

Washington State Register

September 20, 2000

OLYMPIA, WASHINGTON

ISSUE 00-18



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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of September 2000 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

John G. Schultz
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following nine sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Intent that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **EXPEDITED REPEAL**-includes the Preproposal Statement of Inquiry that lists rules being repealed using the expedited repeal process. Expedited repeals are not consistently filed and may not appear in every issue of the register.
- (c) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (d) **EXPEDITED ADOPTION**-includes the full text of rules being changed using the expedited adoption process. Expedited adoptions are not consistently filed and may not appear in every issue of the Register.
- (e) **PERMANENT**-includes the full text of permanently adopted rules.
- (f) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (g) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (h) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (i) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. Each filing is listed under the agency name and then describes the subject matter, type of filing and the WSR number. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
 - (i) underlined material is new material;
 - (ii) ~~deleted material is ((lined out between double parentheses))~~;
- (b) Complete new sections are prefaced by the heading **NEW SECTION**;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading **REPEALER**.

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

5. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

2000 - 2001

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS	Count ²⁰ days from -	For hearing on or after	First Agency Adoption Date
For Inclusion in -	File no later than 12:00 noon -					
00 - 13	May 24, 00	Jun 7, 00	Jun 21, 00	Jul 5, 00	Jul 25, 00	Aug 22, 00
00 - 14	Jun 7, 00	Jun 21, 00	Jul 5, 00	Jul 19, 00	Aug 8, 00	Sep 5, 00
00 - 15	Jun 21, 00	Jul 5, 00	Jul 19, 00	Aug 2, 00	Aug 22, 00	Sep 19, 00
00 - 16	Jul 5, 00	Jul 19, 00	Aug 2, 00	Aug 16, 00	Sep 5, 00	Oct 3, 00
00 - 17	Jul 26, 00	Aug 9, 00	Aug 23, 00	Sep 6, 00	Sep 26, 00	Oct 24, 00
00 - 18	Aug 9, 00	Aug 23, 00	Sep 6, 00	Sep 20, 00	Oct 10, 00	Nov 7, 00
00 - 19	Aug 23, 00	Sep 6, 00	Sep 20, 00	Oct 4, 00	Oct 24, 00	Nov 21, 00
00 - 20	Sep 6, 00	Sep 20, 00	Oct 4, 00	Oct 18, 00	Nov 7, 00	Dec 5, 00
00 - 21	Sep 20, 00	Oct 4, 00	Oct 18, 00	Nov 1, 00	Nov 21, 00	Dec 19, 00
00 - 22	Oct 4, 00	Oct 18, 00	Nov 1, 00	Nov 15, 00	Dec 5, 00	N/A
00 - 23	Oct 25, 00	Nov 8, 00	Nov 22, 00	Dec 6, 00	Dec 26, 00	N/A
00 - 24	Nov 8, 00	Nov 22, 00	Dec 6, 00	Dec 20, 00	Jan 9, 01	N/A
01 - 01	Nov 22, 00	Dec 6, 00	Dec 20, 00	Jan 3, 01	Jan 23, 01	N/A
01 - 02	Dec 6, 00	Dec 20, 00	Jan 3, 01	Jan 17, 01	Feb 6, 01	N/A
01 - 03	Dec 27, 00	Jan 10, 01	Jan 24, 01	Feb 7, 01	Feb 27, 01	N/A
01 - 04	Jan 10, 01	Jan 24, 01	Feb 7, 01	Feb 21, 01	Mar 13, 01	N/A
01 - 05	Jan 24, 01	Feb 7, 01	Feb 21, 01	Mar 7, 01	Mar 27, 01	N/A
01 - 06	Feb 7, 01	Feb 21, 01	Mar 7, 01	Mar 21, 01	Apr 10, 01	N/A
01 - 07	Feb 21, 01	Mar 7, 01	Mar 21, 01	Apr 4, 01	Apr 24, 01	N/A
01 - 08	Mar 7, 01	Mar 21, 01	Apr 4, 01	Apr 18, 01	May 8, 01	N/A
01 - 09	Mar 21, 01	Apr 4, 01	Apr 18, 01	May 2, 01	May 22, 01	N/A
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01 - 13	May 23, 01	Jun 6, 01	Jun 20, 01	Jul 5, 01	Jul 25, 01	N/A
01 - 14	Jun 7, 01	Jun 21, 01	Jul 5, 01	Jul 19, 01	Aug 8, 01	N/A
01 - 15	Jun 20, 01	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 21, 01	N/A
01 - 16	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 15, 01	Sep 4, 01	N/A
01 - 17	Jul 25, 01	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 25, 01	N/A
01 - 18	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 9, 01	N/A
01 - 19	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 23, 01	N/A
01 - 20	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 17, 01	Nov 6, 01	N/A
01 - 21	Sep 26, 01	Oct 10, 01	Oct 24, 01	Nov 7, 01	Nov 27, 01	N/A
01 - 22	Oct 10, 01	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 11, 01	N/A
01 - 23	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 25, 01	N/A
01 - 24	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 19, 01	Jan 8, 02	N/A

¹ All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

² A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³ At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

⁴ A minimum of forty-five days is required between the distribution date of the Register giving notice of the expedited adoption and the agency adoption date. No hearing is required, but the public may file written objections. See RCW 34.05.230 and 1.12.040.

REGULATORY FAIRNESS ACT

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

Small Business Economic Impact Statements (SBEIS)

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

Mitigation

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

When is an SBEIS Required?

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

When is an SBEIS Not Required?

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

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

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

WSR 00-18-015**PREPROPOSAL STATEMENT OF INQUIRY
BUILDING CODE COUNCIL**

[Filed August 28, 2000, 8:37 a.m.]

Subject of Possible Rule Making: Although no rule making is anticipated at this time, the state Building Code Council has established an Endangered Species Act (ESA) Oversight Committee and an ESA Technical Advisory Group (TAG) to review the existing state building code for requirements that may impact salmon and their habitat. Once identified, the ESATAG may make recommendations to the council for code changes, if appropriate, or may simply develop guidelines for consideration by local governments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074 (2)(c) which allows the council to "conduct research into any code or codes referred to in RCW 19.27.031 or any related matter."

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules or guidelines on this subject would ensure that local building code regulations are consistent with federal rules to protect salmon habitat under Section 4(d) of the Endangered Species Act.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The National Marine Fisheries Service and the United States Fish and Wildlife Service both regulate species listed under the ESA. Both will be asked to join the ESATAG in order to ensure that TAG proposals are consistent with federal rules adopted under Section 4(d) of the ESA.

Process for Developing New Rule: This process will combine agency study with potential negotiations through the TAG process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The ESATAG will hold an organizational meeting on September 21, 2000, with additional meetings expected twice per month for the next year. A work plan and timeline has been developed for the program and is available from council staff at (360) 586-0486. Organizations or individuals interested in serving on the ESATAG should contact Tim Nogler at (360) 586-0486.

August 23, 2000

Judy Wilson
Council Chairman**WSR 00-18-034****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed August 30, 2000, 10:32 a.m.]

Subject of Possible Rule Making: Chapter 296-28 WAC, Clearance rules for railroads in private yards and plants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, [49.17].050, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A review of chapter 296-28 WAC and the anticipated result of updating and rewriting the chapter in plain English is part of the department's regulatory improvement plan under the direction and authority of Executive Order 97-02. An updated, clearly written set of clearance rules will improve industry compliance and department administration and enforcement. A well written set of clearance rules will reflect the department's regulatory improvement goal of adopting rules that are understandable, necessary and fair.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington State Utilities and Transportation Commission (UTC) regulates railroad clearances for common carriers. Department of Labor and Industries (L&I) representatives have met with UTC representatives regarding jurisdictional issues and the revision of chapter 296-28 WAC. L&I plans to communicate with UTC representatives throughout the rule-making process to solicit their ideas and keep them abreast of the projects progress. OSHA does not have rules regulating railroad clearances.

Process for Developing New Rule: Parties interested in this project and the development of proposed railroad clearance rules for private yards and plants may contact the individuals listed below. The public may also participate by submitting written comments on proposed rule amendments during the public hearing process or by giving oral testimony 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 Morris Payne, Safety and Health Specialist, Department of Labor and Industries, Policy and Technical Services, P.O. Box 44655, Olympia, WA 98504-4655, phone (360) 902-5569, fax (360) 902-5438; or George Huffman, Project Manager, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5008, fax (360) 902-5529.

August 30, 2000

Gary Moore
Director**WSR 00-18-035****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
(Business and Professions Division)
(Cosmetology Section)**

[Filed August 30, 2000, 10:48 a.m.]

Subject of Possible Rule Making: Cosmetologist, barbers, manicurists, and estheticians rules update to chapter 308-20 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.16.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department has reviewed and recommended to repeal WAC 308-20-001, duplicates statutory authority RCW 18.16.030(2); WAC 308-

20-005, not necessary to cite statutory authority; WAC 308-20-630 and 308-20-640, labor and industries statutes govern; WAC 308-20-670, no statutory and no safety and health evidence; WAC 308-20-680, local building codes, WAC 308-20-690, duplicates statutory authority RCW 18.16.175(3) and 18.16.150; and WAC 308-20-700, duplicates and conflicts with statutory authority RCW 18.16.210.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael W. Schneider, P.O. Box 9649, Olympia, WA 98507-9649, phone (360) 586-0396, fax (360) 664-2550.

August 30, 2000

Michael W. Schneider
Deputy Administrator

WSR 00-18-039

**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed August 30, 2000, 3:39 p.m.]

Subject of Possible Rule Making: Elimination of references to Program 94 Instruction Support from OSPI school fiscal rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Program 94 has been eliminated from the school district account code structure effective for the 2000-2001 school year. Instruction support costs formerly recorded in Program 94 will be recorded in other instructional programs, primarily Program 01 Basic Education. Rule amendments are needed to remove references to Program 94 from three sections of OSPI's rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington State Auditor's Office has already approved the elimination of Program 94 and is aware of the changes.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator/Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, fax

(360) 753-4201, TDD (360) 664-3631. For telephone assistance contact Allen Jones, (360) 753-6708.

August 30, 2000

Dr. Terry Bergeson
Superintendent of Public Instruction

WSR 00-18-055

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

(Economic Services Administration)

[Filed September 1, 2000, 11:08 a.m.]

Subject of Possible Rule Making: Amend WAC 388-484-0005 to explain how the TANF lifetime limit of sixty months of cash assistance will affect clients, especially Indian clients residing in Indian country where at least 50% of adults are not employed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.010, and 42 U.S.C. 608 (a)(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1. Explain to clients and staff rules and procedures regarding TANF time limits in more detail than existing WAC.

2. Rules and procedures regarding the Indian country disregard need to be explained in detail. Requirements and standards for the data submission need to be in rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Administration for Children and Families (ACF) regulates the state TANF program and will monitor state's implementation of time limits.

Other state agencies and tribes have been contacted and are involved in developing time limits policy.

Process for Developing New Rule: The accrual of months against the TANF time limit is largely fixed by state and federal law. Some aspects of the Indian country disregard policy, such as the ability of tribes to submit alternative data to the BIA labor force report, have been previously discussed in consultations with tribes. However, tribes may wish to negotiate the standards for such submissions. Other aspects of the policy were developed in consultation with the Attorney General's Office and experts in federal Indian law.

In the fall of 2000, Economic Services Administration is holding an extensive series of meetings with stakeholders and interested parties regarding TANF time limits.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Maura Donoghue, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, (360) 413-3214, fax (360) 413-3493, e-mail donogmk@dshs.wa.gov.

September 1, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 00-18-056
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed September 1, 2000, 11:11 a.m.]

Subject of Possible Rule Making: Chapter 388-529 WAC, Scope of medical services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.08.090, 74.09.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule lists the medical services available to clients under the various medical programs that the department administers. This rule is being amended to bring it up to date with the current services and programs that are available to clients now.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kevin Sullivan, Rules Coordinator, Medical Assistance Administration, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344, TTY 1-800-848-5429, fax (360) 586-9727, e-mail sullikm@dshs.wa.gov.

September 1, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 00-18-071
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed September 1, 2000, 1:39 p.m.]

Subject of Possible Rule Making: Amend WAC 308-08-085 as it relates to due process and proceeding before an administrative law judge.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: There is a conflict between the Department of Licensing's (DOL) WAC 308-08-085 Requests for adjudicative proceedings, and the Office of Administrative Hearing's (OAH) model rules of procedure under WAC 10-08-110. Under OAH WAC 10-08-110 (2)(c), service by mail is regarded complete upon deposit in the United States mail. However, under DOL WAC 308-08-085 (2)(a), gives a respondent twenty calendar days from receipt of a written notice. DOL is amending WAC 308-08-085 to bring it in agreement with OAH rules to avoid any conflict between the two WACs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of Administrative Hearings - working with the Office of the Attorney General.

Process for Developing New Rule: Agency study.
Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may comment by mail, fax, or phone to Nancy L. Varnum, Management Analyst, Business and Professions Division, P.O. Box 9034, Olympia, WA 98507-9034, phone (360) 664-1442, fax (360) 586-1596.

August 31, 2000

Alan E. Rathbun

Assistant Director

Business and Professions Division

WSR 00-18-076
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed September 1, 2000, 3:31 p.m.]

Subject of Possible Rule Making: Game management units and boundary descriptions; private lands wildlife management areas; big game and turkey auction permits and raffles; black bear special permit seasons and quotas; mandatory hunting activity reporting for deer, elk, bear and turkey; small game seasons and official hunting hours.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Maximize public recreational opportunity without impairing wildlife populations.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dave Brittell, Assistant Director, Wildlife Program, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2504. Contact by October 13, 2000, rule proposal filing expected to be November 1, 2000.

September 1, 2000

Evan Jacoby

Rules Coordinator

WSR 00-18-084
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed September 5, 2000, 11:02 a.m.]

Subject of Possible Rule Making: Commercial fishing rules.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Puget Sound commercial bottom fish fishery continues to require aggressive man-

agement. The department will be proposing rules that will affect commercial fisheries, particularly the dogfish and hering fisheries.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lew Atkins, Fish Program, Assistant Director, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2651. Contact by October 19, 2000, expected proposal filing November 1, 2000.

September 5, 2000

Evan Jacoby

Rules Coordinator

WSR 00-18-085

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF FISH AND WILDLIFE

[Filed September 5, 2000, 11:04 a.m.]

Subject of Possible Rule Making: Commercial fishing rules.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Commercial octopus are currently taken in both a directed, octopus pot, fishery and as by-catch in various other fisheries, particularly trawl. The majority of landings occur as by-catch. The directed fishery has its own by-catch, and results in the capture of unauthorized species, as well as causing problems for gear usage enforcement. Rules will be proposed to eliminate the directed fishery, which will have little effect on the actual landings of octopus.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lew Atkins, Fish Program, Assistant Director, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2651. Contact by October 19, 2000, expected proposal filing November 1, 2000.

September 5, 2000

Evan Jacoby

Rules Coordinator

WSR 00-18-096

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF REVENUE

[Filed September 5, 2000, 2:53 p.m.]

Subject of Possible Rule Making: WAC 458-40-660 Timber excise tax—Stumpage value tables.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.330 and 84.33.096.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The law (RCW 84.33.091) requires that the stumpage value tables be revised every six months. The stumpage values are established by the department so that timber harvesters are apprised of the timber values on which the timber excise tax is calculated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington State Department of Natural Resources both regulate forest practices, they are not involved in valuation for purposes of taxation. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but there should be no need to involve them in the valuation revisions provided in this rule.

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments should be submitted by the public meeting date to ensure full consideration, but will be accepted **if they are received two weeks before the date of adoption. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting or later public hearing. A draft of the amended rule may be obtained after October 15, 2000, upon request.** Written comments or requests for the draft rule may be directed to Ed Ratcliffe, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6126, fax (360) 664-0693.

Location and Date of Public Meeting: Department of Revenue, Conference Room, Target Place Building No. 4, 2735 Harrison Avenue N.W., Olympia, WA, on October 16, 2000, at 10 a.m.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date TDD 1-800-451-7985 or (360) 570-6176.

September 5, 2000

Claire Hesselholt

Rules Manager

Legislation and Policy

WSR 00-18-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed September 5, 2000, 4:55 p.m.]

Subject of Possible Rule Making: Commercial fishing rules.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules may be necessary to refine commercial catch reporting in the salmon industry, including retention of commercially caught fish for personal use. These rules will assist in managing the coastal and Puget Sound salmon fisheries. Additionally, there is a need for redefining lawful salmon gear, particularly the bunt size in purse seines. This definition will provide flexibility in gear usage, while providing protection to salmon stocks by disallowing small mesh gear in the body of the net.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lew Atkins, Fish Program, Assistant Director, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2651. Contact by October 19, 2000, expected proposal filing November 1, 2000.

September 5, 2000

Evan Jacoby

Rules Coordinator

WSR 00-18-101
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed September 6, 2000, 8:28 a.m.]

