

WSR 18-14-006**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 18-01—Filed June 21, 2018, 11:44 a.m.]

Subject of Possible Rule Making: The department of ecology (ecology) plans to amend chapter 173-224 WAC, Water quality permit fees. The purpose of this chapter is to establish a fee system for state waste discharge and national pollutant discharge elimination system (NPDES) permits issued by ecology pursuant to RCW 90.48.160, 90.48.162, or 90.48.260.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.48 RCW, Water pollution control; RCW 90.48.465 Water discharge fees—Report to the legislature.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 90.48.465 requires ecology to establish, by rule, annual fees that will fund the wastewater and stormwater permit programs. Ecology adopted chapter 173-224 WAC, Water quality permit fees, in response to this law.

This rule amendment allows ecology to continue recovering expenses in operating and managing the permit programs. Ecology is proposing to increase fees for fiscal years 2020 and 2021 in order to collect the revenue needed to recover the costs of administering the wastewater and stormwater programs next biennium and move closer to payment equity between fee categories. Ecology may also propose changes to the structure of specific permit fee categories, beginning with creating the winery general permit fee category.

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

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Charles Gilman, P.O. Box 47600, Olympia, WA 98504-7600, phone 360-407-6425, TTY 711 for deaf or hard of hearing, 877-833-6341 (Washington relay service), email wqfee_unit@ecy.wa.gov, web site <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-224l>, sign-up for email updates at <https://listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-WATER-QUALITY-INFO>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

June 21, 2018

Heather R. Bartlett

Water Quality Program Manager

WSR 18-14-011**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 18-02—Filed June 22, 2018, 11:57 a.m.]

Subject of Possible Rule Making: The department of ecology is beginning a rule making to amend chapter 173-230 WAC, Certification of operators of wastewater treatment plants. This rule establishes the ecology's wastewater operator certification program.

As part of this rule making we will be focusing on the following:

- Establishing a fee schedule to replace existing fee requirements.
- Revising:
 - Definitions.
 - Rule language for new treatment technologies.
- Providing for an operator in training and respective education and experience qualifications for groups II-IV.
- Updating professional growth requirements.
- Revising language regarding revocation and suspension of a certificate.
- Reorganizing and clarifying rule language.
- Other edits identified or necessary to support the above items, the overall objectives of the statute or chapter, or the goals of the program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.95B RCW, Domestic waste treatment plants—Operators.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislation passed in 2018 amending chapter 70.95B RCW (chapter 213, Laws of 2018) directing ecology, with the advice of an advisory committee, to establish an initial fee schedule.

The other updates we are considering would:

- Modernize and improve the existing program by recognizing newer, more advanced treatment technologies in plant classification.
- Provide ecology additional options, flexibility, and clarity around revocations and suspensions.
- Create more opportunities among operators for growth in their professions, filling a coming gap due to retirees.
- Working directly with affected stakeholders will allow us to identify other changes we aren't considering and find solutions that work for us all.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable. Ecology is the only agency that regulates wastewater operator certification in Washington state.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jocelyn W. Jones, Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504, phone 360-407-6321, TTY 711 for deaf or hard of hearing, 877-833-6341 (Washington relay service), email jocelyn.jones@ecy.wa.gov, web site <https://ecology.wa.gov/>

Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-230, sign up for email updates <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECOLOGY-WW-OPCERT>; or Poppy Carre, Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504, phone 360-407-6449, TTY 711 for deaf or hard of hearing, 877-833-6341 (Washington relay service), email poppy.carre@ecy.wa.gov.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

June 22, 2018
Heather R. Bartlett
Water Quality Program Manager

WSR 18-14-017

PREPROPOSAL STATEMENT OF INQUIRY EASTERN WASHINGTON UNIVERSITY

[Filed June 25, 2018, 3:25 p.m.]

Subject of Possible Rule Making: Revising chapter 172-121 WAC, Student conduct code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions may be needed to update university procedures and definitions pertaining to student conduct.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joseph Fuxa, 314 Showalter Hall, Eastern Washington University, Cheney, WA 99004, phone 509-359-7496, fax 509-359-2874, email jfuxa@email.edu, web site <http://sites.ewu.edu/policies/>.

June 25, 2018
Joseph Fuxa
Labor Relations Manager

WSR 18-14-019

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed June 25, 2018, 5:01 p.m.]

