, 2004. Individuals who complete an educational staff associate program on or before August 31, 2005, shall be granted an initial certificate if the preparing college or university verifies completion by December 31, 2005.

(5) Institutions shall be given at least one year notification prior to a professional educator standards board review for compliance with these standards: Provided, That if an

institution requests a visit with less than a year's notice, the professional educator standards board shall consider that request.

(6) The professional educator standards board shall determine the schedule for such approval reviews and whether an on-site visit or other forms of documentation and validation shall be used for the purposes of granting approval under the 1997 program approval standards. In determining the schedule for site visits, the board shall take into consideration the partnership agreement between the state and the National Council for the Accreditation of Teacher Education (NCATE) as such agreement relates to the NCATE accreditation cycle and allow NCATE accredited colleges/universities to follow the NCATE schedule for their state site visit. Non-NCATE accredited colleges/universities shall have a state approval site visit every five years. The professional educator standards board may require more frequent site visits at their discretion pursuant to WAC 181-78A-110(2).

(7) Each institution shall submit its program for review when requested by the professional educator standards board to ensure that the program meets the state's program approval standards and to provide assessment data relative to the performance standards to the professional educator standards board for the year prior to the site visit.

(a) Thirty days prior to the visit, institutions will submit a previsit report that shall:

(i) Describe how the program approval standards are met for each educator preparation program scheduled for review (NCATE reports may fulfill this requirement);

(ii) Describe how "unmet" standards or program weaknesses, identified during the previous site visit, have been corrected;

(iii) Describe major program(s) changes implemented since the last site visit;

(iv) Summarize all WEST-E data since the last site visit;

(v) Summarize all program completer survey data compiled since the last site visit;

(vi) Include all professional education advisory board reports submitted since the last site visit;

(vii) Summarize complaints related to the program(s) and actions taken to remedy the complaints; and

(viii) Describe the criteria used by the program(s) to assess, in multiple ways over time, its candidates' knowledge and skills, including evidence of positive impact on student learning.

(b) The site visit shall be conducted by a team whose membership is one member of the professional educator standards board, one peer institution representative, one individual with assessment expertise, two K-12 practitioners with expertise related to the programs scheduled for review, the office of the superintendent of public instruction liaison, the director of professional education and certification, and the professional certificate program specialist if a professional certificate program will be reviewed. Substitutes may be assigned when individuals in specific role assignments are not available. All members, including substitutes, shall be trained.

(c) The site visit shall be conducted in compliance with the protocol and process adopted and published by the professional educator standards board.

(d) The final site visit report and other appropriate documentation will be submitted to the professional educator standards board.

(e) Institutions may submit a rejoinder to the report within two weeks following the public posting of the report.

(f) In considering the report, the professional educator standards board may grant approval according to WAC 181-78A-110 and 181-78A-100(6).

(g) Institutions may request a hearing in instances where it disagrees with the professional educator standards board's decision. The hearing will be conducted by an appeal team whose members shall include three individuals selected from a cadre of trained site visit team members, including at least one higher education representative and one K-12 practitioner.

(8) Institutions seeking National Council for the Accreditation of Teacher Education, Council for Accreditation of Counseling and Related Education Programs, and National Association of School Psychologist accreditation may request from the professional educator standards board approval for concurrent site visits which would utilize the same documentation with the exception of material submitted by the institution to the state for the professional education advisory boards and the accountability standards.

~~((9) In submitting a request for approval under these standards, the approved program shall provide a description of the criteria that the program will use to assess, in multiple ways, over time, its certification candidates' knowledge and skills, including, where appropriate, evidence related to positive impact on student learning. Based on the documentation submitted and/or an on-site visit, the professional educator standards board shall grant approval or request specific revisions that need to be made in order to obtain professional educator standards board approval.))~~

AMENDATORY SECTION (Amending WSR 06-14-010, filed 6/22/06, effective 7/23/06)

WAC 181-78A-105 Procedures for initial approval of an educator preparation program. Each college or university desiring to establish a preparation program shall comply with the following:

(1) Advise the professional educator standards board of its desire to establish a preparation program.