Subject of Possible Rule Making: Rules relating to quarantine of grapevines and other plant/nursery stock to prevent establishment of glassy-winged sharpshooter.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 17.24 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Glassy-winged sharpshooter is an exotic pest insect that transmits Pierce's disease to grapevines. Pierce's disease is a bacterial disease of grapevines not known to occur in Washington state. Pierce's disease could have a potentially devastating effect on Washington's grape crop and associated industries. Despite a large federal and state control effort, glassy-winged sharpshooter has recently become established in southern California and is moving north. Very recently two detections occurred in Oregon, and the Oregon Department of Agriculture initiated an emergency quarantine on incoming nursery stock from infested states. Exclusion of glassy-winged sharpshooter

through quarantine rules may be the only way to prevent Pierce's disease in this state.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA APHIS administers federal quarantine rules regarding international and domestic movement of exotic pests. However, as a practical matter USDA leaves the administration of interstate quarantine activities to state programs. Copies of any proposed rules will be distributed for review to affected states.

Process for Developing New Rule: Washington State Department of Agriculture representatives discuss the issue and any rules proposals with industry groups, other stakeholders, and affected government agencies and then publish the rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tom Wessels, Plant Services Program Manager, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094; or Mary Toohey, Assistant Director, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094.

September 6, 2000

Mary A. Martin Toohey

Assistant Director

WSR 00-18-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed September 6, 2000, 8:29 a.m.]

Subject of Possible Rule Making: Amendment of existing rules for grape virus quarantine in chapter 16-483 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 17.24, 15.13 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Sophisticated new methods of testing have found one of the viruses currently addressed in the rule (the disease, stem pitting) in certified planting stock from California, which has historically supplied significant portions of the planting stock for Washington vineyards. Unless the rule is changed, grower access to this important source of stock may be stopped. Information about the prevalence of stem pitting already present in this state is currently being developed. It may be necessary to change the rule to bring it into compliance with nationally accepted principles of plant quarantine and NAPPO standards. It may also be necessary to change the rule to bring it into compliance with current industry and program practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA APHIS administers federal quarantine rules regarding international and domestic movement of plant diseases. However, as a practical matter USDA leaves the administration of interstate quarantine activities to state pro-

grams. Copies of any proposed rules will be distributed for review to affected states.

Process for Developing New Rule: Washington State Department of Agriculture representatives discuss the issue and any rules proposals with industry groups, other stakeholders, and affected government agencies and then publish the rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tom Wessels, Plant Services Program Manager, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094; or Mary Toohey, Assistant Director, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094.

September 6, 2000
Mary A. Martin Toohey
Assistant Director

WSR 00-18-106

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 00-23—Filed September 6, 2000, 10:26 a.m.]

Subject of Possible Rule Making: The Department of Ecology (ecology) is proposing to first repeal chapter 317-21 WAC and later adopt new rules consistent with the holding of the United States Supreme Court in *U.S. v. Locke, et al.*, U.S., 120 S.Ct. 1135 (2000). The Supreme Court held in *Locke* that states may regulate tank vessels only where the regulations are based on peculiarities of local waters that call for special precautionary measures.

Ecology intends to repeal chapter 317-21 WAC because most provisions do not address peculiarities of Washington waters. New rules for tank vessels are being considered to meet the mandate of RCW 88.46.040 which requires the best achievable protection from harm caused by oil spills to water. Before adopting rules, ecology must answer the following questions:

1. Which peculiarities of Washington waters should be addressed by state regulation?
2. What measures address the peculiarity of the waters?
3. Do potential measures affect vessel operations outside state waters?
4. Do potential measures require adjustment of systemic aspects of a vessel?
5. Do potential measures impose a substantial burden on vessel operations?
6. What is the risk of innocent noncompliance?
7. Has the United States Coast Guard determined that potential measures are unnecessary or inappropriate?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 88.40.020, 88.46.040, 90.56.030, and 90.56.350.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology received three peti-

tions for rule making on July 19, 20 and 24, respectively. Taken in combination, the petitions request repeal of chapter 317-21 WAC because the provisions conflict with the holding of the Supreme Court in *U.S. v. Locke, et al.* Under RCW 34.05.330, ecology must respond within sixty days of receipt by either denying the petitions or initiating rule making. Ecology determined that the petitions made valid requests for rule making and have initiated this rule making in response.

At the same time, RCW 88.46.040 requires ecology to develop rules for tank vessels that provide the best achievable protection of Washington's waters from harm caused by oil spills. Following repeal of chapter 317-21 WAC, ecology will begin a rule-making process aimed at accomplishing the requirement of RCW 88.46.040 within the guidelines provided by the United States Supreme Court.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: To meet the standards established by the United States Supreme Court, ecology must work with the United States Coast Guard to determine whether a measure ecology may implement either acts in an area of regulation reserved to the Coast Guard, or is a measure that Coast Guard has determined to be unnecessary or inappropriate. As rule making progresses, the Coast Guard will be consulted on each peculiarity and measure identified.

Process for Developing New Rule: Ecology will implement this rule making in two phases. The first phase will be repeal of chapter 317-21 WAC. The second phase will be a more involved process to identify waterways, peculiarities and measures to address those peculiarities. For the second phase, information will be solicited from Washington's maritime community and the public through questionnaires and informational meetings. This information will be used to identify peculiarities of specific waterways, and measures to address those peculiarities. Once identified, public workshops will be held to review the problems identified and mitigation measures proposed. Throughout this process, ecology will closely consult with appropriate Coast Guard offices.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Information and comments on the questions posed by this preproposal statement of inquiry, or requests to be placed on the mailing list for this rule making may be submitted to Jeff Fishel, Department of Ecology, Spill Prevention, Preparedness, and Response Program, P.O. Box 47600, Olympia, WA 98504-7600, e-mail jfis461@ecy.wa.gov.

September 5, 2000

Joe Stohr

Program Manager

WSR 00-18-110

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

(Medical Assistance Administration)
[Filed September 6, 2000, 11:33 a.m.]

Subject of Possible Rule Making: Medical Assistance Administration (MAA) is planning to amend WAC 388-502-0160 Billing a client. This rule describes when/how a provider may bill a client for services, equipment or supplies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This amendment is needed to clarify parts of WAC 388-502-0160, which was recently adopted (effective August 5, 2000).

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Leslie Saeger, Regulatory Improvement Manager, Medical Assistance Administration, Olympia, WA 98504-5530, phone (360) 725-1347, fax (360) 586-9727, TTY 1-800-848-5429, e-mail saegell@dshs.wa.gov.

September 6, 2000
Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 00-18-112

**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed September 6, 2000, 11:48 a.m.]

The Department of Health would like to withdraw the following notice of inquiry (CR-101). The Nursing Care Quality Assurance Commission voted on July 13, 2000, to discontinue any further efforts to write a rule on this topic.

WAC Number	WSR Number	WSR Date	Subject
WAC 246-840-xxx	99-09-098	4/21/99	Defining when alcohol in the system rises to the level of unprofessional conduct.

If you have any questions, please telephone Michelle Davis at (360) 236-4044.

Nancy Ellison
for Mary Selecky
Secretary

WSR 00-18-113

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed September 6, 2000, 11:50 a.m.]

Subject of Possible Rule Making: On August 29, 2000, the governor issued Executive Order 00-04, which requires the department to work with the Health Care Authority to establish a Washington senior discount prescription drug project.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.020(5), 43.70.040, 43.70.060, 43.70.070, 43.70.130, 41.05.021, 41.05.006, and 41.05.021(c).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules on this subject will enable individuals who are fifty-five years of age or older to obtain discounted prescription drugs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no state or federal regulations for this type of program.

Process for Developing New Rule: The department will work with the Health Care Authority and interested individuals to develop rules to implement the prescription drug program.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michelle Davis, Regulatory Affairs Manager, (360) 236-4044, e-mail michelle.davis@doh.wa.gov, Office of the Secretary, P.O. Box 47890, Olympia, WA 98504-7890; or Patti Rathbun, Policy Development Coordinator, (360) 236-4627, e-mail patti.rathbun@doh.wa.gov, Office of the Secretary, P.O. Box 47879, Olympia, WA 98504-7879; fax (360) 586-7424.

September 6, 2000
Nancy Ellison
Deputy
for Mary Selecky
Secretary

PREPROPOSAL



WSR 00-18-030
EXPEDITED REPEAL
DEPARTMENT OF AGRICULTURE

[Filed August 29, 2000, 3:39 p.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 16-228-1385 Special restrictions on the use of Compounds 1080, 1081 and phosphorus paste.

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

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

Address Your Objection to: Ann Wick, Washington State Department of Agriculture, P.O. Box 42589, Olympia, WA 98504-2589, (360) 902-2051.

Reason the Expedited Repeal of the Rule is Appropriate: All pesticide uses of 1080, 1081 and phosphorus paste except for toxic collars, have been cancelled by the federal government (Environmental Protection Agency). Therefore, rules governing the use of these products for rodent control are no longer needed.

August 28, 2000

Ann Wick

Acting Assistant Director

WSR 00-18-083
EXPEDITED REPEAL
DEPARTMENT OF ECOLOGY

[Order 00-22—Filed September 5, 2000, 10:48 a.m.]

The Following Sections are Proposed for Expedited Repeal: WAC 173-09-010 Authority and purpose, 173-09-020 Definitions, 173-09-030 Designation of a coordinating permit agency, and 173-09-040 Brief adjudicative proceedings—Expedited appeal of coordinated permit process timelines.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Statute on which the rule was based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

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

Address Your Objection to: Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

Reason the Expedited Repeal of the Rule is Appropriate: Chapter 173-09 WAC necessitates repeal because the state statute on which chapter 173-09 WAC was based (i.e., chapter 90.60 RCW, Environmental Permit Assistance Act) was repealed June 30, 2000, per the provisions of RCW 43.131.388.

September 1, 2000

Gordon White

Program Manager, Shorelands and
Environmental Assistance Program

EXPEDITED REPEAL



WSR 00-16-114
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed August 2, 2000, 9:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-06-039.

Title of Rule: Chapter 388-14A WAC, Division of Child Support rules.

PART A - GENERAL INFORMATION ABOUT THE DIVISION OF CHILD SUPPORT, WAC 388-14A-1000 The Division of Child Support is the Title IV-D child support enforcement agency for the state of Washington, 388-14A-1005 What is Washington's state plan under Title IV-D?, 388-14A-1010 What are the other names that the Division of Child Support has used?, 388-14A-1015 What laws apply to the Division of Child Support?, 388-14A-1020 What definitions apply to the rules regarding child support enforcement?, 388-14A-1025 What are the responsibilities of the Division of Child Support?, 388-14A-1030 What kinds of services can the Division of Child Support provide?, 388-14A-1035 What kinds of locate services does the Division of Child Support provide?, 388-14A-1040 What must a request for locate services contain?, 388-14A-1045 How does the Division of Child Support handle a request for locate services?, 388-14A-1050 The Division of Child Support cooperates with other states for support enforcement purposes, 388-14A-1055 Can the Division of Child Support collect support owed or assigned to another state?, and 388-14A-1060 The Division of Child Support cooperates with courts and law enforcement.

PART B - BASIC RULES FOR CHILD SUPPORT CASES, WAC 388-14A-2000 Who can receive child support enforcement services from the division of child support?, 388-14A-2005 Does an application for public assistance automatically become an application for support enforcement services?, 388-14A-2010 Can I apply for support enforcement services if I do not receive public assistance?, 388-14A-2015 Do I have to be a resident of Washington state to apply for DCS services?, 388-14A-2020 What happens if the division of child support denies my application for support enforcement services?, 388-14A-2025 What services does the Division of Child Support provide for a nonassistance support enforcement case?, 388-14A-2030 Do I assign my rights to support when I apply for child support enforcement services?, 388-14A-2035 Do I assign my rights to support when I receive public assistance?, 388-14A-2036 What does assigning my rights to support mean?, 388-14A-2037 What are permanently assigned arrears?, 388-14A-2038 What are temporarily assigned arrears?, 388-14A-2040 Do I have to cooperate with the Division of Child Support in establishing or enforcing child support?, 388-14A-2041 What happens if I don't cooperate with DCS?, 388-14A-2045 What can I do if I fear that cooperating with the division of child support will be harmful to me or to my children?, 388-14A-2050 Who decides if I have good cause not to cooperate?, 388-14A-2060 Are there different kinds of good cause?, 388-14A-2065

Does the Division of Child Support provide support enforcement services if the CSO determines I have "Good Cause Level A"?, 388-14A-2070 Does the Division of Child Support provide support enforcement services if the CSO determines I have "Good Cause Level B"?, 388-14A-2075 What happens if the Division of Child Support determines that I am not cooperating?, 388-14A-2080 Once a support enforcement case is opened, under what circumstances can it be closed?, 388-14A-2085 Under what circumstances may DCS deny a request to close a support enforcement case?, 388-14A-2090 Who is mailed notice of DCS' intent to close a case?, 388-14A-2095 What if I don't agree with the case closure notice?, 388-14A-2091 What happens to payments that come in after a case is closed?, 388-14A-2099 When does DCS file a satisfaction of judgment with the superior court?, 388-14A-2105 Does the Division of Child Support keep information about me confidential?, 388-14A-2110 How do I find out the address of my children, or the other parent of my children?, 388-14A-2115 What are the requirements for making an address disclosure request?, 388-14A-2120 What happens at a hearing on an objection to disclosure of my address?, 388-14A-2125 How do I give DCS permission to give my address to the other parent without going through the notice procedures of WAC 388-14A-2115?, 388-14A-2150 How much does it cost to get copies of DCS records?, 388-14A-2155 Can I appeal a denial of public disclosure by the Division of Child Support?, and 388-14A-2160 If my information is confidential, can DCS report me to a credit bureau?

PART C - HOW THE DIVISION OF CHILD SUPPORT DECIDES HOW MUCH CHILD SUPPORT SOMEONE SHOULD PAY, (NOTE: The rules for establishing administrative support orders have been filed and will be effective October 1, 2000. They are found in WAC 388-14A-3100, 388-14A-3102, 388-14A-3105, 388-14A-3110, 388-14A-3115, 388-14A-3120, 388-14A-3125, 388-14A-3130, 388-14A-3131, 388-14A-3132, 388-14A-3133, 388-14A-3135, 388-14A-3140, 388-14A-3200, and 388-14A-3205. The rules for establishing temporary administrative support orders were effective May 19, 2000: They are found in WAC 388-14A-3850, 388-14A-3855, 388-14A-3860, 388-14A-3865, 388-14A-3870, and 388-14A-3875. WAC 388-14A-3275 The Division of Child Support may amend a notice at any time before a final administrative order is entered, 388-14A-3300 How does the Division of Child Support require me to make my support payments to the Washington state support registry when my support order says to pay someone else?, 388-14A-3304 The Division of Child Support serves a notice of support debt when it is enforcing a court order or foreign administrative order for support, 388-14A-3310 The Division of Child Support serves a notice of support owed to establish a fixed dollar amount under an existing child support order, 388-14A-3315 When DCS serves a notice of support debt or notice of support owed, we notify the custodial parent and/or the payee under the order, 388-14A-3320 What happens at a hearing on a notice of support debt or notice of support owed?, 388-14A-3350 Are there any limits on how much back support the Division of Child Support can seek to establish?, 388-14A-3370 What defenses to liability are available to a noncustodial parent when DCS seeks to enforce a support obligation?, 388-14A-3375 What kinds of credits does the

Division of Child Support give when establishing or enforcing an administrative support order?, 388-14A-3400 Are there limitations on how much of my income is available for child support?, 388-14A-3500 A person must show good cause for filing a late request for hearing on a support notice, 388-14A-3600 The parties may resolve any child support case by entering a consent order or an agreed settlement, 388-14A-3700 When is it appropriate to vacate a default order?, 388-14A-3800 Once a support order is entered, can it be changed?, 388-14A-3810 Once a child support order is entered how long does the support obligation last?, 388-14A-3900 Can DCS review my support order to see if it should be modified?, and 388-14A-3925 How do I modify my administrative support order?

PART D - HOW WE ENFORCE CHILD SUPPORT OBLIGATIONS, WAC 388-14A-4000 When can the Division of Child Support take collection action against a noncustodial parent?, 388-14A-4010 Can I make the Division of Child Support stop collection action against me?, 388-14A-4020 What collection tools does the Division of Child Support use?, 388-14A-4030 How can the Division of Child Support collect child support from my wages or other income source?, 388-14A-4040 DCS can serve some collection actions by electronic service, 388-14A-4100 Can the Division of Child Support make me provide health insurance for my children?, 388-14A-4110 If my support order requires me to provide health insurance for my children, what do I have to do?, 388-14A-4115 Can my support order reduce my support obligation if I pay for health insurance?, 388-14A-4120 DCS serves a notice of enrollment to enforce an obligation to provide health insurance coverage, 388-14A-4130 What must an employer or union who receives a notice of enrollment do?, 388-14A-4200 Do I get credit for dependent disability payments paid on my behalf to my children?, 388-14A-4300 What can I do if I think I'm paying more than the custodial parent is spending for daycare for my child?, 388-14A-4500 What is the Division of Child Support's license suspension program?, 388-14A-4505 The notice of noncompliance and intent to suspend licenses, 388-14A-4510 Who is subject to the DCS license suspension program?, 388-14A-4515 How do I avoid having my license suspended for failure to pay child support?, 388-14A-4520 Signing a repayment agreement will avoid certification for noncompliance, 388-14A-4525 How to obtain a release of certification for noncompliance, 388-14A-4530 Administrative hearings regarding license suspension are limited in scope, 388-14A-4600 What is the division of child support's DCS most wanted internet site?, 388-14A-4605 Whose picture can go on the Division of Child Support's DCS most wanted internet site?, 388-14A-4610 How does a noncustodial parent avoid being posted on the DCS most wanted internet site?, 388-14A-4615 When does DCS remove a noncustodial parent from the DCS most wanted internet site?, and 388-14A-4620 What information does the Division of Child Support post to the DCS most wanted internet site?