Subject of Possible Rule Making: Chapter 246-341 WAC, Behavioral health services administrative requirements, the department of health (department) is considering adopting a new chapter of rules regarding the licensing and certification of behavioral health services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 2ESHB 1388 (chapter 201, Laws of 2018) and ESSB 6491 (chapter 291, Laws of 2018)

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The authority for behavioral health agency licensing and certification transfers from the department of social and health services to the department on July 1, 2018. Effective July 1, the department adopted emergency rules under chapter 246-341 WAC. The emergency rules will be used as a foundation for permanent rules that will establish licensure and certification standards for behavioral health services providing mental health, substance use disorder, and problem and pathological gambling services, under statutory authorities transferred to the department by 2ESHB 1388. This new chapter is intended to replace the sections of chapter 388-877 WAC regarding licensing and certification of behavioral health agencies that have been repealed by DSHS as a result of 2ESHB 1388.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is working closely with the department of social and health services, the health care authority, the department of children, youth, and families, and the governor's office on all areas of behavioral health integration.

Process for Developing New Rule: The department will participate in collaborative rule making and will notify interested stakeholders about rule development meetings and rule notices and related activities through email and on the department web site. A public hearing on proposed rules will be held at a later date.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephanie Vaughn, P.O. Box 47850, Olympia, WA 98550-7850 [98504-7850], phone 360-236-4617, TTY 360-833-6388 or 711, email stephanie.vaughn@doh.wa.gov, web site www.doh.wa.gov/BHI.

Additional comments: Stakeholders may sign up for the program's interested party list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new> under the topic Behavioral Healthcare Integration. All rule-making notices will be mailed via GovDelivery. Rule development will take place in open public meetings prior to a formal rule proposal and comment period.

June 22, 2018
John Wiesman, DrPH, MPH
Secretary

WSR 18-14-020

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed June 25, 2018, 5:27 p.m.]

Subject of Possible Rule Making: Chapter 246-XXX WAC, the department of health (department) is considering creating a new chapter of rules as required by state law to establish administrative standards and a system of regulation for safe and secure collection and disposal of unwanted medicines through a uniform drug "take-back" program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1047 (chapter 196, Laws of 2018), also known as the "Secure Drug Take Back Act."

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State law mandates that the department establish a system of regulation for the safe and secure collection and disposal of unwanted medicines through a uniform drug "take-back" program. ESHB 1047 establishes a comprehensive drug take-back program that will be fully financed by the pharmaceutical industry. Rules are necessary to establish a framework for administration, oversight, and enforcement of these drug take-back programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Drug Enforcement Administration and the Food and Drug Administration regulate the drugs that will be collected by the programs. The Washington state department of ecology regulates the environmental public safety and hazardous waste disposal. These agencies will be included in the stakeholdering process to the fullest extent possible. Additionally, the pharmacy quality assurance commission regulates the dispensing of drugs, devices, and the practice of pharmacy in Washington state.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Katherine Hoffman, P.O. Box 47852, phone 360-236-2979, TTY 360-833-6388 or 711, email katherine.hoffman@doh.wa.gov.

Additional comments: Interested parties may participate in the development of draft rules prior to a formal proposal by joining the department's interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>, attending workshops, and providing input on draft and proposed materials.

June 22, 2018

John Wiesman, DrPH, MPH
Secretary

WSR 18-14-080

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed July 2, 2018, 9:06 a.m.]

Subject of Possible Rule Making: Chapter 182-538D WAC, Behavioral health services, the health care authority (HCA) is considering adopting a new chapter of rules regarding behavioral health services and new WAC 182-100-0100 for problem gambling services; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 2ESBH [2ESHB] 1388 (chapter 201, Laws of 2018).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is required to comply with the requirements in 2ESHB 1388 which changed the designation of the state behavioral health authority from the department of social and health services (DSHS) to HCA, effective July 1, 2018. HCA filed emergency rules

under WSR 18-14-027 to transfer the rules from DSHS to HCA. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amy Emerson, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1348, fax 360-586-9727, TTY 1-800-848-5429, email amy.emerson@hca.wa.gov, web site www.hca.wa.gov/about-hca/rule-making.

July 2, 2018

Wendy Barcus
Rules Coordinator

WSR 18-14-085

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF HEALTH

[Filed July 2, 2018, 11:51 a.m.]

Subject of Possible Rule Making: Chapter 246-215 WAC, Food service.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050 and 43.20.145.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state board of health (board) will consider revising chapter 246-215 WAC to reflect the new 2017 Federal Food and Drug Administration (FDA) food code standards. The board is also considering amending sections to address other issues that have been raised such as mobile food unit standards and donated food. In addition, the board will incorporate changes relating to SHB 2639, Mobile food units—Commissary or servicing area requirements, from the 2018 legislative session. The law exempts the requirement for commissary kitchens and servicing areas for mobile food units that meet certain criteria. The board will also consider making technical and editorial changes where appropriate.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Representatives of the FDA, Washington state department of agriculture, office of superintendent of public instruction and local health jurisdictions will be invited to participate in this rule making to ensure coordination.