~~(2) ((Establish the appropriate professional education advisory board pursuant to WAC 181-78A-205.~~

~~(3)) Develop with the assistance of the professional education advisory board and designated ((officials)) staff of the ((professional educator standards board)) office of the superintendent of public instruction, a written preproposal plan which ((provides timelines for the implementation of all applicable program approval standards during the first year of the preparation program)) addresses all preproposal components adopted and published by the professional educator standards board and submit such ((report)) plan to the designated official of the professional educator standards board for review and comment ((and, if requested,)). Resubmit such plan to the designated official.~~

(3) Submit such plan to the professional educator standards board. The college or university may be granted approval for full proposal development or denied approval.

(a) If approved, the college or university shall comply with the following:

(i) Establish the appropriate professional education advisory board pursuant to WAC 181-78A-205;

(ii) Develop with assistance of the professional education advisory board and designated staff of the office of the superintendent of public instruction, a written plan which includes the following:

(A) Timelines for the implementation of all applicable program approval standards during the first year of the program;

(B) The criteria that the program will use to assess, in multiple ways over time, its candidates' knowledge and skills including evidence related to positive impact on student learning (WAC 181-78A-205(4));

(C) How the professional education advisory board was involved in program development, including a letter of support; and

(D) Letters of support from partnership districts and/or other agencies.

(ii) Present the written plan to the professional educator standards board.

(A) The program may be conditionally approved for up to a two-year period in a specific location(s). If not approved, the college or university may resubmit its revised plan or request a contested hearing via an appeal team appointed by the professional educator standards board.

(B) During the second year of approval, staff of the office of the superintendent of public instruction shall conduct a site visit and/or other forms of documentation to determine if the program is in full compliance with the 1997 program approval standards.

(b) If denied, the college or university may resubmit its plan based upon the suggestions of the professional educator standards board.

~~(4) ((Describe the criteria that the approved preparation program will use to assess, in multiple ways, over time, its candidates' knowledge and skills, including, where appropriate, evidence related to positive impact on student learning.~~

~~(5) Present the written plan to the professional educator standards board which shall approve it and grant initial approval status if the professional educator standards board is satisfied that the college or university will meet all program approval standards in accordance with reasonable and practical timelines and that the college or university has made the needed commitments, specifically personnel and other resources, to implement the plan.~~

~~(6) The newly approved preparation program shall be approved for up to a two year period.~~

~~(7) During the second year of approval, the superintendent of public instruction shall conduct a site visit to determine if the program is in full compliance with the 1997 program approval standards.) Programs shall be approved for a specific location(s) identified in the written plan presented to the professional educator standards board. Institutions seeking to expand an existing program to a new location shall~~

submit a request to the professional educator standards board which contains the following:

- (a) A description of the location and facilities;
- (b) Verification that no complaints have been filed against the program in its current location(s);
- (c) A summary of the findings from the most recent site review, including how weaknesses, if any, have been addressed;
- (d) A statement that supports need for the program;
- (e) Cost to the students;
- (f) Mode(s) of the program delivery; and
- (g) Letters of support from program partners. The length of time for which the program approval status shall be granted shall coincide with the length of time for which the program in its current location(s) last received approval. The program review cycle for programs at all locations shall be the same.

AMENDATORY SECTION (Amending WSR 06-14-010, filed 6/22/06, effective 7/23/06)

WAC 181-78A-110 Length of time for which program approval status shall be granted. (1) ~~((The professional educator standards board shall approve all preparation programs under the 1997 program approval standards for five years unless the professional educator standards board approves a variation with the exception of new programs approved for up to two years under WAC 181-78A-105))~~ Existing programs. Based upon review of the program site visit report and other documentation requested, the professional educator standards board shall take one of the following actions:

- (a) One-year approval;
- (b) Five-year approval;
- (c) Seven-year approval (WAC 181-78A-100(6)); or
- (d) Disapproval (WAC 181-78A-115).

(2) New programs. All new programs shall be conditionally approved for up to two years under WAC 181-78A-105.

(3) The superintendent of public instruction, upon receipt of a complaint from any source or upon her or his initiative, or initiative of the professional educator standards board may review all or any part of a preparation program for compliance with the provisions of this chapter. If deviations are found, the professional educator standards board is authorized to rescind program approval until the college or university submits an acceptable compliance agreement which will bring the preparation program into compliance as soon as reasonably practicable, but no later than the commencement of the succeeding academic year or six calendar months, whichever is later.

~~((3))~~ (4) If an acceptable compliance agreement is not developed and approved by the professional educator standards board, the preparation program shall be placed on probationary status and the probationary status provision of WAC 181-78A-115 shall apply.