PART E - DISTRIBUTION OF CHILD SUPPORT PAYMENTS, WAC 388-14A-5000 How does the Division of Child Support distribute support payments?, 388-14A-5050 When does DCS send a notice of intent to distribute support money?, 388-14A-5100 What kind of distribution notice does the

Division of Child Support send?, 388-14A-5200 What is a "total versus total" notice?, 388-14A-5300 How does the Division of Child Support recover a support payment which has already been distributed?, 388-14A-5400 How does the Division of Child Support tell the custodial parent when they adjust the amount of debt owed on the case?, 388-14A-5500 How does the Division of Child Support collect support debts owed by someone other than a noncustodial parent?, 388-14A-5505 DCS uses a notice of retained support debt to claim a debt owed by a custodial parent, 388-14A-5510 How does DCS serve a notice of retained support debt?, 388-14A-5515 What happens if I don't respond to a notice of retained support debt or request a hearing?, 388-14A-5520 What happens if I make a timely objection to a notice of retained support debt?, 388-14A-5525 What happens at the hearing on a notice of retained support debt?, 388-14A-5530 Can I request a late hearing on a notice of retained support debt?, 388-14A-5535 How does DCS collect a debt established on a notice of retained support debt?, and 388-14A-5540 Can I just acknowledge that I owe money to the Division of Child Support?

PART F - HEARINGS AND CONFERENCE BOARDS, WAC 388-14A-6000 Which statutes and regulations govern the Division of Child Support's hearing process?, 388-14A-6100 The Division of Child Support accepts oral requests for hearing or conference board, 388-14-6200 What are my hearing rights when the Division of Child Support takes collection action against my bank account?, 388-14A-6300 Duty of the administrative law judge in a hearing to determine the amount of a support obligation, 388-14A-6400 The Division of Child Support's grievance and dispute resolution method is called a conference board, 388-14A-6405 How to apply for a conference board, 388-14A-6410 Explanation of the conference board process, 388-14A-6415 Scope of authority of conference board chair defined, and 388-14A-6500 Can I use equitable estoppel as a defense in a hearing with the Division of Child Support?

PART G - INTERSTATE ISSUES, WAC 388-14A-7100 An order from another state may be registered in Washington for enforcement or modification, and 388-14A-7200 DCS can serve notices in another state under the Uniform Interstate Family Support Act.

PART H - MISCELLANEOUS PROVISIONS, WAC 388-14A-8100 Are there special rules for setting child support for children in foster care?, 388-14A-8105 Does the cost of care affect how much child support I pay when my child is in foster care?, 388-14A-8110 What happens to the money if current support is higher than the cost of care?, 388-14A-8120 Are there special rules for collection in foster care cases?, 388-14A-8200 All Washington employers must report new hires to the Washington state support registry, 388-14A-8300 Who pays for genetic testing when paternity is an issue?, 388-14A-8400 Does the Division of Child Support have the right to approve my child support order before the court enters it?, and 388-14A-8500 Can the Division of Child Support issue subpoenas?

Purpose: The Division of Child Support has reviewed its existing rules under the Governor's Executive Order 97-02; has repealed chapters 388-11, 388-13, and 388-14 WAC and replaced them with chapter 388-14A WAC.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The Division of Child Support has reviewed all the rules in chapters 388-11, 388-13, and 388-14 WAC under the Governor's Executive Order 97-02. As part of the review, DCS intends to repeal those rules which are no longer needed, revise those which need to be revised for clarity and usability, and establish a new chapter of the WAC, chapter 388-14A WAC, which will put all of the rules relating to the Division of Child Support into one chapter. This will entail repealing the entirety of chapters 388-11, 388-13, and 388-14 WAC. Certain of DCS's rules have been adopted under Executive Order 97-02 and will be renumbered but not otherwise revised. Shown above is a list of rules indicating which rules are being repealed, and a list of the new rules in chapter 388-14A WAC.

Reasons Supporting Proposal: Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Rules Coordinator, P.O. Box 9162, Olympia, WA 98507, (360) 664-5065.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment gathers together in one chapter all the rules for the Washington state child support enforcement program.

Proposal Changes the Following Existing Rules: Repeals existing chapters 388-11, 388-13, and 388-14 WAC and replaces them with new chapter 388-14A WAC.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change does not meet the requirements for a small business economic impact statement.

RCW 34.05.328 applies to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that only [apply] to client medical or financial eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper by October 2, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail CoopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6187, by October 10, 2000.

Date of Intended Adoption: October 11, 2000.

July 28, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

PART A - GENERAL INFORMATION ABOUT THE DIVISION OF CHILD SUPPORT

NEW SECTION

WAC 388-14A-1000 The division of child support is the Title IV-D child support enforcement agency for the state of Washington. (1) The division of child support (DCS) is the part of the department of social and health services that provides support enforcement services for the state of Washington under Title IV-D of the federal Social Security Act. DCS acts as the Washington state support registry (WSSR) under chapter 26.23 RCW.

(2) If your support order requires you to make payments to DCS or to WSSR, you should send payments to: WSSR, PO Box 45868, Olympia WA 98504-5868.

(3) If you want to call DCS, you can call 1-800-442-KIDS, or call the local DCS field office.

(4) If you want to write to DCS, you can write to the local DCS field office or to P.O. Box 9162, Olympia WA 98507-9162.

(5) DCS is responsible for the state-wide administration of wage withholding under Title IV-D.

NEW SECTION

WAC 388-14A-1005 What is Washington's state plan under Title IV-D? (1) The division of child support (DCS), on behalf of the department of social and health services of the state of Washington, establishes the following provisions as the state plan ("the plan") for its child support enforcement program. This plan is authorized by Title IV-D of the Social Security Act and chapters 74.20 and 74.20A RCW. This plan covers the entire state of Washington.

(2) DCS is the designated organizational unit within the state of Washington to administer the plan.

(3) DCS is the agency referred to in federal law as "the Title IV-D agency," and performs all duties assigned to the Title IV-D agency.

(4) DCS enters into contracts for support enforcement and related services with:

- (a) Other state agencies;
- (b) Other states or foreign countries for action under the Uniform Interstate Family Support Act (UIFSA) and other laws to enforce or collect child support, locate noncustodial parents, or establish paternity. These contracts may include procedures for:
 - (i) Making referrals;
 - (ii) Assigning debts;
 - (iii) Reporting actions and activities; and
 - (iv) Coordination of activities under and ensuring compliance with UIFSA.
- (c) Private parties;
- (d) The secretary of the Department of Health and Human Services to refer and certify cases:
 - (i) To the federal parent locator service (FPLS);
 - (ii) To the secretary of the treasury for action to collect support debts; and

PROPOSED

(iii) For action to enforce support debts in the United States district courts.

(5) DCS manages the Title IV-D plan for the state of Washington and:

(a) Oversees all activities under the plan to ensure the program meets the standards for an efficient and effective program;

(b) Evaluates the quality and scope of services provided under the plan;

(c) Ensures that federal and state requirements for records management, accounting and fiscal control are met;

(d) Provides all services under the plan in appropriate cases, including action to locate parents, to establish paternity, and to establish, enforce and collect child support; and

(e) Assures that referrals and other communications with the Title IV-A agency (which operates the public assistance program) meet the requirements of the Title IV-D and Title IV-A state plans.

NEW SECTION

WAC 388-14A-1010 What are the other names that the division of child support has used? (1) The division of child support (DCS) has been known by the following names:

(a) The office of support enforcement (OSE);

(b) The state's Title IV-D agency; and

(c) The support enforcement division (SED);

(2) Some statutes and forms use one of these other names, but they all mean the division of child support.

NEW SECTION

WAC 388-14A-1015 What laws apply to the division of child support? (1) The division of child support (DCS) is subject to both state and federal law, mainly:

(a) Title IV-D of the Social Security Act sets out the federal requirements for a state's support enforcement program.

(b) Title 45 of the Code of Federal Regulations contains the federal regulations regarding support enforcement programs.

(c) Chapter 26.23 RCW establishes the Washington state support enforcement program.

(2) The main state statutes governing DCS are found in Title 26 RCW and chapters 74.20 and 74.20A RCW.

(3) The Washington Administrative Code (WAC) contains the state regulations regarding the Washington state support enforcement program.

NEW SECTION

WAC 388-14A-1020 What definitions apply to the rules regarding child support enforcement? For purposes of this chapter, the following definitions apply:

"**Absent parent**" is a term used for a noncustodial parent.

"**Accrued debt**" means past-due child support which has not been paid.

"**Administrative order**" means a determination, finding, decree or order for support issued under RCW

74.20A.055 or 74.20A.056 or by another state's agency under an administrative process, establishing the existence of a support obligation (including medical support) and order the payment of a set or determinable amount of support for current support and/or a support debt. Administrative orders include:

(1) An order entered under chapter 34.05 RCW;

(2) An agreed settlement or consent order entered under WAC 388-14A-3600; and

(3) A support establishment notice which has become final by operation of law.

"**Agency**" means the Title IV-D provider of a state, in Washington, this is DCS.

"**Agreed settlement**" is an administrative order developed by the agreement of the noncustodial parent, the custodial parent and the division of child support which does not require the approval of an administrative law judge.

"**Aid**" or "**public assistance**" means cash assistance under the temporary assistance for needy families (TANF) program, federally-funded or state-funded foster care, and includes day care benefits and medical benefits provided to families as an alternative or supplement to TANF.

"**Applicant/custodian**" means a person who applies for public assistance on behalf of a child or children residing in their household.

"**Applicant/recipient**," "**applicant**," and "**recipient**" means a person who receives public assistance on behalf of a child or children residing in their household.

"**Arrears**" means debt amount owed for a period of time before the current month.

"**Assistance**" means cash assistance under the state program funded under Title IV-A of the federal Social Security Act.

"**Birth costs**" means medical expenses incurred by the custodial parent or the state for the birth of a child.

"**Conference board**" means a method used by the division of child support for the resolution of complaints regarding DCS cases and for granting exceptional or extraordinary relief from debt.

"**Consent order**" means a support order developed by the agreement of the noncustodial parent, the custodial parent and the division of child support which requires the approval of an administrative law judge.

"**Current support**" or "**current and future support**" means the amount of child support which is owed for each month.

"**Custodial parent**" means the person, whether a parent or nonparent, with whom a dependent child resides the majority of the time period for which the division of child support seeks to establish a support obligation.

"**Date the state assumes responsibility for the support of a dependent child on whose behalf support is sought**" means the date that the temporary assistance for needy families program grant is effective. For purposes of this chapter, the state remains responsible for the support of a dependent child until public assistance terminates, or support enforcement services end, whichever occurs later.

"Delinquency" means failure to pay current child support when due.

"Department" means the Washington state department of social and health services.

"Dependent child" means a person:

(1) Seventeen years of age or younger who is not self-supporting, married, or a member of the united states armed forces;

(2) Eighteen years of age or older for whom a court order requires support payments past age eighteen;

(3) Eighteen years of age or older, but under nineteen years of age, for whom an administrative support order exists if the child is:

(a) A full-time student; and

(b) Reasonably expected to complete secondary school or the equivalent level of vocational or technical training before the end of the month in which the child turns nineteen.

"Disposable earnings" means the amount of earnings remaining after the deduction of amounts required by law to be withheld.

"Earnings" means compensation paid or payable for personal service. Earnings include:

(1) Wages or salary;

(2) Commissions and bonuses;

(3) Periodic payments under pension plans, retirement programs, and insurance policies of any type;

(4) Disability payments under Title 51 RCW;

(5) Unemployment compensation under RCW 50.40.-020, 50.40.050 and Title 74 RCW;

(6) Gains from capital, labor, or a combination of the two; and

(7) The fair value of nonmonetary compensation received in exchange for personal services.

"Employee" means a person to whom an employer is paying, owes, or anticipates paying earnings in exchange for services performed for the employer.

"Employer" means any person or organization having an employment relationship with any person. This includes:

(1) Partnerships and associations;

(2) Trusts and estates;

(3) Joint stock companies and insurance companies;

(4) Domestic and foreign corporations;

(5) The receiver or trustee in bankruptcy; and

(6) The trustee or legal representative of a deceased person.

"Employment" means personal services of whatever nature, including service in interstate commerce, performed for earnings or under any contract for personal services. Such a contract may be written or oral, express or implied.

"Family" means the person or persons on whose behalf support is sought, which may include a custodial parent and one or more children, or a child or children in foster care placement. The family is sometimes called the assistance unit.

"Family member" means the caretaker relative, the child(ren), and any other person whose needs are considered in determining eligibility for assistance.

"Foster care case" means a case referred to the Title IV-D agency by the Title IV-E agency or the state division of child and family services.

"Fraud," for the purposes of vacating an agreed settlement or consent order, means:

(1) The representation of the existence or the nonexistence of a fact;

(2) The representation's materiality;

(3) The representation's falsity;

(4) The speaker's knowledge that the representation is false;

(5) The speaker's intent that the representation should be acted on by the person to whom it is made;

(6) Ignorance of the falsity on the part of the person to whom it is made;

(7) The latter's:

(a) Reliance on the truth of the representation;

(b) Right to rely on it; and

(c) Subsequent damage.

"Good cause" for the purposes of late hearing requests and petitions to vacate orders on default means a substantial reason or legal justification for delay, including but not limited to the grounds enumerated in civil rule 60. The time periods used in civil rule 60 apply to good cause determinations in this chapter.

"Head of household" means the parent or parents with whom the dependent child or children were residing at the time of placement in foster care.

"Health care costs":

(1) For the purpose of establishing support obligations under RCW 74.20A.055 and 74.20A.056, means medical, dental and optometrical expenses; and,

(2) For the purpose of enforcement action under chapters 26.23, 74.20 and 74.20A RCW, including the notice of support debt and the notice of support owed, means medical, dental and optometrical costs stated as a fixed dollar amount by a support order.

"Hearing" means an adjudicative proceeding authorized by this chapter, or chapters 26.23, 74.20 and 74.20A RCW, conducted under chapter 388-02 WAC and chapter 34.05 RCW.

"I/Me" means the person asking the question which appears as the title of a rule.

"Income includes":

(1) All gains in real or personal property;

(2) Net proceeds from the sale or exchange of real or personal property;

(3) Earnings;

(4) Interest and dividends;

(5) Proceeds of insurance policies;

(6) Other periodic entitlement to money from any source; and

(7) Any other property subject to withholding for support under the laws of this state.

"Income withholding action" includes all withholding actions which DCS is authorized to take, and includes but is not limited to:

(1) Assert liens under RCW 74.20A.060;

(2) Serve and enforce liens under chapter 74.20A RCW;

(3) Issue orders to withhold and deliver under chapter 74.20A RCW;

(4) Notices of payroll deduction under chapter 26.23 RCW; and

(5) Obtain wage assignment orders under RCW 26.18.080.

"**Locate**" can mean efforts to obtain service of a support establishment notice in the manner prescribed by WAC 388-14A-3105.

"**Medical support**" means either or both:

(1) Health care costs stated as a fixed dollar amount in a support order; and

(2) Health insurance coverage for a dependent child.

"**Noncustodial parent**" means the natural parent, adoptive parent, responsible stepparent or person who signed and filed an affidavit acknowledging paternity, from whom the state seeks support for a dependent child. Also called the NCP. A parent is considered to be an NCP when for the majority of the time during the period for which support is sought, the child resided somewhere other than with that parent.

"**Other ordinary expense**" means an expense incurred by a parent which:

(1) Directly benefits the dependent child; and

(2) Relates to the parent's residential time or visitation with the child.

"**Past support**" means support arrears.

"**Paternity testing**" means blood testing or genetic tests of blood, tissue or bodily fluids. This is also called genetic testing.

"**Payment services only**" or "**PSO**" means a case on which the division of child support's activities are limited to recording and distributing child support payments, and maintaining case records. A PSO case is not a IV-D case.

"**Permanently assigned arrearages**" means those arrearages which must be collected and retained by the state up to the amount of unreimbursed assistance.

"**Physical custodian**" means custodial parent, also called the CP.

"**Putative father**" includes all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services is made.

"**Reasonable efforts to locate**" means any of the following actions performed by the division of child support:

(1) Mailing a support establishment notice to the noncustodial parent in the manner described in WAC 388-14A-3105;

(2) Referral to a sheriff or other server of process, or to a locate service or department employee for locate activities;

(3) Tracing activity such as:

(a) Checking local telephone directories and attempts by telephone or mail to contact the custodial parent, relatives of the noncustodial parent, past or present employers, or the post office;

(b) Contacting state agencies, unions, financial institutions or fraternal organizations;

(c) Periodic searches for identification information recorded by other state agencies, federal agencies, credit bureaus, or other record-keeping agencies or entities; or

(d) Case maintenance in the division of child support's automated locate program.