Process for Developing New Rule: The board and Washington state department of health (department) will use a collaborative rule-making approach. The department will implement the rule. The department will provide draft rule text to stakeholders for informal review and comment using a vari-

ety of methods including posting materials on the department and board web sites, briefing the board, responding to email inquiries and publishing materials in the department food safety newsletter. The department has convened a food safety advisory council, a broad based advisory group comprised of food service industry representatives, food service industry associations, local health jurisdictions and technical experts in the food safety field to provide policy recommendations to the department and the board. The department will encourage members of the council to share materials and drafts with stakeholders they represent. The board and the department will maintain a list of stakeholders and will keep people informed. Stakeholders will have the opportunity to provide comments throughout the rule-making process, during the formal comment period, and at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Peter Beaton, Department of Health, P.O. Box 47820, Olympia, WA 98504-7820, phone 360-236-4031, TTY 360-833-6388 or 711, email Peter.Beaton@doh.wa.gov; or Stuart Glasoe, State Board of Health, P.O. Box 47900, Olympia, WA 98504-7900, phone 360-236-4111, TTY 360-833-6388 or 711, email Stuart.Glasoe@sboh.wa.gov.

Additional comments: Individuals interested in this rule revision process may send a request to food.safety@doh.wa.gov to be added to an email distribution list.

June 29, 2018
Michelle A. Davis
Executive Director

WSR 18-14-094

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed July 3, 2018, 9:01 a.m.]

Subject of Possible Rule Making: New chapter 182-02 WAC, Definitions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To maintain consistency, the agency plans to create a new chapter for definitions that apply to all of Title 182 WAC. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud, P.O. Box 42716,

Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication relay services (TRS) 711, email melinda.froud@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

July 3, 2018
Wendy Barcus
Rules Coordinator

WSR 18-14-098

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed July 3, 2018, 10:55 a.m.]

Subject of Possible Rule Making: WAC 182-502-0012 When the medicaid agency does not enroll, 182-502-0040 Termination of a provider agreement—For convenience, 182-502-0060 Reapplying for participation, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is [amending] WAC 182-502-0012(5) and 182-502-0040(2) to allow the dispute resolution process under WAC 182-502-0050, with the exception of WAC 182-502-0050(6), for providers who are denied enrollment, and for terminations of a provider agreement for convenience. The agency is amending WAC 182-502-0060 to remove subsections (1) and (2) that prohibit providers from reapplying for participation after the agency denies enrollment or removes a provider from participation. The agency has determined that the rules need to be amended to allow for due process and for reporting purposes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunications relay services (TRS) 711, email katherine.pounds@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

July 3, 2018
Wendy Barcus
Rules Coordinator

WSR 18-14-106
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2018-07—Filed July 3, 2018, 2:30 p.m.]

Subject of Possible Rule Making: Valuation of the stock of a subsidiary of a domestic insurance company.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.12.180, and 48.31B.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 284-16-150 through 284-16-220 regarding the valuation of the stock of the subsidiary of a domestic insurance company were adopted under previous versions of the Insurer Holding Company Act (chapter 48.31B RCW). The commissioner will consider adopting amendments to these rules to update the rules to be compatible with the current version of the Insurance Holding Company Act.

Process for Developing New Rule: Submit written comments by August 17, 2018.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Tompkins, P.O. Box 40620 [40260], Olympia, WA 98504-0260, phone 360-725-7036, fax 360-586-3109, TTY 360-586-0241, email rules coordinator@oic.wa.gov, web site www.insurance.wa.gov.

July 3, 2018
Mike Kreidler
Insurance Commissioner

WSR 18-14-107
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2018-04—Filed July 3, 2018, 2:33 p.m.]

Subject of Possible Rule Making: Producer license expiration and renewal time frames for appointments and affiliations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.17.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commissioner will consider updating WAC 284-17-423 and 284-17-443 to give producers a longer renewal window for appointment and affiliation renewals and to link a producer's license expiration to the end of their birth month, not their date of birth.

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

Process for Developing New Rule: Submit written comments by August 17, 2018.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Candice Myrum, P.O. Box 40620 [40260], Olympia, WA 98504-0260, phone 360-725-7036,

fax 360-586-3109, TTY 360-586-0241, email rules coordinator@oic.wa.gov, web site www.insurance.wa.gov.

July 3, 2018
Mike Kreidler
Insurance Commissioner

WSR 18-14-109
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE UNIVERSITY

[Filed July 5, 2018, 9:27 a.m.]

Subject of Possible Rule Making: Health and safety regulations, WAC 504-36-030 Spectator events—Safety rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The university is updating the safety rules for spectator events.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, fax 509-335-3969, email prf.forms@wsu.edu, web site <http://public.wsu.edu/~forms/ProposedWAC.html>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

July 5, 2018
Deborah L. Bartlett
Director, Procedures, Records, and Forms
and University Rules Coordinator

WSR 18-14-112
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed July 5, 2018, 10:01 a.m.]