WSR 06-24-083

PERMANENT RULES

PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed December 5, 2006, 8:45 a.m., effective January 5, 2007]

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

Purpose: Provide more specific processes and procedures to assess higher education preparation programs for state approval and review.

Citation of Existing Rules Affected by this Order: Amending WAC 181-82A-206.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 06-20-122 on October 4, 2006.

A final cost-benefit analysis is available by contacting Nasue Nishida, P.O. Box 47236, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail nasue.nishida@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

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

Date Adopted: November 16, 2006.

Nasue Nishida
Policy and Research Analyst

AMENDATORY SECTION (Amending WSR 06-14-010, filed 6/22/06, effective 7/23/06)

WAC 181-82A-206 Endorsement program approval.

(1) The professional educator standards board shall approve endorsement programs at Washington colleges and universities pursuant to the requirements of this chapter. Only colleges and universities with professional educator standards board-approved residency certificate teacher preparation programs are eligible to apply for approval to offer endorsement programs.

(2) The professional educator standards board will establish performance/competency criteria for obtaining an endorsement. Revision in adopted endorsement competencies may occur only as approved by the professional educator standards board. Each college or university desiring to seek reapproval of an endorsement program for which the competencies have been revised and adopted by the professional educator standards board shall submit a proposal to the board that includes the following information:

(a) A narrative statement that describes changes to the endorsement program based on the revised competencies; and

(b) A description of assessment strategies that will be used to assess candidates' capacity/performance related to the revised competencies.

(3) The professional educator standards board shall reappraise programs, based upon revised competencies, for a length of time to coincide with the date of the next regularly scheduled site visit/program review.

(4) The superintendent of public instruction will publish, and make available, competencies for all endorsement areas identified in chapter 181-82A WAC.

~~((4) By August 31, 2003, each college or university desiring to establish an endorsement program shall submit a timeline to meet the following requirements for full approval by August 31, 2004:))~~ (5) Each college or university desiring to establish a new endorsement program shall submit a proposal to the professional educator standards board that includes the following information:

(a) Identification of strategies that will be used to assess candidates' capacity/performance related to the competencies;

(b) A description of evidences that candidates will provide to document their positive impact on student learning in the endorsement area; and

(c) A description of the assessment system by which candidate performance, relative to the competencies, will be aggregated, analyzed, and used for program improvement.

~~((5))~~ (6) The professional educator standards board shall approve new endorsement programs for a ((maximum of five years)) length of time to coincide with the date of the next regularly scheduled site visit/program review. ((Each institution shall submit endorsement programs for review when requested by the professional educator standards board to ensure that the endorsement programs meet the competencies and to provide assessment data relative to candidate performance.

~~(6))~~ (7) The professional educator standards board shall determine the schedule and process for endorsement program reviews.

(a) Each institution shall submit endorsement programs for review when requested by the professional educator standards board to ensure that the endorsement programs meet the competencies and to provide assessment data relative to candidate performance.

(b) The professional educator standards board shall approve endorsement programs, based upon program review, for a maximum of five to seven years.

Purpose: Purpose of this proposal is to lessen the barriers onto teaching for those people coming from out-of-state. Therefore, this proposal exempts National Board Certified Teachers coming from other states from passing the WEST-B assessment and eliminates the requirement of three years teaching experience for out-of-state candidates prior to taking the WEST-E assessment.

Citation of Existing Rules Affected by this Order: Repealing WAC 181-01-003; and amending WAC 181-01-001 and 181-01-002.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 06-20-120 on October 4, 2006.

Changes Other than Editing from Proposed to Adopted Version: In order to streamline the WACs, we repealed WAC 181-01-003 and placed it as a new section in WAC 181-02-001.

A final cost-benefit analysis is available by contacting Nasue Nishida, P.O. Box 47236, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail nasue.nishida@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 3, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 3, Repealed 1.

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

Date Adopted: November 16, 2006.

Nasue Nishida

Policy and Research Analyst

AMENDATORY SECTION (Amending WSR 02-21-014, filed 10/8/02, effective 11/8/02)

WAC 181-01-001 WEST-B exemption. ~~((Individuals))~~ Candidates who are prepared and/or certified out-of-state applying for a Washington state residency teaching certificate ((who have completed a teacher preparation program in another state or country)) under WAC 181-79A-257 (1)(b) or 181-79A-260 have up to one calendar year from issuance of temporary permit to pass the WEST-B basic skills test, provided that they have completed all other requirements for residency certification other than passage of the WEST-B and are thus eligible for a temporary permit under WAC ((180-79A-128)) 181-79A-128.