(4) Referral to the state or federal parent locator service;

(5) Referral to the attorney general, prosecuting attorney, the IV-D agency of another state, or the Department of the Treasury for specific legal or collection action;

(6) Attempts to confirm the existence of and to obtain a copy of a paternity acknowledgment; or

(7) Other actions reasonably calculated to produce information regarding the NCP's whereabouts.

"**Required support obligation for the current month**" means the amount set by a superior court order, tribal court order, or administrative order for support which is due in the month in question.

"**Resident**" means a person physically present in the state of Washington who intends to make their home in this state. A temporary absence from the state does not destroy residency once it is established.

"**Residential care**" means foster care, either state or federally funded.

"**Residential parent**" means the custodial parent (CP), or the person with whom the child resides that majority of the time.

"**Responsible parent**" is a term sometimes used for a noncustodial parent.

"**Responsible stepparent**" means a stepparent who has established an in loco parentis relationship with the dependent child.

"**Secretary**" means the secretary of the department of social and health services or the secretary's designee.

"**State**" means a state or political subdivision, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a federally recognized Indian tribe or a foreign country.

"**Superior court order**" means a judgment, decree or order of a Washington state superior court, or of another state's court of comparable jurisdiction.

"**Support debt**" means support which was due under a support order but has not been paid. This includes:

(1) Delinquent support;

(2) A debt for the payment of expenses for the reasonable or necessary care, support and maintenance including health care costs, birth costs, child care, and special child rearing expenses of a dependent child or other person;

(3) A debt under RCW 74.20A.100 or 74.20A.270; or

(4) Accrued interest, fees, or penalties charged on a support debt, and attorneys' fees and other litigation costs awarded in an action under Title IV-D to establish or enforce a support obligation.

"**Support enforcement services**" means all actions the Title IV-D agency is required to perform under Title IV-D of the Social Security Act and state law.

"**Support establishment notice**" means a notice and finding of financial responsibility under WAC 388-14A-3115, a notice and finding of parental responsibility under

WAC 388-14A-3120, or a notice and finding of medical responsibility under WAC 388-14A-3125.

"Support money" means money paid to satisfy a support obligation, whether it is called child support, spousal support, alimony, maintenance, medical support, or birth costs.

"Support obligation" means the obligation to provide for the necessary care, support and maintenance of a dependent child or other person as required by law, including health insurance coverage, health care costs, birth costs, and child care or special child rearing expenses.

"Temporarily assigned arrearages" means those arrearages which accrue prior to the family receiving assistance, for assistance applications dated on or after October 1, 1997.

"Title IV-D" means Title IV-D of the Social Security Act established under Title XX of the Social Security amendments and as incorporated in Title 42 USC.

"Title IV-D agency" or **"IV-D agency"** means the division of child support, which is the agency responsible for carrying out the Title IV-D plan in the state of Washington. Also refers to the Washington state support registry (WSSR).

"Title IV-D case" is a case in which the division of child support provides services which qualifies for funding under the Title IV-D plan.

"Title IV-D plan" means the plan established under the conditions of Title IV-D and approved by the secretary, Department of Health and Human Services.

"Title IV-E" means Title IV-E of the Social Security Act established under Title XX of the Social Security amendments and as incorporated in Title 42 U.S.C.

"Title IV-E case" means a foster care case

"Tribunal" means a state court, tribal court, administrative agency, or quasi-judicial entity authorized to establish, enforce or modify support orders or to determine parentage.

"Unreimbursed assistance" means the cumulative amount of assistance which was paid to the family and which has not been reimbursed by assigned support collections.

"We" means the division of child support, part of the department of social and health services of the state of Washington.

"You" means the reader of the rules, a member of the public, or a recipient of support enforcement services.

NEW SECTION

WAC 388-14A-1025 What are the responsibilities of the division of child support? (1) The division of child support (DCS) provides support enforcement services when:

- (a) The department of social and health services pays public assistance or provides foster care services;
- (b) A former recipient of public assistance is eligible for services, as provided in WAC 388-14A-2000 (2)(c);
- (c) A custodial parent (CP) or noncustodial parent (NCP) requests nonassistance support enforcement services under RCW 74.20.040 and WAC 388-14A-2000;
- (d) A support order or wage assignment order under chapter 26.18 RCW directs the NCP to make support pay-

ments through the Washington state support registry (WSSR);

(e) A support order under which there is a current support obligation for dependent children is submitted to the WSSR;

(f) a former custodial parent (CP) requests services to collect a support debt accrued under a court or administrative support order while the child(ren) resided with the CP; or

(g) A child support enforcement agency in another state or foreign country requests support enforcement services.

(2) DCS takes action under chapters 26.23 and 74.20A RCW to establish, enforce and collect child support obligations. DCS refers cases to the county prosecuting attorney or attorney general's office when judicial action is required.

(3) DCS does not take action on cases where the community services office (CSO) has granted the CP good cause not to cooperate under WAC 388-422-0020, when the CSO grants "level A good cause." If the CSO grants "level B good cause," DCS proceeds to establish and/or enforce support obligations but does not require the CP to participate. WAC 388-14A-2065 and 388-14A-2070 describe the way DCS handles cases with good cause issues.

(4) DCS establishes, maintains, retains and disposes of case records in accordance with the department's records management and retention policies and procedures adopted under chapter 40.14 RCW.

(5) DCS establishes, maintains, and monitors support payment records.

(6) DCS receives, accounts for and distributes child support payments required under court or administrative orders for support.

(7) DCS files a satisfaction of judgment when we determine that a support obligation is either paid in full or no longer legally enforceable. WAC 388-14A-2099 describes the procedures for filing a satisfaction of judgment. WAC 388-14A-2099(4) describes how DCS determines a support obligation is satisfied or no longer legally enforceable.

NEW SECTION

WAC 388-14A-1030 What kinds of services can the division of child support provide? The services provided by the division of child support include, but are not limited to the following:

- (1) Establishment of administrative child support orders (see WAC 388-14A-3100);
- (2) Enforcement of court orders (see WAC 388-14A-3305 and 388-14A-3310);
- (3) Referral to the prosecuting attorney for establishment of paternity;
- (4) Receiving payments and distributing the payments (see WAC 388-14A-5000);
- (5) Locate services as provided in WAC 388-14A-1035;
- (6) Welfare to work services in conjunction with other parts of DSHS, ESD and private contractors.
- (7) Cooperate with the IV-D agencies of other states (see WAC 388-14A-1060); and
- (8) Any other services allowed by the state plan and applicable state and federal law.

NEW SECTION

WAC 388-14A-1035 What kinds of locate services does the division of child support provide? (1) The division of child support (DCS) maintains a service to locate non-custodial parents, using:

(a) All sources of information and available records in Washington or other states; and

(b) The federal parent locator service (FPLS) maintained by the federal Department of Health and Human Services.

(2) DCS provides locate services for:

(a) Persons receiving public assistance for the benefit of dependent children;

(b) Any agency or attorney of another state seeking to collect support obligations under an agreement entered into with DCS;

(c) A court which has the authority to issue an order against a noncustodial parent (NCP) for the support and maintenance of a child;

(d) The custodial parent (CP), legal guardian, attorney or agent of a child who does not receive public assistance, and has not applied for full support enforcement services;

(e) The IV-D agency of another state; and

(f) Those persons authorized by 45 C.F.R. 303.15 to use the FPLS in connection with parental kidnapping or child custody cases.

NEW SECTION

WAC 388-14A-1040 What must a request for location services contain? A request or referral asking the division of child support (DCS) to provide location services must contain the following information:

(1) The name of the noncustodial parent (NCP);

(2) The NCP's social security number, if known;

(3) Whether NCP is now or has been a member of the armed services;

(4) Whether NCP is now receiving or has received any federal benefits;

(5) A request for a referral to FPLS;

(6) A statement that the request is being made to locate a person only for one of the following purposes:

(a) Establishing paternity,

(b) Securing support, or

(c) In connection with parental kidnapping or child custody cases.

(7) A statement acknowledging that any information obtained from the FPLS must be kept confidential.

NEW SECTION

WAC 388-14A-1045 How does the division of child support handle a request for location services? (1) A request for location services is not an application for full support enforcement services.

(2) The division of child support (DCS) makes diligent and reasonable efforts to locate the noncustodial parent (NCP), including referral to the federal parent locator service (FPLS).

(3) If DCS is unsuccessful in locating the NCP using local and state resources, DCS closes the case as provided in 388-14A-2080(12).

NEW SECTION

WAC 388-14A-1050 The division of child support cooperates with other states for support enforcement purposes. The division of child support (DCS) cooperates with the IV-D agencies of other states, according to rules and policies set by the Secretary of the Department of Health and Human Services and/or the federal Office of Child Support Enforcement (OCSE). Areas of cooperation include:

(1) Establishing paternity;

(2) Locating a noncustodial parent (NCP) who resides in Washington;

(3) Enforcing the support obligation of an NCP who resides in Washington but whose support order was entered by another state; and

(4) Any other functions required under a Title IV-D plan.

NEW SECTION

WAC 388-14A-1055 Can the division of child support collect support owed or assigned to another state? (1) The division of child support (DCS) may, on the request of another state, collect child support rights and/or debts which have been assigned to that state under 42 U.S.C. 602 (a)(26)(A).

(2) DCS uses the remedies in chapters 26.23, 74.20 and 74.20A RCW to collect support on behalf of another state or IV-D agency.

NEW SECTION

WAC 388-14A-1060 The division of child support cooperates with courts and law enforcement. (1) The division of child support (DCS) is authorized to enter into cooperative arrangements and written agreements including financial arrangements with the appropriate courts and law enforcement officials (including Indian tribes) to assist DCS in administering the state plan for support enforcement.

(2) These cooperative arrangements include the investigation and prosecution of fraud related to paternity and child support.

(3) DCS shares the federal funds it receives under 42 U.S.C. 655 according to the cooperative and financial agreements.

(4) Any support payments that are made by a noncustodial parent (NCP) after DCS refers a case to a court or law enforcement official must be submitted to the Washington state support registry.

PART B - BASIC RULES FOR CHILD SUPPORT CASES

NEW SECTION

WAC 388-14A-2000 Who can receive child support enforcement services from the division of child support?

(1) The division of child support (DCS) provides payment processing and records maintenance services (called "payment services only") to parties to a court order who are not receiving a public assistance grant when:

(a) A Washington superior court order, tribal court order, administrative order, or wage assignment order under chapter 26.18 RCW directs payments through DCS or through the Washington state support registry (WSSR);

(b) The custodial parent (CP) of a dependent child or a noncustodial parent (NCP) requests payment services only, provided that:

(i) A NCP's request for payment services only may not cause a reduction of service from the level of service provided under section (2) of this section; and

(ii) The support obligation is set by a Washington superior court, tribal court, administrative or wage assignment order, directing payment to DCS or to WSSR.

(2) DCS provides full support enforcement services under Title IV-D of the social security act to custodial parents or noncustodial parents who are not receiving a public assistance grant when:

(a) The custodial parent or former physical custodian of a child requests support enforcement services;

(b) A NCP parent submits a support order for inclusion in or a support payment to the WSSR, together with an application for support enforcement services;

(c) A public assistance recipient stops receiving a cash grant under the temporary assistance for needy families program;

(d) The department provides Medicaid-only benefits to a CP on behalf of a dependent child, unless the recipient of the Medicaid-only benefits declines support enforcement services not related to paternity establishment, medical support establishment or medical support enforcement; or

(e) A man requests paternity establishment services alleging he is the father of a dependent child.

(3) DCS provides payment processing, records maintenance, paternity establishment, medical support establishment, and medical support enforcement services when a recipient of Medicaid-only benefits declines support enforcement services in writing.

NEW SECTION

WAC 388-14A-2005 Does an application for public assistance automatically become an application for support enforcement services?

(1) When a custodial parent or physical custodian applies for or receives cash assistance on behalf of a minor child, the family authorizes the division of child support (DCS) to provide support enforcement services to the family.

(2) These services continue until the support enforcement case is closed pursuant to WAC 388-14A-2080.

(3) WAC 388-14A-2035 describes the nature of the assignment of support rights.

(4) If the community services office grants good cause not to cooperate under WAC 388-422-0021, DCS does not provide services. See WAC 388-14A-2065.

NEW SECTION

WAC 388-14A-2010 Can I apply for support enforcement services if I do not receive public assistance?

(1) If you are not receiving public assistance, you can apply for support enforcement services. This is called a nonassistance case. A nonassistance case receives the same level of services as a case that was opened because of the payment of public assistance.

(2) Generally, the person applying for nonassistance support enforcement services is the custodial parent or former custodial parent of a child. However, the noncustodial parent may apply for services as well, as provided in WAC 388-14A-2000 (2)(b) and (e).

(3) A person wishing to apply for nonassistance support enforcement services must submit a written application for support enforcement services except as provided in WAC 388-14A-2000 (2)(c); and

(a) Have or have had physical custody of the child for whom support is sought, or for whom a support debt has accrued, or be the person with whom the child resided the majority of the time for which support is sought; or

(b) Be the noncustodial parent.

(4) The applicant must:

(a) Give consent for the division of child support (DCS) to take an assignment of earnings from the noncustodial parent (NCP) if the parents are still married;

(b) Agree to send any support payments received directly from the NCP to DCS within eight days of receipt;

(c) Agree to direct a payor or forwarding agent to make payments to the Washington state support registry (WSSR);

(d) Agree not to hire an attorney or collection agency, or apply to any other state's IV-D agency to collect the same support obligation or support debt, without notifying DCS;

(e) Complete, sign, date and submit to DCS the application form and any other required documents;

(f) Supply copies of divorce and dissolution decrees, support orders and modification orders, and any related documents affecting a support obligation;

(g) Provide a statement of the amount of support debt owed by the NCP; and

(h) Include or attach a list, by date, of the support payments received from the NCP during the time period for which the CP seeks support.

(5) If someone other than the CP has legal custody of the child under a court order, the CP must affirm that:

(a) The CP has not wrongfully deprived the legal custodian of custody; and

(b) The person with legal custody has not been excused from making support payments by a court or administrative tribunal.

PROPOSED

NEW SECTION

WAC 388-14A-2015 Do I have to be a resident of Washington state to apply for DCS services? (1) If you are not a resident of the state of Washington but you are applying for services, you must state under oath that there is not an open IV-D case in another state.

(2) The division of child support (DCS) may decline the application for nonassistance support enforcement services if:

- (a) DCS already has an open case for you which was opened at the request of another state; or
- (b) Neither the custodial parent nor the noncustodial parent reside in, work, or have any contacts with the state of Washington.

NEW SECTION

WAC 388-14A-2020 What happens if the division of child support denies my application for support enforcement services? (1) The division of child support (DCS) may deny an application which is incomplete, contains unclear or inconsistent statements, or is not supported by necessary documents.

(2) DCS may deny an application from a non-resident as provided in WAC 388-14A-2015(2).

(3) When DCS denies an application, DCS sends the applicant a written notice of denial by regular mail. The notice advises the applicant:

- (a) Of the reasons for the denial; and
- (b) That the applicant may request an administrative hearing to contest the denial.

NEW SECTION

WAC 388-14A-2025 What services does the division of child support provide for a nonassistance support enforcement case? (1) In a nonassistance support enforcement case, the division of child support (DCS):

(a) Provides only records maintenance and payment processing services if the payee under a support order does not submit an application for support enforcement services and the:

- (i) Order directs support payments to DCS or to the Washington state support registry (WSSR); and
- (ii) The clerk of the court submitted the order under RCW 26.23.050.

(b) Continues to provide services without an application after a:

- (i) Public assistance recipient stops receiving a cash grant; or
- (ii) Recipient of Medicaid-only benefits becomes ineligible for Medicaid-only benefits, unless the recipient declines support enforcement services or requests additional services.

(2) If you receive services as a former recipient of assistance, as described in subsection (1)(b), you must cooperate with DCS in the same way as when you received a grant.

NEW SECTION

WAC 388-14A-2030 Do I assign my rights to support when I apply for child support enforcement services? (1) A custodial parent applying for or receiving cash assistance on behalf of a minor child assigns the family's rights to support as provided in WAC 388-14A-2035, below.

(2) A person applying for nonassistance support enforcement services does not assign support rights, but agrees to cooperate with the division of child support as provided in WAC 388-14A-2010(3).

NEW SECTION

WAC 388-14A-2035 Do I assign my rights to support when I receive public assistance? (1) When you receive public assistance you assign your rights to support to the state. This section applies to all applicants and recipients of cash assistance under the state program funded under Title IV-A of the federal Social Security Act.

(2) As a condition of eligibility for assistance, a family member must assign to the state the right to collect and keep, subject to the limitation in subsection (3), any support owing to the family member or to any other person for whom the family member has applied for or is receiving assistance.

(3) Amounts assigned under this section may not exceed the lesser of the total amount of assistance paid to the family or the total amount of the assigned support obligation.

NEW SECTION

WAC 388-14A-2036 What does assigning my rights to support mean? (1) As a condition of eligibility for assistance, a family member must assign to the state the right to collect and keep, subject to the limitation in WAC 388-14A-2035(3), any support owing to the family member or to any other person for whom the family member has applied for or is receiving assistance.

(2) While your family receives assistance, all support collected is retained by the state to reimburse the total amount of assistance which has been paid to your family.