Subject of Possible Rule Making: WAC 182-531-0050 Physician-related services definitions and new WAC 182-531-2040 Enhanced reimbursement—Medication assisted treatment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, ESSB 6032 2017-2019 Omnibus operating budget, 2018 supplemental.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature provided funding to increase the medication assisted therapy rate for opioid use disorder to match the medicare rate in order to encourage more providers to treat patients with opioid use disorder. This represents an exception to current payment methodology and needs to be described in the

administrative code. During the course of this review, the agency may identify additional changes that are required in order provide clarity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Health and Human Services, federal Food and Drug Administration, and Substance Abuse and Mental Health Services Administration. Washington medicaid rules will comply with national rules.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amy Emerson, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1348, fax 360-586-9727, telecommunications relay services (TRS) 711, email amy.emerson@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

July 5, 2018
Wendy Barcus
Rules Coordinator

WSR 18-14-113
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)
[Filed July 5, 2018, 10:47 a.m.]

Subject of Possible Rule Making: Amendments and fee increase to the boiler rules, chapter 296-104 WAC, Board of boiler rules—Substantive.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.79 RCW, Boilers and unfired pressure vessels.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of boiler rules and labor and industries' boiler program is [are] considering amending the boiler rules to adopt new safety code requirements and clarify existing rules. The boiler rules are reviewed on a regular basis to ensure the rules are consistent with national boiler and unfired pressure vessel safety standards and industry practice.

In addition, the department is considering a fee increase by the fiscal-growth factor of four percent for fiscal year 2019 (OFM's maximum allowable fiscal growth rate). The boiler program's budget and projected revenue indicate a fee increase is necessary to cover the program's operating expenses.

Amendments for consideration will:

- Adopt the National Board Inspection Code (NBIC), Part 4, current edition as the standard for installation, inservice inspection, and repair of pressure relief devices.

- Adopt the NBIC, Part 1, current edition, as the standard for installation of nonnuclear boilers, unfired pressure vessels and safety devices.
- Adopt the NBIC, Part 3, current edition for nonnuclear repairs and alterations.
- Adopt the Uniform Plumbing Code (UPC), Section 608.5 for discharge piping requirements for water heaters.
- Amend language to align with NBIC NB-263 RCI-1 for inspector commissions and endorsements.
- Clarify the duties of inservice inspectors in relation to other standards and requirements for which other regulatory agencies have authority or responsibility.
- Clarify the "hot water heater" requirements in the definitions.
- Increase fees by the fiscal-growth factor of four percent for fiscal year 2019.

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

Process for Developing New Rule: The board of boiler rules reviews and approves all rule changes. Interested parties can participate in the adoption process for the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed, by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@Lni.wa.gov, web site www.lni.wa.gov.

July 5, 2018
Terry Chapin, Chair
Board of Boiler Rules

WSR 18-14-114
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed July 5, 2018, 10:49 a.m.]

Subject of Possible Rule Making: Chapter 296-155 WAC, Standards for construction work, Part S, Demolition.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.-060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of occupational safety and health (DOSH) intends to conduct rule making to update the requirements in chapter 296-155 WAC, Standards for construction work, Part S, Demolition. DOSH is initiating this change to remove confusing and unnecessary language as well as add clarification where necessary throughout the

rule to improve safety. Other updates and housekeeping changes may also be made throughout this chapter.

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

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cathy Coates, Administrative Regulations Analyst, Department of Labor and Industries, DOSH, P.O. Box 44620, Olympia, WA 98504, phone 360-902-5432, fax 360-902-5541, email cathy.coates@lni.wa.gov, web site www.lni.wa.gov.

July 5, 2018

Joel Sacks

Director

WSR 18-14-118
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed July 5, 2018, 11:48 a.m.]

The Washington state board of health (board) is withdrawing the CR-101 for chapter 246-101 WAC, Notifiable conditions. The notice was filed as WSR 17-09-050 on April 17, 2017.

The preproposal statement of inquiry identified potential changes to add notification and specimen submission requirements for new conditions and conditions currently identified as "other rare diseases of public health significance." Since the filing, department of health and board staff finalized a thorough review of the chapter and determined that consideration of additional amendments is appropriate, including adding notification and specimen submission requirements for additional conditions, improving reporting requirements for veterinarians and the department of agriculture, updating statutory references in the rules, updating references to the 2006 Security and Confidentiality Guidelines developed by the Centers for Disease Control and Prevention to the most recent publication, and amending definitions in chapter 246-100 WAC, Communicable and certain other diseases, to ensure consistency of terms between chapters 246-100 and 246-101 WAC.

The board has decided the best approach is to withdraw the CR-101 and refile with an expanded scope.

Tami M. Thompson
Regulatory Affairs Manager