WSR 06-24-084

PERMANENT RULES

**PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed December 5, 2006, 8:48 a.m., effective January 5, 2007]

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

AMENDATORY SECTION (Amending WSR 06-11-162 and 06-12-020, filed 5/24/06 and 5/30/06, effective 6/24/06 and 6/30/06)

WAC 181-01-002 WEST-B exemptions. (1) Candidates who are prepared and/or certified out-of-state applying for a Washington state residency teaching certificate under WAC ((~~180-79A-257 (1)(b))~~) 181-79A-257 (1)(b) or 181-79A-260, or out-of-state candidates applying to masters-degree level teacher preparation programs residing outside of the state of Washington at time of application, in lieu of passing the WEST-B, may provide official documentation of scores on the Praxis I of 177 for the reading subtest, 176 for the mathematics subtest and 174 for the writing subtest, or scores on the Praxis I CBT computer-administered test of 325 for the reading subtest, 321 for the mathematics subtest, and 321 for the writing subtest, or passing scores from California or Oregon on the CBEST.

(2) Candidates applying for a Washington state residency or professional teaching certificate under WAC 181-79A-257 (1)(b) who hold a certificate through the National Board for Professional Teaching Standards are exempt from the WEST-B requirement.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 181-01-003 WEST-E time extension.

NEW SECTION

WAC 181-02-001 WEST-E time extension. Candidates who are prepared and/or certified out-of-state applying for a Washington state residency or professional teaching certificate based on WAC 181-79A-257 (1)(b) have up to one calendar year from issuance of the temporary permit to pass the WEST-E subject knowledge test, provided they are eligible for a temporary permit under WAC 181-79A-128.

WSR 06-24-118

PERMANENT RULES

DEPARTMENT OF TRANSPORTATION

[Filed December 6, 2006, 9:25 a.m., effective January 6, 2007]

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

Purpose: Minor revision to the rule required to enhance the bidder pool for small works roster projects estimated to cost \$200,000 or less.

Citation of Existing Rules Affected by this Order: Amending WAC 468-15-040.

Statutory Authority for Adoption: RCW 39.04.155, 47.01.101, 47.28.030.

Adopted under notice filed as WSR 06-20-068 on September 29, 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 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

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

Date Adopted: November 20, 2006.

John F. Conrad
Assistant Secretary
Engineering and Regional Operations

AMENDATORY SECTION (Amending WSR 03-03-012, filed 1/7/03, effective 2/7/03)

WAC 468-15-040 Contractors questionnaire form—Information required. Contractors desiring to be included on a small works roster established by Washington state department of transportation pursuant to RCW 39.04.155, shall submit a completed ((~~standard~~)) small works roster questionnaire ((~~and financial form~~)) on a form prescribed by the secretary of transportation. Copies of the form may be obtained from the department's contract ad and award office. The completed questionnaire shall be prepared and transmitted to the secretary, attention: Contractor prequalification office. The questionnaire shall include the following information:

(1) The contractor's name, address, telephone number, fax number, e-mail address, and type of organization (corporation, partnership, sole proprietorship, etc.);

(2) A statement of ownership of the firm and, if a corporation, the name of the parent corporation, if any, and the names of any affiliated or subsidiary companies;

(3) State contractor's license number;

(4) State of Washington unified business identifier number (UBI) and UBI expiration date;

(5) Federal tax ID number;

(6) List of classes of work as enumerated on the form that the firm desires to be considered for such work class;

(7) Indication of those counties in which the contractor is interested in being considered for small works projects;

(8) Indication whether the contractor is certified as a minority or women's business enterprise or a disadvantaged business enterprise by the office of minority women business enterprises;

(9) List all contracts or subcontracts performed in whole or in part within the immediate three preceding years. Include the contract amount, date of completion, classes of work performed, owner or prime contractor's name, mailing address, phone number, fax number, and name of a contact person for the owner/prime for which the contractor performed the work. Only that work completed by the contractor's own organization under its own supervision will be con-

sidered for qualification. A minimum three completed projects must be listed.

(a) Personnel requirements.

(i) List principal officers and key employees indicating their years of experience in the classes of work for which qualification is sought.