(3) After your family terminates from assistance, certain accrued arrears remain assigned to the state in accordance with the following rules:

(a) For assistance applications dated prior to October 1, 1997, you permanently assign to the state all rights to support which accrued before the application date and which will accrue prior to the date your family terminates from assistance.

(b) For assistance applications dated on or after October 1, 1997, and before October 1, 2000:

- (i) You permanently assign to the state all rights to support which accrue while your family receives assistance; and
- (ii) You temporarily assign to the state all rights to support which accrued before the application date, until October 1, 2000, or when your family terminates from assistance, whichever date is later. After this date, if any remaining arrears are collected by federal income tax refund offset, the state retains such amounts, up to the amount of unreimbursed assistance.

(c) For assistance applications dated on or after October 1, 2000:

(i) You permanently assign to the state all rights to support which accrue while the family receives assistance; and

(ii) You temporarily assign to the state all rights to support which accrued before the application date, until the date your family terminates from assistance. After this date, if any remaining arrears are collected by federal income tax refund offset, the state retains such amounts, up to the amount of unreimbursed assistance.

NEW SECTION

WAC 388-14A-2037 What are permanently assigned arrears? Permanently assigned arrears accrue only under the following conditions:

(1) For those periods prior to the family receiving assistance, for assistance applications dated on or before September 30, 1997; and

(2) For those periods while a family receives assistance, for assistance applications dated at any time.

NEW SECTION

WAC 388-14A-2038 What are temporarily assigned arrears? (1) Not permanently assigned to the state;

(2) Collected and retained by the state up to the amount of unreimbursed assistance, if these arrears are collected by federal income tax refund offset at any time; and

(3) Collected and retained by the state by any means, up to the cumulative amount of unreimbursed assistance:

(a) Until October 1, 2000 or until the date the family terminates from assistance, whichever date is later; or

(b) Only while the family receives assistance, for assistance periods beginning October 1, 2000 or later.

NEW SECTION

WAC 388-14A-2040 Do I have to cooperate with the division of child support in establishing or enforcing child support? (1) When you receive public assistance, you must cooperate with the division of child support (DCS) unless the department determines there is good cause not to cooperate under WAC 388-422-0021. For purposes of this section and WAC 388-14A-2075, DCS includes those acting on behalf of DCS (its "representatives"), namely the prosecuting attorney, the attorney general, or a private attorney paid per RCW 74.20.350. In cases where paternity is at issue, the custodial parent of a child who receives assistance must cooperate whether or not the parent receives assistance as well.

(2) Cooperation means giving information, attending interviews, attending hearings, or taking actions to help DCS establish and collect child support. This information and assistance is necessary for DCS to:

(a) Identify and locate the responsible parent;

(b) Establish the paternity of the child(ren) on assistance in the client's care; and

(c) Establish or collect support payments or resources such as property due the client or the child(ren).

(3) The client must also cooperate by sending to DCS any child support received by the client while on assistance, as required by RCW 74.20A.320. If the client keeps these payments, known as retained support, the client must sign an agreement to repay under RCW 74.20A.275, and the client must honor that agreement.

NEW SECTION

WAC 388-14A-2041 What happens if I don't cooperate with DCS? (1) There may be penalties, called sanctions, for not cooperating with the division of child support (DCS). These sanctions and the noncooperation process are described in WAC 388-14A-2075. You may be sanctioned if:

(a) You do not go to scheduled interviews and answer questions;

(b) There is credible evidence showing that you could have given the information but did not;

(c) You have been giving inconsistent or false information without a good reason; or

(d) You refuse to sign or honor a repayment agreement under WAC 388-14A-2040(3).

(2) You must be given the opportunity to swear you do not have the information.

(3) You cannot be sanctioned because you provided information on a possible parent who was then excluded by genetic testing. In this event you must continue to cooperate in naming other possible parents and taking part in any resulting genetic testing.

(4) You may not be able to help DCS if you do not know, do not possess, or cannot reasonably obtain the requested information. To avoid a sanction, you must, under penalty of perjury, swear or attest to the lack of information in an interview held by DCS or its representative.

NEW SECTION

WAC 388-14A-2045 What can I do if I fear that cooperating with the division of support will be harmful to me or to my children? (1) If a custodial parent (CP) receiving public assistance fears that the establishment or enforcement of support may result in harm to the CP or the children, the CP may claim good cause not to cooperate under WAC 388-422-0021. Go to the community services office (CSO) to claim good cause.

(2) If a CP who is not receiving public assistance fears that the establishment or enforcement of support may result in harm to the CP or the children, the CP should tell the division of child support (DCS) that family violence is an issue in the case, so that DCS may take appropriate action.

NEW SECTION

WAC 388-14A-2050 Who decides if I have good cause not to cooperate? (1) The community services office (CSO) makes the determination whether to grant good cause not to cooperate with the division of child support (DCS).

(2) When you make a claim of good cause not to cooperate, DCS does not take any action on the case while the claim is pending.

NEW SECTION

WAC 388-14A-2060 Are there different kinds of good cause? (1) For custodial parents receiving public assistance, there are two kinds of good cause granted by the community services office (CSO):

(a) When the CSO determines that support establishment or enforcement cannot proceed at all because of a risk of danger to the custodial parent (CP) or children, this is called good cause level A.

(b) When the CSO determines that support establishment or enforcement can proceed without input from the CP, but that good cause exists for the CP not to cooperate with DCS, this is called good cause level B.

(2) See WAC 388-422-0021 for how the CSO grants good cause.

NEW SECTION

WAC 388-14A-2065 Does the division of child support provide support enforcement services if the CSO determines I have "good cause level A"? If the community services office (CSO) grants a custodial parent good cause level A:

(1) The division of child support (DCS) closes the case and does not take any action to establish or enforce support for the children covered by the good cause finding.

(2) If the noncustodial parent applies for paternity establishment or support enforcement services, DCS does not open a case.

NEW SECTION

WAC 388-14A-2070 Does the division of child support provide support enforcement services if the CSO determines I have "good cause level B"? If the community services office (CSO) grants a custodial parent good cause level B, the division of child support provides support enforcement services without requiring the custodial parent (CP) to provide information or cooperate with DCS in any way.

NEW SECTION

WAC 388-14A-2075 What happens if the division of child support determines that I am not cooperating? (1) When the division of child support (DCS) or its representatives believe you are not cooperating as defined in WAC 388-14A-2040, DCS sends a notice to you and to the community service office (CSO) stating the noncooperation and explaining the following:

(a) How the noncooperation was determined, including what actions were required;

(b) What actions you must take to resume cooperation;

(c) That this notice was sent to the CSO;

(d) That you may contact the CSO immediately if you disagree with the notice, need help in order to cooperate, or believe the actions required are unreasonable; and

(e) That the CSO may sanction you by either reducing or terminating the grant.

(2) The CSO sends a notice of planned action to you as provided by WAC 388-245-1700 or any subsequent amendment.

(3) Either the notice of alleged noncooperation or the CSO's notice of planned action may serve as the basis for a sanction.

(4) If the noncooperation was due to missing an interview without reasonable excuse, cooperation resumes when you appear for a rescheduled interview and either provide information or attest to the lack of information. DCS or its representative must reschedule the interview within seven business days from the date you contact them to reschedule an interview.

(5) If the noncooperation was due to not taking a required action, cooperation resumes when you take that action.

NEW SECTION

WAC 388-14A-2080 Once a support enforcement case is opened, under what circumstances can it be closed? Once the division of child support (DCS) starts providing support enforcement services under RCW 26.23.045 and chapter 74.20 RCW, the case must remain open, unless DCS determines that:

(1) There is no current support order, and the support debt owed by the noncustodial parent (NCP) is less than five hundred dollars, or cannot be enforced under Washington law;

(2) The NCP or putative (alleged) father is dead with no assets, income or estate available for collection;

(3) The NCP has no assets or income available for collection and is not able to provide support during the child's minority because of being:

(a) Institutionalized in a psychiatric facility;

(b) Incarcerated without possibility of parole; or

(c) Medically verified as totally and permanently disabled with no evidence of ability to provide support.

(4) The applicant, agency or recipient of nonassistance services submits a written request for closure, and there is no current assignment of medical or support rights;

(5) DCS has enough information to use an automated locate system, and has not been able to locate the NCP after three years of diligent efforts;

(6) DCS does not have enough information to use an automated locate system, and has not been able to locate the NCP after one year of diligent efforts;

(7) DCS is unable to contact the applicant, agency or recipient of services for at least sixty days;

(8) DCS documents failure to cooperate by the custodial parent (CP) or the initiating jurisdiction, and that cooperation is essential for the next step in enforcement;

(9) DCS cannot obtain a paternity order because:

(a) The putative father is dead;

(b) Genetic testing has excluded all putative fathers;
 (c) The child is at least eighteen years old;
 (d) DCS, a court of competent jurisdiction or an administrative hearing determines that establishing paternity would not be in the best interests of the child in a case involving incest, rape, or pending adoption; or

(e) The biological father is unknown and cannot be identified after diligent efforts, including at least one interview by DCS or its representative with the recipient of support enforcement services.

(10) DCS, a court of competent jurisdiction or an administrative hearing determines that the recipient of services was wrongfully deprived the NCP of physical custody of the child as provided in WAC 388-14A-3370;

(11) DCS, the department of social and health services, a court of competent jurisdiction or an administrative hearing determines that action to establish or enforce a support obligation cannot occur without a risk of harm to the child or the CP;

(12) DCS has provided locate-only services in response to a request for state parent locator services (SPLS);

(13) The NCP is a citizen and resident of a foreign country, and:

(a) NCP has no assets which can be reached by DCS; and
 (b) The country where NCP resides does not provide reciprocity in child support matters.

(14) The child is incarcerated or confined to a juvenile rehabilitation facility for a period of ninety days or more; or

(15) Any other circumstances exist which would allow closure under 45 C.F.R. 303.11 or any other federal statute or regulation.

NEW SECTION

WAC 388-14A-2085 Under what circumstances may DCS deny a request to close a support enforcement case?

(1) The division of child support (DCS) may deny a request to close a support enforcement case when:

(a) There is a current assignment of support or medical rights on behalf of the children in the case;

(b) There is accrued debt under a support order which has been assigned to the state;

(c) Support or medical rights on behalf of the children have previously been assigned to the state;

(d) The person who requests closure is not the recipient of support enforcement services; or

(e) A superior court order requires payments to the Washington state support registry (WSSR).

(2) If there is no current assignment of support or medical rights, DCS may close the portion of the case which is owed to the custodial parent (CP), but if there is accrued debt under a support order which has been assigned to the state, DCS keeps that portion of the case open.

(3) If a superior court order specifies that the noncustodial parent (NCP) must make payments to the WSSR, but the CP does not want support enforcement services, DCS keeps the case open as a payment services only (PSO) case, which means that:

(a) DCS provides payment processing and records maintenance, and

(b) DCS does not provide enforcement services.

NEW SECTION

WAC 388-14A-2090 Who is mailed notice of DCS' intent to close a case? (1) Sixty days before closing a case the division of child support (DCS) sends a notice of intent to close, advising the parties why DCS is closing the case.

(a) DCS does not send a notice when closing a case under WAC 388-14A-2080 (11) or (12).

(b) DCS does not provide sixty days' prior notice when closing a case under WAC 388-14A-2080(4).

(2) DCS mails a notice by regular mail to the last known address of the custodial parent (CP) and the noncustodial parent.

(3) In an interstate case, DCS mails the notice to the CP by regular mail in care of the other state's child support agency.

(4) If DCS is closing an interstate case because of noncooperation by the initiating jurisdiction, DCS also mails the notice to the other state's child support agency.

NEW SECTION

WAC 388-14A-2095 What if I don't agree with the case closure notice? (1) Only the person who applied for support enforcement services, also known as the recipient of services, may request a hearing to challenge closure of a case.

(2) If the recipient of services requests a hearing, the other party may participate in the hearing.

(3) The closure of a child support case does not stop the custodial parent or noncustodial parent from filing an application for support enforcement services in the future, but the reason for closure may affect whether the division of child support will open a new case.

NEW SECTION

WAC 388-14A-2097 What happens to payments that come in after a case is closed? After support enforcement services are terminated, DCS returns support money to the noncustodial parent except if the case remains open as a payment services only (PSO) case as described in WAC 388-14A-2000(1).

NEW SECTION

WAC 388-14A-2099 When does DCS file a satisfaction of judgment with the superior court? (1) When the division of child support (DCS) determines that a support obligation, established by order of a superior court of this state, has been satisfied or is no longer legally enforceable, DCS sends a notice of its intent to file a satisfaction of judgment to the last known address of the payee under the order and to the noncustodial parent (NCP).

(2) DCS includes the following provisions in the notice:

(a) A statement of the facts DCS relied on in making the determination; and

(b) A statement that payee has twenty days from the date of the notice, to:

(i) Object and request a conference board under WAC 388-14A-6400; or

(ii) Initiate an action to obtain a judgment from the court that entered the order.

(3) If the conference board or the court determines the support obligation or a support debt still exists, DCS withdraws the notice and makes reasonable efforts to enforce and collect the remaining support debt. If the conference board or court determines that a debt does not exist, DCS files a satisfaction of judgment with the clerk of superior court in which the order was entered.

(4) DCS determines that a support obligation is satisfied or no longer legally enforceable when the obligation to pay current and future support terminates under the order, and:

(a) The NCP has made all payments owed under the support order;

(b) The support debt is no longer enforceable due to the operation of the statute of limitations;

(c) DCS determines the NCP has a valid defense to payment of the debt under Washington law; or

(d) Under RCW 74.20A.220, DCS determines the debt is uncollectible, grants a total or partial charge-off, or accepts an offer to compromise a disputed debt.

NEW SECTION

WAC 388-14A-2105 Does the division of child support keep information about me confidential? (1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the division of child support (DCS) provides support enforcement services, are private and confidential. DCS discloses information and records only as follows:

(a) DCS discloses information and records only to:

(i) A person or entity listed and for the specific purpose or purposes stated in federal law;

(ii) The person who is the subject of the information or records, unless the information or records are exempt under RCW 42.17.310;

(iii) Local, state, and federal government agencies for support enforcement and related purposes;

(iv) A party to a judicial proceeding or a hearing under chapter 34.05 RCW, if the administrative law judge (ALJ) enters an order to disclose. The ALJ must base the order on a written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;

(v) A party under contract, including a federally recognized Indian tribe, if disclosure will allow the party to assist in the program's management or operation;

(vi) A person or entity, including a federally recognized Indian tribe, when necessary to the administration of the program or the performance of functions and duties in state and federal law. DCS may publish information about a responsible parent for locate and enforcement purposes;

(vii) A person, representative, or entity if the person who is the subject of the information and records consents, in writing, to disclosure;

(viii) The office of administrative hearings or the office of appeals for administration of the hearing process under chapter 34.05 RCW. The ALJ or review judge must not

include the address of either party in an administrative order, or disclose a party's address to the other party. The review judge and the ALJ must:

(A) State in support orders that the address is known by the Washington state support registry; and

(B) Inform the parties they may obtain the address by submitting a request for disclosure to DCS under this section.

(b) The last known address of, or employment information about, a party to a court or administrative order for, or a proceeding involving, child support may be given to another party to the order. The party receiving the information may only use the information to establish, enforce, or modify a support order. Disclosure of address information is subject to the provisions of WAC 388-14A-2110;

(c) The last known address of natural or adoptive children may be given to a parent having a court order granting that parent visitation rights with, legal custody of or residential time with the parent's natural or adoptive children. The parent may only use this information to enforce the terms of the court order. Disclosure of this information is subject to the provisions of WAC 388-14A-2110;

(d) DCS may disclose the Social Security Number of a dependent child to the noncustodial parent NCP to enable the NCP to claim the dependency exemption as authorized by the Internal Revenue Service;

(e) Financial records of an individual obtained from a financial institution maybe disclosed only for the purpose of, and to the extent necessary, to establish, modify, or enforce a child support obligation of that individual.

(2) Except as provided elsewhere in chapter 388-14A WAC, chapter 388-01 WAC governs the process of requesting and disclosing information and records.

(3) DCS must take timely action on requests for disclosure. DCS must respond in writing within five working days of receipt of the request.

(4) If a child is receiving foster care services, you must contact your local community services office for disclosure of the child's address information.

(5) The rules of confidentiality and penalties for misuse of information and reports that apply to a IV-D agency employee, also apply to a person who receives information under this section.

(6) Nothing in these rules:

(a) Prevents DCS from disclosing information and records when such disclosure is necessary to the performance of its duties and functions as provided by state and federal law;

(b) Requires DCS to disclose information and records obtained from a confidential source.

NEW SECTION

WAC 388-14A-2110 How do I find out the address of my children, or the other parent of my children? (1) A request for disclosure of a parent or child's address must be submitted in writing and in person, with satisfactory evidence of identity, at any office of the division of child support (DCS);

(2) If the request is made by your attorney, DCS may waive the provisions regarding submission in person with satisfactory evidence of identity;

(3) If you are unable to appear at a DCS office in person, DCS may waive the provision requiring submission in person if you submit a notarized request for disclosure;

(4) The person seeking disclosure must attach the following to a request for disclosure of an address:

(a) A copy of the superior court order on which the request is based. DCS waives this provision if DCS has a true copy of the order on file;

(b) A sworn statement by the individual that the order has not been modified; and

(c) A statement explaining the purpose of the request and how the requestor intends to use the information.

NEW SECTION

WAC 388-14A-2115 What are the requirements for making an address disclosure request? (1) The following provisions apply to a request for disclosure of the address of a party to the order or a dependent child under chapter 388-14A WAC. The division of child support (DCS) does not release the address if:

(a) The department has determined, under WAC 388-422-0021, that the custodial parent (CP) has good cause for refusing to cooperate;

(b) The order, on which the request is based, restricts or limits the address requesting party's right to contact or visit the other party or the child by imposing conditions to protect the party or the child from harm;

(c) An order has been entered finding that the health, safety, or liberty of a party or child would be unreasonably put at risk by the disclosure of the information; or

(d) DCS has information which gives DCS reason to believe that release of the address may result in physical or emotional harm to the other party or to the children.

(2) Whenever DCS denies a request for disclosure under subsection (1) of this section, DCS notifies the nonrequesting party that disclosure of the address was requested and was denied.

(3) Prior to disclosing the address of a party or a child, DCS mails a notice to the last known address of the party whose address is sought, except as provided under subsection (4) of this section. The notice advises the party that:

(a) A request for disclosure has been made;

(b) DCS will disclose the address after thirty days from the date of the notice, unless:

(i) DCS receives a copy of an order which:

(A) Enjoins disclosure of the address;

(B) Restricts the address requesting party's right to contact or visit the other party or a child by imposing conditions to protect the party or the child from harm, including, but not limited to, temporary orders for protection under chapter 26.50 RCW; or

(C) States that the health, safety, or liberty of a party or child would be unreasonably put at risk by disclosure of address or other identifying information.

(ii) The party requests an administrative hearing which ultimately results in a decision that release of the address is

reasonably anticipated to result in harm to a party or a dependent child;

(iii) In any hearing under this section, either party may participate in the proceeding by telephone, from any prearranged location. The location and phone number must not be disclosed by the administrative law judge (ALJ).

(4) DCS is not required to mail a notice prior to disclosure if:

(a) The requesting party presents a facially valid warrant or a judicial finding that:

(i) The other party will likely flee to avoid service of process; or

(ii) The other party will likely flee and that:

(A) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of a child whose address is requested to the requesting party; and

(B) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(C) A child was taken or enticed from the address requesting party's physical custody without that party's consent; and

(D) The address requesting party has not subsequently assented to being deprived of physical custody of the children; and

(E) The address requesting party is making reasonable efforts to regain physical custody of the child; or

(b) The records of DCS contain a written authorization for address release under WAC 388-14A-2125.

NEW SECTION

WAC 388-14A-2120 What happens at a hearing on an objection to disclosure of my address? (1) In any administrative hearing requested under WAC 388-14A-2115 (3)(b)(ii):

(a) The parent requesting address disclosure and the other party to the order or action are independent parties in the hearing;

(b) Either party may participate by telephone, provided the party:

(i) States in the request for hearing that participation will be by telephone; or

(ii) Advises the office of administrative hearings (OAH) at least five calendar days prior to the scheduled hearing that participation will be by telephone; and

(iii) Provides OAH with a telephone number where the party can be reached for the hearing, at least five calendar days before the scheduled hearing.

(c) The administrative law judge (ALJ) must not disclose the location or phone number from which the party is appearing;

(d) The initial burden of proof is on the party requesting address disclosure, to show that the address request is for a purpose for which disclosure is specifically permitted under chapter 388-14A WAC;

(e) If the party requesting address disclosure:

(i) Fails to meet this burden, the ALJ enters an order denying the address request;

(ii) Establishes that the address was requested for a purpose for which disclosure is permitted, the other party must then show that it is reasonable to anticipate that physical or emotional harm to the party or a child will result from release of the address. The party objecting to address release:

(A) May demonstrate reasonable anticipation of harm by any form of evidence admissible under chapter 34.05 RCW; and

(B) Is not required to provide corroborative evidence required by WAC 388-422-0021, to establish a reasonable anticipation of harm.

(f) If either party fails to appear, the ALJ enters an order on default:

(i) If the party objecting to disclosure fails to appear, the order requires DCS to release the address unless the record contains documentary evidence which provides the basis for a finding that physical or emotional harm will likely result from release of the address;

(ii) If the address requesting party fails to appear, the default order denies the request for address information.

(g) OAH arranges the attendance of the parties by telephone or other procedure showing due regard for the safety of the parties and the children;

(h) DCS issues a final response to the disclosure request within five working days of the exhaustion of administrative remedies.

(2) If the custodial parent (CP) requests a hearing under this section in response to a department initiated review of the support order for modification, both parties to the support order are independent parties in the address disclosure hearing.

NEW SECTION

WAC 388-14A-2125 How do I give DCS permission to give my address to the other parent without going through the notice procedures of WAC 388-14A-2115? (1) Any party to a support order may authorize the division of child support (DCS) to release his or her address to the other party with no prior notice.

(2) An authorization to release an address must be:

- (a) In writing;
- (b) Notarized; and

(c) Effective for any period designated by the party up to three years or until DCS is notified in writing that the party has revoked the authorization, whichever is sooner.

NEW SECTION

WAC 388-14A-2150 How much does it cost to get copies of DCS records? (1) WAC 388-01-030 authorizes the division of child support (DCS) to charge copying and postage costs for responses to public disclosure.

(2) DCS charges fifteen cents per page for copies.

(3) The DCS public disclosure coordinator may waive copy fees in appropriate circumstances.

NEW SECTION

WAC 388-14A-2155 Can I appeal a denial of public disclosure by the division of child support? (1) If the division of child support (DCS) denies a request for public disclosure, you may file an appeal with DCS Public Disclosure Appeals, P.O. Box 9162, Olympia WA 98507-9162.

(2) If your appeal is denied, you may pursue other options as set forth in WAC 388-01-080.

NEW SECTION

WAC 388-14A-2160 If my information is confidential, can DCS report me to a credit bureau? (1) When a consumer reporting agency, as defined by 45 C.F.R. 303.105(a), requests information regarding the amount of overdue support owed by a noncustodial parent (NCP), the division of child support (DCS) provides such information if the amount of the support debt exceeds one thousand dollars.

(2) Prior to releasing information to the consumer reporting agency, DCS sends a written notice concerning the proposed release of the information to the NCP's last known address.

(3) The notice gives the NCP ten days from the date of the notice to request a conference board to contest the accuracy of the information. If the NCP requests a conference board, DCS does not release the information until a conference board decision has been issued.

NEW SECTION

WAC 388-14A-3275 The division of child support may amend an administrative notice at any time before a final administrative order is entered. (1) The division of child support (DCS) may orally amend a notice issued under this chapter at the hearing to conform to the evidence. When DCS amends a notice at the hearing the:

(a) Administrative law judge (ALJ) may grant a continuance when necessary to allow the parties additional time to present evidence and argument as to the amendment; and

(b) DCS must reduce the terms of the amendment to writing and provide a copy, in person or by regular mail to the last known address of the parties, and to the ALJ within a reasonable time after amending the notice.

(2) The amended notice does not generate a new hearing right.

(3) When DCS has obtained reliable information that the income basis of the notice is incorrect, the agency shall amend a notice issued under WAC 388-14A-3115, 388-14A-3120, or 388-14A-3125 prior to seeking a default order for failure to appear. An amendment under this subsection must be made according to the terms of subsection (1) above.

(4) Subsection (3) of this section does not apply:

- (a) TO cases in which no one has requested a hearing; or
- (b) After the ALJ has closed the hearing record.

(5) If DCS has amended the notice under this section and either the noncustodial parent or the custodial parent fail to appear at a rescheduled hearing date, the ALJ must enter a default order on the terms of the amended notice.

PART C - HOW THE DIVISION OF CHILD SUPPORT DECIDES HOW MUCH CHILD SUPPORT SOMEONE SHOULD PAY

NEW SECTION

WAC 388-14A-3300 How does the division of child support require me to make my support payments to the Washington state support registry when my support order says to pay someone else? (1) If a support order requires the noncustodial parent (NCP) to pay support to anywhere other than the Washington state support registry (WSSR), the division of child support (DCS) serves a notice on the NCP telling the NCP to make all future payments to the WSSR.

(2) DCS may serve a notice of support debt on a noncustodial parent (NCP) as provided in RCW 74.20A.040. See WAC 388-14A-3305.

(3) DCS may serve a notice of support owed on an NCP as provided in RCW 26.23.110. See WAC 388-14A-3310.

(4) When DCS serves a notice of support debt or a notice of support owed, DCS sends a notice to the payee under the order. See WAC 388-14A-3315.

NEW SECTION

WAC 388-14A-3304 The division of child support serves a notice of support debt when it is enforcing a court order or foreign administrative order for support. (1) The division of child support (DCS) may serve a notice of support debt on a noncustodial parent (NCP) under RCW 74.20A.040 to provide notice that DCS is enforcing a court order or foreign administrative order for support.

(2) DCS serves a notice of support debt like a summons in a civil action or by certified mail, return receipt requested.

(3) In a notice of support debt, DCS includes the information required by RCW 74.20A.040, the amount of current and future support, accrued support debt, any health insurance coverage obligation, and any day care costs under the court or administrative order.

(4) The NCP must make all support payments after service of a notice of support debt to the Washington state support registry. DCS does not credit payments made to any other party after service of a notice of support debt except as provided in WAC 388-14A-3375.

(5) A notice of support debt becomes final and subject to immediate wage withholding and enforcement without further notice under chapters 26.18, 26.23, and 74.20A RCW, subject to the terms of the order, unless, within twenty days of service of the notice in Washington, the NCP:

(a) Files a request with DCS for a conference board under WAC 388-14A-6400. The effective date of a conference board request is the date DCS receives the request; or

(b) Obtains a stay from the superior court.

(6) A notice of support debt served in another state becomes final according to WAC 388-14A-7200.

(7) Enforcement of the following are not stayed by a request for a conference board or hearing under this section or WAC 388-14A-6400:

(a) Current and future support stated in the order; and
(b) Any portion of the support debt that the NCP and custodial parent (CP) fail to claim is not owed.

(8) Following service of the notice of support debt on the NCP, DCS mails to the last known address of the custodial parent and/or the payee under the order:

(a) A copy of the notice of support debt; and

(b) A notice to payee under WAC 388-14A-3315 regarding the payee's rights to contest the notice of support debt. The CP has the same rights.

(9) If the NCP requests a conference board under subsection (5)(a) of this section, DCS mails a copy of the notice of conference board to the payee under the order informing the payee of the payee's right to:

(a) Participate in the conference board; or

(b) Request a hearing under WAC 388-14A-3320 within twenty days of the date of a notice of conference board that was mailed to a Washington address. If the notice of conference board was mailed to an out-of-state address, the payee may request a hearing within sixty days of the date of the notice of conference board. The effective date of a hearing request is the date DCS receives the request.

(10) If the payee requests a hearing under subsection (9) of this section, DCS must:

(a) Stay enforcement of the notice of support debt except as required under subsection (6) of this section; and

(b) Notify the NCP of the hearing.

(10) If a payee requests a late hearing under subsection (8) of this section, the payee must show good cause for filing the late request.

(11) A notice of support debt must fully and fairly apprise the NCP of the rights and responsibilities in this section.

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

NEW SECTION

WAC 388-14A-3310 The division of child support serves a notice of support owed to establish a fixed dollar amount under an existing child support order. (1) The division of child support (DCS) may serve a notice of support owed on a noncustodial parent (NCP) under RCW 26.23.110 to establish a fixed dollar amount of monthly support and accrued support debt:

(a) If a support obligation under a court order is not a fixed dollar amount, or

(b) to implement an adjustment or escalation provision of the court order.

(2) The notice of support owed includes day care costs and medical support if the court order provides for such costs.

(3) DCS serves a notice of support owed on an NCP like a summons in a civil action or by certified mail, return receipt requested.

(4) Following service on the NCP, DCS mails a notice to payee under WAC 388-14A-3315.

(5) In a notice of support owed, DCS includes the information required by RCW 26.23.110, and:

(a) The factors stated in the order to calculate monthly support;

(b) Any other information not contained in the order that was used to calculate monthly support and the support debt; and

(c) Notice of the right to request a review of the order once yearly or on the date, if any, given in the order for an annual review.

(6) The NCP must make all support payments after service of a notice of support owed to the Washington state support registry. DCS does not credit payments made to any other party after service of a notice of support owed except as provided in WAC 388-14A-3375.

(7) A notice of support owed becomes final and subject to immediate wage withholding and enforcement without further notice under chapters 26.18, 26.23, and 74.20A RCW unless the NCP, within twenty days of service of the notice in Washington:

(a) Contacts DCS, and signs an agreed settlement;
(ii) Files a request with DCS for a hearing under subsection (9) of this section; or

(iii) Obtains a stay from the superior court.

(b) A notice of support owed served in another state becomes final according to WAC 388-14A-7200.

(8) DCS may enforce at any time:

(a) A fixed or minimum dollar amount for monthly support stated in the court order or by prior administrative order entered under this section;

(b) Any part of a support debt that has been reduced to a fixed dollar amount by a court or administrative order; and

(c) Any part of a support debt that neither party claims is incorrect.

(9) A hearing on a notice of support owed is for the limited purpose of interpreting the court order for support and any modifying orders and not to change or defer the support provisions of the order. The hearing is only to determine:

(a) The amount of monthly support as a fixed dollar amount;

(b) Any accrued arrears through the date of hearing; and

(c) If a condition precedent in the court order to begin or modify the support obligation was met.

(10) If the NCP requested the hearing, he or she has the burden of proving any applicable defenses to liability under WAC 388-14A-3370 or that the amounts stated in the notice of support owed are incorrect.

(11) A notice of support owed or an initial or review decision issued under subsection (9) of this section must inform the parties of the right to request a review of the order once yearly or on the date, if any, given in the order for an annual review.

(12) If an NCP requests a late hearing, the NCP must show good cause for filing the late hearing request if it is filed more than one year after service of the notice of support owed.

(13) A notice of support owed fully and fairly apprises the NCP of the rights and responsibilities in this section.

(14) For the purposes of this section and WAC 388-14A-3315, the term "payee" includes "physical custodian" or "custodial parent."

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

NEW SECTION

WAC 388-14A-3315 When DCS serves a notice of support debt or notice of support owed, we notify the custodial parent and/or the payee under the order. (1) The division of child support (DCS) sends a notice to a payee under a court order or foreign administrative order for support when DCS receives proof of service on the noncustodial parent (NCP) of:

(a) A notice of support owed under WAC 388-14A-3305; or

(b) A notice of support debt under WAC 388-14A-3310.

(2) DCS sends the notice to payee by first class mail to the last known address of the payee and enclose a copy of the notice served on the NCP.

(3) In a notice to payee, DCS informs the payee of the right to file a request with DCS for a hearing on a notice of support owed under WAC 388-14A-3105 or a notice of support debt under WAC 388-14A-3310 within twenty days of the date of a notice to payee that was mailed to a Washington address.

(4) If the notice to payee was mailed to an out-of-state address, the payee may request a hearing within sixty days of the date of the notice to payee.

(5) The effective date of a hearing request is the date DCS receives the request.

NEW SECTION

WAC 388-14A-3320 What happens at a hearing on a notice of support debt or notice of support owed? (1) A hearing on a notice of support debt is for the limited purpose of determining the support debt through the date of the hearing under the order.

(2) The office of administrative hearings (OAH) sends a notice of hearing on a notice of support debt to the noncustodial parent (NCP), to the division of child support (DCS), and to the payee. The NCP and the payee each may participate in the hearing as an independent party.

(3) If only one party appears and wishes to proceed with the hearing, the administrative law judge (ALJ) holds a hearing and issue an initial decision based on the evidence presented or continue the hearing.

(a) An initial decision issued under this subsection includes an order of default against the nonappearing party and limits the appeal rights of the nonappearing party to the record made at the hearing.

(b) If neither the NCP nor the payee appears or wishes to proceed with the hearing, the ALJ issues an order of default against both parties.

(4) If the payee requests a late hearing on a notice of support owed or a notice of support debt, the payee must show good cause for filing the late hearing request.

NEW SECTION

WAC 388-14A-3350 Are there any limits on how much back support the division of child support can seek to establish? (1) When no public assistance is being paid to the custodial parent (CP) and the children, the division of child support (DCS) starts the claim for support as of the date the application for nonassistance services was received.

(2) When public assistance is being paid to the CP and children by another state, DCS starts the claim for support as of the date specified by the other state in the referral.

(3) For the notice and finding of parental responsibility, the back support obligation is limited by WAC 388-14A-3120(9).

(4) When the state of Washington is paying public assistance to the CP and/or the children, the following rules apply:

(a) For support obligations owed for months on or after September 1, 1979, DCS must exercise reasonable efforts to locate the noncustodial parent (NCP);

(b) DCS serves a notice and finding of financial or parental responsibility within sixty days of the date the state assumes responsibility for the support of a dependent child on whose behalf support is sought.

(c) If DCS does not serve the notice within sixty days, DCS loses the right to reimbursement of public assistance payments made after the sixtieth day and before the notice is served.