(ii) A firm must have, within its own organization, qualified permanent, full-time personnel having the skills and experience including, if applicable, technical or specialty licenses, for each work class for which qualification is sought. Those firms seeking qualification for electrical work (classes 9, 16, 41, and 42) must provide photocopies of current Washington state electrical licenses. The skills and experience must be substantiated by education and practical experience on completed construction projects.

(iii) "Its own organization" shall be construed to include only the contractor's permanent, full-time employed office and site supervisory personnel. Workers of the organization shall be employed and paid directly by the prime contractor.

(b) The applicant shall list the following occurrences within the previous three years:

(i) Instances of having been denied qualification, or a license, or instances of having been deemed other than responsible by any public agency.

(ii) Convictions for felonies listed in WAC 468-16-050.

(iii) Failure to complete a contract.

(c) ~~((Complete financial statement for the contracting firm's last fiscal year. The contractor firm must have a positive net worth.~~

~~(d) A wholly owned subsidiary firm may file the latest consolidated financial statement of its parent corporation in lieu of a financial statement prepared solely for the subsidiary.~~

(e)) The ~~((standard))~~ small works roster questionnaire shall be processed as follows:

(i) A ~~((standard))~~ small works roster questionnaire will be reviewed and a written notice provided to the applicant, within thirty days of its receipt, stating whether or not the applicant has qualified for or been denied qualification for the small works roster. The applicant will be advised of lack of receipt of data corroborating project completion and error or omissions in the questionnaire and a request for additional information necessary to complete the evaluation of the applicant. If the information is not provided within twenty calendar days of the request, the application will be processed, if possible, with the information available or it will be returned to the applicant without further action.

(ii) The department will enter the contractor's information on the appropriate small works roster. The department will notify the contractor by letter of placement on the appropriate small works roster. An applicant should not consider itself enrolled on the small works roster until receipt of such written notice.

It is the responsibility of the contractor to notify the department of any incorrect information set forth in the notice, and to notify the department of any change in the information set forth in its application.

WSR 06-24-125

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed December 6, 2006, 9:44 a.m., effective January 6, 2007]

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

Purpose: This rule-making order repeals the quarantine provisions for citrus longhorned beetle in effect in parts of Tukwila established in WAC 16-470-800 through 16-470-870.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-470-800, 16-470-810, 16-470-820, 16-470-830, 16-470-840, 16-470-850, 16-470-860, and 16-470-870.

Statutory Authority for Adoption: Chapters 17.24 and 34.05 RCW.

Adopted under notice filed as WSR 06-20-110 on October 4, 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 8.

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 8.

Date Adopted: December 6, 2006.

Valoria H. Loveland
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-470-800	Establishing quarantine for longhorned beetles of the genus Anoplophora.
WAC 16-470-810	Prohibiting possession, transportation or distribution of living beetles of the genus Anoplophora.
WAC 16-470-820	What is the area under quarantine for citrus longhorned beetle?
WAC 16-470-830	Prohibition on moving living plants from the area under quarantine for citrus longhorned beetle.
WAC 16-470-840	Prohibition on moving wood and prunings from the area

	under quarantine for citrus longhorned beetle.
WAC 16-470-850	Exemption for articles in transit.
WAC 16-470-860	Disposal of articles regulated under longhorned beetle quarantine.
WAC 16-470-870	Special permits—Longhorned beetle.

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: December 6, 2006.

Joy King
for Vicki Brown
Program Manager

AMENDATORY SECTION (Amending Order 394B, filed 9/1/93, effective 10/2/93)

WAC 246-847-080 Examinations. (1) The ~~((current series of the American Occupational Therapy Certification Board))~~ examination administered by the National Board for Certification in Occupational Therapy or its successor/predecessor organization shall be the official examination for licensure as an occupational therapist or as an occupational therapy assistant.

(2) ~~((The examination for licensure as an occupational therapist shall be conducted twice a year.~~

(3) ~~The examination for licensure as an occupational therapy assistant shall be conducted twice a year.~~

(4) ~~The program manager of the board shall negotiate with the American Occupational Therapy Certification Board for the use of the certification examination.~~

(5) ~~The examination shall be conducted in accordance with the American Occupational Therapy Certification Board security measures and contract.~~

(6) ~~Applicants shall be notified of the examination results in accordance with the procedures developed by the American Occupational Therapy Certification Board.~~

(7) ~~Examination scores will not be released except as authorized by the applicant in writing.~~

~~(8))~~ To be eligible for a license, applicants must attain a passing score on the examination ~~((administered by the American Occupational Therapy Certification Board))~~ determined by the National Board for Certification in Occupational Therapy or its successor/predecessor organization.