(d) DCS does not lose the right to reimbursement of public assistance payments for any period of time:

(i) During which DCS exercised reasonable efforts to locate the NCP; or

(ii) For sixty days after the date on which DCS received an acknowledgment of paternity for the child for whom the state has assumed responsibility, and paternity has not been established.

(5) The limitation in subsection (4) does not apply to:

(a) Cases in which the physical custodian is claiming good cause for not cooperating with the department; and

(b) Cases where parentage is an issue and:

(i) Has not been established by superior court order; or

(ii) Is not the subject of a presumption under RCW 26.26.040 (1)(a) or (e).

(6) DCS considers a prorated share of each monthly public assistance payment as paid on each day of the month.

NEW SECTION

WAC 388-14A-3370 What defenses to liability are available to a noncustodial parent when DCS seeks to enforce a support obligation? (1) A noncustodial parent (NCP) who objects to a notice and finding of financial, parental, or medical responsibility has the burden of establishing defenses to liability. Defenses include, but are not limited to:

(a) Proof of payment;

(b) The existence of a superior court or administrative order that sets the NCP's support obligation or specifically relieves the NCP of a support obligation for the child(ren) named in the notice;

(c) The party is not a responsible parent as defined by RCW 74.20A.020(7);

(d) The amount requested in the notice is inconsistent with the Washington state child support schedule, Chapter 26.19 RCW;

(e) Equitable estoppel, subject to WAC 388-14A-6500; or

(f) Any other matter constituting an avoidance or affirmative defense.

(2) A dependent child's or a custodial parent's ineligibility to receive public assistance is not a defense to the assessment of a support obligation.

(3) An NCP may be excused from providing support for a dependent child receiving public assistance under chapter 74.12 RCW if the NCP is the legal custodian of the child and has been wrongfully deprived of physical custody of the child. The NCP may be excused only for any period during which the NCP was wrongfully deprived of custody. The NCP must establish that:

(a) A court of competent jurisdiction of any state has entered an order giving legal and physical custody of the child to the NCP;

(b) The custody order has not been modified, superseded, or dismissed;

(c) The child was taken or enticed from the NCP's physical custody and the NCP has not subsequently assented to deprivation. Proof of enticement requires more than a showing that the child is allowed to live without certain restrictions the NCP would impose; and

(d) Within a reasonable time after deprivation, the NCP exerted and continues to exert reasonable efforts to regain physical custody of the child.

NEW SECTION

WAC 388-14A-3375 What kinds of credits does the division of child support give when establishing or enforcing an administrative support order? (1) After the noncustodial parent (NCP) has been advised of the requirement to make payments to the Washington state support registry (WSSR) by service of a support establishment notice, or by entry of a support order requiring payments to WSSR, the NCP may obtain credit against the support obligation only:

(a) By cash, check, electronic funds transfer, or money order payments through WSSR or payment of health insurance premiums; or

(b) As provided under subsections (3) and (6) of this section.

(2) The division of child support (DCS) allows credit against a NCP's support debt for family needs provided directly to a custodial parent (CP), a child, or provided through a vendor or third party only when the:

(a) Items are provided before service of the notice on the NCP;

(b) NCP proves the items provided were intended to satisfy the NCP's support obligation; and

(c) Items are food, clothing, shelter, or medical attendance directly related to the care, support, and maintenance of a child.

(3) After service of the notice, an NCP may obtain credit against the parent's current support obligation only when the NCP proves that the payments were made and:

(a) DCS determines there:

(i) Is no prejudice to:

(A) The CP, a child, or other person; or

(B) An agency entitled to receive the support payments.

(ii) Are special circumstances of an equitable nature justifying credit for payments; or

(b) A court of competent jurisdiction determines credit should be granted after a hearing where all interested parties were given an opportunity to be heard.

(4) DCS does not allow credit for shelter payments made before service of the notice in an amount more than the greater of the:

(a) Shelter allocation in the public assistance standards for the period when payments were made; or

(b) One-half of the actual shelter payment.

(5) DCS does not allow credit for shelter payments made after service of the notice.

(6) DCS applies credits for dependent benefits allowed under RCW 26.19.190 as required by WAC 388-14A-4200.

NEW SECTION

WAC 388-14A-3400 Are there limitations on how much of my income is available for child support? (1)

There are two kinds of limitations based on your income when we set your child support obligation:

(a) The monthly support amount cannot exceed forty-five percent of your monthly net income, unless there are special circumstances as provided in chapter 26.19 RCW; and

(b) The monthly support amount cannot reduce your net monthly income below the one person need standard (WAC 388-478-0015), unless there are special circumstances as provided in chapter 26.19 RCW.

(2) RCW 74.20A.090 limits the amount that can be withheld from your wages for child support to fifty percent of your net monthly earnings.

NEW SECTION

WAC 388-14A-3500 A person must show good cause for filing a late request for hearing on a support notice. (1)

A person with a right to a hearing under this chapter may file a request for a late hearing after the period for requesting a timely hearing has passed. The effective date of a hearing request is the date the division of child support (DCS) receives the request.

(2) Filing a request for a late hearing does not stop:

(a) Collection and enforcement under chapters 26.18, 26.23, or 74.20A RCW;

(b) The effect of any qualified domestic relations order;

(c) Certification of the support debt to the Internal Revenue Service for an income tax refund offset; or

(d) Distribution upon receipt of moneys collected.

(3)(a) A person who files a late hearing request must show good cause for not filing a timely hearing request unless good cause is not required by the rule governing the notice that is objected to.

(b) If the administrative law judge (ALJ) finds good cause for filing a late hearing request, the ALJ:

(i) Issues a decision on the merits of the objection to the notice; and

(ii) Considers whether to order a stay of collection activities until such time as an initial decision or a temporary order under WAC 388-14A-3850(ff) is issued. Upon request, the ALJ must, based on the evidence presented at hearing, issue an order under WAC 388-14A-3850(ff), setting or denying temporary support pending the initial decision.

(c) If the ALJ does not find good cause for filing a late hearing request, the ALJ may issue a decision on modification of the current and future support obligation, if applicable, without a showing of a change of circumstances.

(4) If the ALJ finds good cause for filing a late hearing request, the division of child support (DCS) does not refund any excess moneys collected prior to the finding of good cause. The ALJ may issue a decision which gives credit against future support in the amount of the excess collections when and to the extent that credits against future support do not:

(a) Create hardship to the children for whom support is sought; and

(b) Offset an overpayment of the obligation to the custodial parent (CP) against a debt owed to the department; or

(c) Offset an overpayment of the obligation to the department against a debt owed to the CP.

NEW SECTION

WAC 388-14A-3600 The parties may resolve any child support case by entering a consent order or an agreed settlement (1) The division of child support (DCS) may enter a consent order or agreed settlement to finalize any dispute in which a party requests a hearing. DCS attempts to settle matters through agreement when possible.

(a) An agreed settlement is signed only by the parties (DCS, the custodial parent and the noncustodial parent).

(b) A consent order must be signed by the parties and by an administrative law judge (ALJ). The ALJ approves a consent order without requiring testimony or a hearing, unless entry of the order would be unlawful.

(2) An agreed settlement or consent order is final and enforceable on:

(a) The date the last party signs the agreed settlement, if all parties signed the agreed settlement;

(b) The date the ALJ signs the consent order; or

(c) If the ALJ defaults one of the parties to the proceeding, the latest of the following dates:

(i) The date the ALJ signed the consent order;

(ii) The date the last party signed the agreed settlement;

or

(iii) The date the order of default is final.

(3) A party to a consent order or an agreed settlement may:

(a) Not petition for review of the settlement or order under WAC 388-08-464;

(b) Petition for modification under WAC 388-14A-3925; and

(c) Petition to vacate the settlement or consent order under WAC 388-14A-3700. However, the ALJ may only vacate a settlement or consent order after making a finding of fraud by a party, or on any other basis that would result in manifest injustice.

(4) If a hearing has been scheduled, DCS files a copy of the agreed settlement or consent order with the office of administrative hearings (OAH), and OAH issues an order dismissing the hearing. There are no hearing rights on the order dismissing the hearing.

NEW SECTION

WAC 388-14A-3700 When is it appropriate to vacate a default order? (1) If a party fails to appear at a hearing, the administrative law judge (ALJ) must, upon a showing of valid service, enter an initial decision and default order or proceed in the absence of the defaulting party as provided in WAC 388-14A-3131, 388-14A-3132, or 388-14A-3140.

(2) The ALJ must state in the decision that, the:

(a) Support debt and the current support obligation stated in the notice are assessed, determined, and subject to collection action;

(b) Health insurance provisions of the notice are subject to direct enforcement action; and,

(c) Relief sought in the notice served by the division of child support is granted.

(3) Decisions and orders on default become final twenty-one days from the date of mailing under WAC 388-08-464 or chapter 388-02 WAC.

(4) Any party against whom the ALJ has entered an initial decision and order on default may petition the secretary or the secretary's designee for vacation of the default order, subject to the provisions, including time limits, of civil rule 60.

(5) DCS must:

(a) Request that the office of administrative hearings (OAH) schedule a hearing to determine whether or not the petitioner has good cause for vacating the default order; and

(b) Give any other parties to the hearing notice of the time and date of the hearing. OAH must send the notice to the last known address of the party.

(6) If, in a hearing under this section, the ALJ finds that the petitioner has good cause for vacating the default order, the ALJ:

(a) Must conduct a hearing on the merits of the petitioner's objection to the notice that was the basis for the hearing at which the petitioner failed to appear; and

(b) May stay any further collection to the extent provided for under the regulations authorizing the notice the parent originally objected to.

(7) The ALJ must apply civil rule 60 to determine whether the petitioner has good cause. Before vacating an order of default at the request of the NCP or CP, the ALJ must consider the prejudice to the non-DCS party that did appear for hearing.

NEW SECTION

WAC 388-14A-3800 Once a support order is entered, can it be changed? (1) A support order entered by a superior court or tribal court may be modified only by the court that entered the order. If the order specifically states how the amount of support may be adjusted, the division of child support (DCS) may bring an administrative action under RCW 26.23.110.

(2) As provided in WAC 388-14A-3925, DCS may review any support order to determine whether DCS should petition to modify the support provisions of the order.

(3) Either DCS, the CP or the NCP may petition to modify an administrative order under WAC 388-14A-3925.

(4) Under appropriate circumstances, an administrative support order may be vacated. See WAC 388-14A-3700.

NEW SECTION

WAC 388-14A-3810 Once a child support order is entered how long does the support obligation last? (1) A noncustodial parent's obligation to pay support under an administrative order continues until:

(a) the order is superseded by a superior court order;

(b) the order is modified under WAC 388-14A-3925;

(c) The child reaches eighteen years of age;

(d) The child is emancipated;

(e) The child is married;

(f) The child becomes a member of the United States armed forces;

(g) The child or the responsible parent die;

(h) A responsible stepparent's marriage is dissolved; or

(i) A superior court order terminates the responsible parent's liability as provided under RCW 26.16.205.

(2) As an exception to the above rule, a noncustodial parent's obligation to pay support under an administrative order continues and/or may be established for a dependent child who is:

(a) Under nineteen years of age; and

(b) A full-time student reasonably expected to complete a program of secondary school or the equivalent level of vocational or technical training before the end of the month in which the student becomes nineteen years of age.

(3) A noncustodial parent's obligation to pay support under an administrative order may be temporarily suspended when the:

(a) Noncustodial parent (NCP) resides with the child for whom support is sought for purposes other than visitation;

(b) NCP reconciles with the child and the custodial parent; or

(c) Child returns to the residence of the NCP from a foster care placement, for purposes other than visitation.

(4) When the NCP's obligation to pay current support on a case is suspended under subsection (3) of this section, the division of child support (DCS) informs the NCP that the obligation is suspended, in writing, sent by regular mail to the NCP's last known address.

(5) If circumstances causing an NCP's support obligation to be temporarily suspended change, the support obligation

resumes. DCS sends the NCP a notice that the obligation to make current support payments has resumed.

NEW SECTION

WAC 388-14A-3900 Can DCS review my support order to see if it should be modified? (1) When the division of child support (DCS) is providing support enforcement services under Title IV-D of the Social Security Act, DCS must:

(a) Review a superior court or administrative order for child support to determine whether DCS will petition to modify the child support provisions of the order; or

(b) Evaluate an interstate case to determine whether to refer the case to another state for review of the support order for modification.

(2) Recipients of payment services only under WAC 388-14A-2000(1), are not eligible for a review of their support order under this section until they have submitted an application for support enforcement services.

(3) DCS reviews orders for child support under subsection (1) of this section when:

(a) DCS has enough locate information to obtain personal service on both parties to the order; and

(b) The department is paying public assistance or has determined that the children are eligible for medical assistance, and thirty-five months have passed since:

(i) DCS last reviewed the order under this section;

(ii) The order was last modified; or

(iii) The order was entered; or

(c) A party to the order, or another state's IV-D agency submits a request for review to DCS and thirty-five months have passed since:

(i) DCS or another state's IV-D agency last reviewed the order under this section;

(ii) The order was last modified; or

(iii) The order was entered.

(4) DCS may refer a request for review to another state's IV-D agency for action.

(5) DCS must:

(a) Notify recipients of support enforcement services, that the review and modification process is available; and

(b) Send notice of a pending review by regular mail to the last known address of the parties to the order thirty days before the review. The notice explains the parties':

(i) Rights in the review and modification process; and

(ii) Responsibility to submit:

(A) Completed Washington state child support schedule worksheets; and

(B) Income verification as required by the Washington state child support schedule, chapter 26.19 RCW.

(6) During the thirty days before conducting the review, DCS uses all appropriate procedures to obtain up to date income and asset information.

(7) Under this section, DCS petitions to modify the order when DCS finds during the review that each of the following conditions are present:

(a) The proposed change in child support based on the Washington state child support schedule:

(i) Is at least twenty-five percent above or below the current support obligation;

(ii) Is at least one hundred dollars per month above or below the current support obligation; and

(iii) Is at least a two thousand four hundred dollar change over the remaining life of the support order; or

(iv) Will provide enough income to:

(A) Make the family ineligible for public assistance if the noncustodial parent (NCP) pays the full amount due under the proposed order; or

(B) Allow a family, otherwise eligible for public assistance, to remain off of assistance.

(b) The case meets the legal requirements for modification under RCW 26.09.170, 74.20A.059, or WAC 388-14A-3925.

(8) DCS may petition to modify the order without regard to subsection (7)(a) of this section when:

(a) The order does not require the NCP to provide health insurance coverage for the children; and

(b) Health insurance coverage is available through the NCP's employer or union at a reasonable cost; or

(c) Both parties agree to an order modifying the support amount.

(9) DCS notifies the parties of:

(a) The findings of the review by regular mail at the parties' last known address;

(b) The parties' right to challenge the review findings; and

(c) The appropriate forum and procedure for challenging the review findings.

(10) Except as provided under subsection (12) of this section, a party to the review process may contest DCS's review findings by requesting a modification conference within thirty days of the date of the notice of review findings.

(11) The modification conference is conducted by:

(a) DCS when the review findings indicate that the case is not appropriate for DCS to petition for modification under subsection (7) or (8) of this section;

(b) The county prosecutor, or the attorney general's office when DCS has referred the case to the prosecutor or attorney general's office as a result of a review conducted under this section.

(12) When DCS has petitioned for modification of:

(a) A superior court order, the prosecutor or attorney general's office may, in their discretion, allow the parties to contest the review findings in the modification proceeding, rather than a modification conference. The modification proceeding is the sole means to contest the review findings.

(b) An administrative order, the parties may contest the review findings in the modification proceeding. In this case, the modification proceeding is the sole means to contest the review findings.

(13) In a modification conference, DCS the prosecutor, or the attorney general's office:

(a) Review all available income and asset information to determine if the review findings are correct; and

(b) Advise the parties of the results of the modification conference.

(14) A modification conference is not an adjudicative proceeding under the administrative procedure act, chapter 34.05 RCW.

(15) This section does not limit the right of any party to petition for a modification of the support order independent from the review and modification process.

(16) DCS does not review an order under this section when the CSO has notified DCS that the custodial parent (CP) has claimed good cause under WAC 388-422-0021, unless the CP requests the review.

(17) The CP's refusal to accept a proposed agreed order modifying support does not constitute noncooperation for the purpose of WAC 388-14A-2075.

(18) DCS applies the Washington state child support schedule when reviewing support orders under this section. All deviations available under chapter 26.19 RCW are available in the review and modification process under this section.

(19) For the purpose of this section, the term "party" means party to a superior court order, a noncustodial parent or a custodial parent entitled to petition for modification under RCW 74.20A.059.

NEW SECTION

WAC 388-14A-3925 How do I modify my administrative support order? (1) The division of child support (DCS), the custodial parent (CP) or the noncustodial parent (NCP) may request a hearing to prospectively modify the NCP's obligation under a support establishment notice. The request must be in writing and must state:

- (a) Any circumstances that have changed; and
- (b) The proposed new support amount.

(2) The petitioning party must file the request for modification with DCS.

(3) DCS serves a copy of the request for modification and notice of hearing on all other parties:

(a) By first class mail, if the parties have been advised in a court or administrative order of the requirement to keep DCS advised of their addresses; or

(b) By certified mail, return receipt request or personal service if the support order does not contain a requirement to advise DCS of their address.