AMENDATORY SECTION (Amending Order 394B, filed 9/1/93, effective 10/2/93)

WAC 246-847-115 Limited permits. (1) An applicant is eligible for a ninety-day limited permit when they have met the criteria described under RCW 18.59.040(7) ~~((, provided the applicant takes the first examination for which he or she is eligible))~~.

(2) An applicant who fails the examination may be granted a one time extension of the ninety-day limited permit.

(3) An applicant who successfully passes the examination for licensure and who has a valid limited permit through the department of health at the time the examination results are made public shall be deemed to be validly licensed under the limited permit for the next thirty calendar days.

AMENDATORY SECTION (Amending Order 112B, filed 2/12/91, effective 3/15/91)

WAC 246-847-120 ((Foreign-trained)) Applicants from unrecognized educational programs. ~~((An applicant obtaining education and training at foreign institutions shall~~

WSR 06-24-137

PERMANENT RULES

DEPARTMENT OF HEALTH

(Occupational Therapy Practice Board)

[Filed December 6, 2006, 10:44 a.m., effective January 6, 2007]

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

Purpose: WAC 246-847-080 Examinations, national exam now given by National Board for Certification in Occupational Therapy (NBCOT); WAC 246-847-115 Limited permits, change in examination information due to online testing development and implementation; and WAC 246-847-120 Foreign trained, by passing NBCOT exam, education and experience will have been met for foreign trained applications.

Citation of Existing Rules Affected by this Order: Amending WAC 246-847-080, 246-847-115, and 246-847-120.

Statutory Authority for Adoption: RCW 18.59.130 and 18.59.060.

Adopted under notice filed as WSR 06-17-184 on August 23, 2006.

Changes Other than Editing from Proposed to Adopted Version: In WAC 246-847-080 Examinations, the board added the time frame for the limited permit. The limited permit is valid for ninety days and if the applicants fails the examination, they may receive a one time extension of the ninety-day limited permit.

A final cost-benefit analysis is available by contacting Vicki Brown, Program Manager, Occupational Therapy Practice Board, P.O. Box 47867, Olympia, WA 98504-7867, phone (360) 236-4865, fax (360) 664-9077, e-mail vicki.brown@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 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 3, 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 Mak-

submit the following information for the board's consideration in determining whether or not to waive the education and experience requirements for licensure, pursuant to RCW 18.59.070(1):

~~(1) An official description of the education program at the educational institution and if the description is not in English, then an English translation signed by the translator shall be submitted with the official description;~~

~~(2) An official transcript of the applicant's grades from the educational institution and if the transcript is not in English, then an English translation signed by the translator shall be submitted with the official transcript;~~

~~(3) Applicant's affidavit containing the following information:~~

~~(a) Location and dates of employment as an occupational therapist or occupational therapy assistant for up to three years immediately prior to the date of application;~~

~~(b) Description of capacity in which applicant was employed, including job titles and description of specific duties;~~

~~(c) Description of nature of clientele; and~~

~~(d) Name and title of direct supervisors;~~

~~(4) Written job description for each employment as an occupational therapist or occupational therapy assistant for up to three years immediately prior to the date of application;~~

~~(5) Signed, written statements from all employers or direct supervisors for up to three years immediately prior to the date of application containing the following information:~~

~~(a) Dates of applicant's employment;~~

~~(b) Description of applicant's specific duties; and~~

~~(c) Employer or direct supervisor's title;~~

~~(6) If the applicant graduated from the educational institution within the three years immediately prior to the application, the applicant shall obtain a signed, written statement from the applicant's program director at the educational institution discussing the applicant's fieldwork experience at the educational institution.)~~

(1) An applicant who has passed the approved National Certification Examination as defined in WAC 246-847-080, is considered to have met the education and experience requirements of RCW 18.59.050.

(2) Written verification of passing scores or verification of current certification must be submitted to the department directly from the National Board for Certification in Occupational Therapy or its successor/predecessor organization.

(3) After reviewing the information submitted, the board may require submission of additional information necessary for purposes of clarifying the information previously submitted.