(4) DCS, the administrative law judge (ALJ), or the department review judge:

(a) Prospectively modifies orders according to the terms of chapter 26.19 RCW and RCW 74.20A.059; and

(b) May only modify an order issued by a tribunal in another state according to the terms of RCW 26.21.580.

(5) If the nonpetitioning party fails to appear at the hearing, the ALJ issues a default order based on the Washington state child support schedule and the worksheets submitted by the parties, considering the terms set out in the request for modification.

(6) If the petitioning party fails to appear at the hearing, the ALJ enters an order dismissing the petition for modification.

(6) If the petition for modification does not comply with the requirements of subsection (1)(a) and (b) of this section, the ALJ may:

- (a) Dismiss the petition; or

(b) Continue the hearing to give the petitioning party time to amend according to WAC 388-14A-3275 or to complete the petition.

(7) The ALJ may set the effective date of modification as the date the order is issued, the date the request was made, or any time in between. If an effective date is not set in the order, the effective date is the date the modification order is entered.

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

PART D - HOW WE ENFORCE CHILD SUPPORT OBLIGATIONS

NEW SECTION

WAC 388-14A-4000 When can the division of child support take collection action against a noncustodial parent? (1) The division of child support (DCS) is authorized to take actions enforcing and collecting support obligations by chapters 26.18, 26.23, 74.20 and 74.20A RCW.

(2) DCS may take collection action against the noncustodial parent's income and assets to collect a support debt even if the NCP is making payments under a support order, unless DCS agrees in writing to limit collection action.

(3) If the NCP fails to make the total support payment under an administrative order when it is due:

- (a) The entire support debt becomes due in full; and
- (b) The portion of the administrative order requiring periodic payments on the support debt is automatically vacated without modifying the order.

NEW SECTION

WAC 388-14A-4010 Can I make the division of child support stop collection action against me? (1) Once a noncustodial parent (NCP) fails to make payments when due, an administrative law judge may not stop collection action by DCS.

(2) The NCP may contest collection action by:

- (a) Filing an action in superior court under RCW 74.20A.200 or other applicable statutes; or
- (b) Requesting a conference board under WAC 388-14A-6400.

NEW SECTION

WAC 388-14A-4020 What collection tools does the division of child support use? The division of child support (DCS) uses many tools to enforce support obligations. These include, but are not limited to:

- (1) Payroll deduction notice under RCW 26.23.060;
- (2) Order to withhold and deliver under RCW 74.20A.080;
- (3) Wage assignment;
- (4) License suspension (see WAC 388-14A-4500);
- (5) The DCS most wanted Internet site (see WAC 388-14A-4600);
- (6) Federal income tax offset;

- (7) Asset seizure;
- (8) Liens;
- (9) Medical insurance enrollment.

NEW SECTION

WAC 388-14A-4030 How can the division of child support collect child support from my wages or other income source? (1) The division of child support (DCS) uses a payroll deduction, order to withhold and deliver or wage assignment to collect support when the noncustodial parent (NCP) has a source of income.

(2) When an NCP does not have an identifiable employer or source of income, DCS uses any or all of the collection remedies available under chapters 26.23, 74.20 and 74.20A RCW.

NEW SECTION

WAC 388-14A-4040 DCS can serve some collection actions by electronic service. (1) An employer, or any other person, firm, corporation or political subdivision, or any department of the state or federal government may agree with the division of child support (DCS) to accept electronic data transmission (EDT) as service of the following documents:

- (a) Notice of payroll deduction under RCW 26.23.060;
- (b) Order to withhold and deliver under RCW 74.20A.080;
- (c) Assignment of earnings under RCW 74.20A.240;
- (d) Releases of any of these collection documents; and
- (e) Amendments in the amount to be withheld under any of these collection documents.

(2) Agreements for service by EDT must be in writing. The employer, person, firm, corporation, political subdivision or department must agree to accept EDT as:

- (a) Personal service of the withholding documents; and
- (b) A written document for the purposes of chapters 26.23 and 74.20A RCW.

(3) DCS provides the party accepting EDT with copies of the current forms listed in subsection (2) above, as well as any updates to those forms. If DCS fails to provide an updated form, this does not excuse noncompliance with withholding documents served under the EDT agreement.

(4) An agreement to accept service by EDT does not alter the rights, duties and responsibilities related to income withholding action under chapters 26.23, 74.20 or 74.20A.

NEW SECTION

WAC 388-14A-4100 Can the division of child support make me provide health insurance for my children?

(1) If a child support order requires the noncustodial parent (NCP) to provide health insurance for the children, the division of child support (DCS) attempts to enforce that requirement according to the terms of the order.

(2) Unless the support order specifies differently, an NCP is obligated to provide health insurance for dependent children if coverage is:

- (a) Available or becomes available through the NCP's employment or union; and
- (b) Available at a cost of not greater than twenty-five per cent of the NCP's basic support obligation.

(3) DCS serves a notice of intent to enforce a health insurance obligation if the support order:

- (a) Requires the NCP either to provide health insurance coverage or prove that coverage is not available; and
- (b) Does not inform the NCP that failure to provide health insurance or prove it is not available may result in enforcement of the order without notice to the NCP.

(4) DCS serves the notice of intent to enforce a health insurance obligation on the NCP by certified mail, return receipt requested, or by personal service.

(5) The notice advises the NCP that the NCP must submit proof of coverage, proof that coverage is not available, or proof that the NCP has applied for coverage, within twenty days of the date:

- (a) Of service of the notice; or
- (b) When health insurance coverage becomes available through the NCP's employer or union.

NEW SECTION

WAC 388-14A-4110 If my support order requires me to provide health insurance for my children, what do I have to do? (1) Once an administrative support order is entered requiring health insurance, the noncustodial parent (NCP) must take the following actions within twenty days:

- (a) Provide health insurance coverage;
- (b) Provide proof of coverage to the division of child support (DCS), such as:
 - (i) The name of the insurer providing the health insurance coverage;
 - (ii) The names of the beneficiaries covered;
 - (iii) The policy number;
 - (iv) That coverage is current; and
 - (v) The name and address of the NCP's employer.

(2) If health insurance coverage is not immediately available, the NCP must provide for coverage during the next open enrollment period and then submit proof of coverage as outlined in (1)(b) above.

(3) Medical assistance provided by the department under chapter 74.09 RCW does not substitute for medical insurance.

(4) A child's enrollment in Indian health services satisfies the requirements of this section.

NEW SECTION

WAC 388-14A-4115 Can my support order reduce my support obligation if I pay for health insurance? (1) Some support orders reduce the noncustodial parent's support obligation based on health insurance premiums paid by the NCP.

(2) An NCP is entitled to the reduction for premiums paid only if:

- (a) NCP submits proof of coverage as provided in WAC 388-14A-4110 (1)(b); and

(b) NCP actually pays the required premium.

(3) If the NCP fails to submit proof or pay the premium, the division of child support (DCS) collects the NCP's adjusted basic support obligation without a reduction for health insurance premium payments.

NEW SECTION

WAC 388-14A-4120 DCS serves a notice of enrollment to enforce an obligation to provide health insurance coverage. (1) The division of child support (DCS) serves a notice of enrollment to enforce a noncustodial parent's obligation to provide health insurance coverage under chapter 26.18 RCW.

(2) DCS serves the notice of enrollment on the NCP's employer or union in the same manner as a summons in a civil action, or by certified mail, return receipt requested.

(3) DCS serves the notice of enrollment without notice to the NCP when:

a court or administrative order requires the NCP to provide insurance coverage for a dependent child;

(a) The NCP fails to provide health insurance (either by not covering the child or by letting the coverage lapse) or fails to provide proof of coverage;

(b) The requirements of RCW 26.23.050 are met; and

(c) DCS has reason to believe that coverage is available through the NCP's employer or union.

(4) The notice of enrollment advises the employer or union that:

(a) The NCP is required to provide health insurance coverage for the children named in the notice;

(b) The employer or union is required to enroll the children in a health insurance plan offered by the employer or union if insurance the children can use is or will become available as provided in subsection (d) below;

(c) The employer or union must answer the notice of enrollment by completing the answer form and returning it to DCS within thirty-five days;

(d) The answer must confirm that the employer or union:

(i) Has enrolled the children in a health insurance plan which provides accessible coverage;

(ii) Will enroll the children in a health insurance plan providing accessible coverage during the next open enrollment period; or

(iii) Cannot enroll the children in a plan which provides accessible coverage, stating the specific reasons why coverage cannot be provided.

(e) The employer or union must provide:

(i) Information about the health insurance plan and policy as requested in the notice; and

(ii) Any necessary claim forms or membership cards as soon as they are available.

(f) The employer or union must withhold premiums from the NCP's net earnings if the NCP is required to pay part or all of the premiums for coverage under the health insurance plan.

(g) Noncompliance with the notice of enrollment subjects the employer or union to a fine of up to one thousand dollars under RCW 74.20A.270.

(5) DCS may take action under RCW 74.20A.270 to impose fines if the employer or union fails to comply with the terms of the notice of enrollment for each failure to comply, DCS may assess a fine of:

(a) Two hundred dollars for the first month in which the employer or union fails to comply;

(b) Three hundred dollars for the second month of non-compliance; and

(c) Five hundred dollars for the third month of non-compliance.

(d) The maximum fine based on a single notice of enrollment is one thousand dollars.

NEW SECTION

WAC 388-14A-4130 What must an employer or union who receives a notice of enrollment do? (1) An employer or union who receives a notice of enrollment from the division of child support (DCS) must answer the notice within thirty-five days of receipt, as provided in WAC 388-14A-4120(4).

(2) The employer or union must enroll the children named in the notice in a health insurance plan which the employer or union offers to the noncustodial parent (NCP) and which provides coverage accessible to the children, unless the NCP's current support obligation:

(a) Equals or exceeds fifty percent of the NCP's net earnings; or

(b) Plus the amount of the insurance premium for the children named in the notice exceeds fifty percent of the NCP's net earnings.

(3) Except for the limitation in subsection (2) above, the employer or union must enroll the children named in the notice in a health insurance plan which the employer or union offers to the noncustodial parent (NCP) and which provides coverage accessible to the children:

(a) Upon receipt of the notice of enrollment;

(b) During the next enrollment period if the plan prevents immediate enrollment; or

(c) When accessible coverage becomes available, if coverage is not available at the time of the notice.

(4) If the employer or union offers more than one health insurance plan which could cover the children named in the notice, the employer or union must enroll the children in:

(a) The NCP's plan, unless accessible coverage is not available to the children under that plan; or

(b) The least expensive plan which provides accessible coverage for the children.

(5) The notice of enrollment remains in effect until:

(a) DCS withdraws the notice; or

(b) Health insurance coverage is no longer available through the employer or union.

(6) If coverage for the children is terminated, the employer or union must notify DCS within thirty days of the date coverage ends.

NEW SECTION

WAC 388-14A-4200 Do I get credit for dependent disability payments paid on my behalf to my children? (1)

PROPOSED

When the department of labor and industries or a self-insurer pays compensation under chapter 51.32 RCW on behalf of or on account of the child or children of a noncustodial parent (NCP), the amount of compensation the department or self-insurer pays on behalf of the child or children is treated for all purposes as if the NCP paid the compensation toward satisfaction of the NCP's child support obligations.

(2) When the social security administration pays social security disability dependency benefits, retirement benefits, or survivors insurance benefits on behalf of or on account of the child or children of an NCP who is a disabled person, a retired person, or a deceased person, the amount of benefits paid for the child or children are treated for all purposes as if the NCP paid the benefits toward the satisfaction of the NCP's child support obligation for the period for which benefits are paid.

(3) Under no circumstances does the NCP have a right to reimbursement of any compensation paid under subsection (1) or (2) of this section.

(4) The NCP gets credit only for payments made to the custodial parent or the state. The NCP does not get credit for dependent payments made to the NCP.

NEW SECTION

WAC 388-14A-4300 What can I do if I think I'm paying more than the custodial parent is spending for day-care for my child? (1) A noncustodial parent (NCP) who has paid child support under a court or administrative order and believes that daycare or special child rearing expenses were not actually incurred in the amount of the order may file an application for an administrative hearing to determine if an overpayment of at least twenty per cent has occurred and how the overpayment should be reimbursed.

(a) A petition for reimbursement may cover a twelve-month period; and

(b) The twelve-month period may be:

(i) A calendar year; or

(ii) The twelve-month period following the anniversary date of the support order; or

(iii) The twelve-month period following an adjudication under this section.

(c) Twelve-month periods under this section may not overlap.

(2) The application must be in writing and at a minimum state:

(a) The twelve-month time period to be considered;

(b) The date of the order requiring the payment of day-care or special child rearing expenses;

(c) The amounts required by the court or administrative order for day care or special child rearing expenses for that time period;

(d) The amounts actually paid by the NCP for that time period;

(e) The total amount of day care or special child rearing expenses which the NCP claims the custodial parent (CP) actually incurred for that time period;

(f) The NCP's proportionate share of the expenses actually incurred; and

(g) The amount of reimbursement for overpayment to which the NCP claims to be entitled for that time period.

(3) The division of child support (DCS) considers an application for hearing under this section to be an application for full support enforcement services if there is not already an open support enforcement case.

(4) The effective date of a hearing request is the date DCS receives the written request.

(5) DCS sends notice of a hearing under this subsection to the NCP and the CP. The NCP and the CP participate in the hearing as independent parties with the same procedural rights.

(6) The NCP has the burden of proving the amounts actually paid by the NCP under the order.

(7) The CP has the burden of proving the amounts actually incurred for day care and special child rearing expenses.

(8) The CP is not required to provide the address of the day care provider unless the administrative law judge (ALJ) finds that the information may be disclosed under the standards set forth in WAC 388-14A-2105 for the disclosure of the address of the CP.

(9) If the NCP fails to appear for the hearing, upon proof of service of the notice of hearing the ALJ issues an order of default against the NCP and dismisses the petition for reimbursement.

(10) If the CP fails to appear for the hearing, upon proof of service of the notice of hearing the ALJ issues an order of default against the CP and holds a hearing on the merits of the petition for reimbursement.

(11) A hearing under this subsection is for the limited purpose of determining whether the amount paid by the NCP exceeds the NCP's proportionate share of the amount actually incurred for day care and special child rearing expenses.

(a) If the ALJ determines that the overpayment amounts to twenty percent or more of the NCP's share of annual day care and special child rearing expenses, the ALJ enters an order stating:

(i) The twelve-month time period in question;

(ii) The amount of the overpayment; and

(iii) The method by which the overpayment shall be reimbursed by the CP.

(b) If the ALJ determines that the overpayment amounts to less than twenty percent of the NCP's share of annual day care and child rearing expenses, the ALJ enters an order stating:

(i) Whether the NCP has overpaid or underpaid the day care and special child rearing expenses;

(ii) If an overpayment has occurred, by what percentage of the annual proportionate share; and

(iii) That reimbursement under this section is denied for that twelve-month period.

(12) Any ordered overpayment reimbursement may be applied as an offset to any nonassistance child support arrearages owed by the NCP on that case only. If there are no non-assistance arrearages owed on the case, the reimbursement must be:

(a) In the form of a credit against the NCP's future child support obligation:

(i) Spread equally over a twelve-month period commencing the month after the administrative order becomes final; or

(ii) When the future support obligation will terminate under the terms of the order in less than twelve months, spread equally over the life of the order; or

(iii) With the consent of the CP, in the form of a direct reimbursement by the CP to the NCP.

(13) The NCP may not pay more than his or her proportionate share of day care or other special child rearing expenses in advance and then deduct the overpayment from future support transfer payments unless:

(a) Specifically agreed to by the CP; and

(b) Specifically agreed to in writing by DCS for periods when the CP or the dependent child receives public assistance.

(14) This section applies only to amounts paid during the twelve-month period ending May 31, 1996 or later.

NEW SECTION

WAC 388-14A-4500 What is the division of child support's license suspension program? (1) RCW 74.20A.320 provides that, in some circumstances, the division of child support (DCS) may certify a noncustodial parent (NCP) as someone who is not in compliance with a child support order. The statute calls the NCP the responsible parent.

(a) "Certify" means to establish that the NCP is not in compliance with a child support order and to ask the department of licensing and other state licensing entities to take appropriate action against licenses held by the NCP.

(b) "Responsible parent" is defined in 388-14A-1020. The responsible parent is also called the "noncustodial parent."

(2) "Noncompliance with a child support order" is defined in RCW 74.20A.020(18) and in WAC 388-14A-4510.

(3) When DCS certifies the NCP, the department of licensing or other licensing entities take action to deny, suspend, or refuse to renew the NCP's license, according to the terms of RCW 74.20A.320 (8) and (12).

(4) This section and sections WAC 388-14A-4505 through 388-14A-4530 cover the DCS license suspension program.

(5) DCS may certify An NCP who is not in compliance with a child support order to the department of licensing or any appropriate licensing entity. In determining which licensing entity receives the certification, DCS shall consider:

(a) The number and kind of licenses held by the parent; and

(b) The effect that suspension of a particular license will have in motivating the parent to pay support or to contact DCS to make appropriate arrangements for other relief.

(6) DCS may certify a parent to any licensing agency through which it believes the parent has obtained a license. DCS may certify a parent to as many licensing agencies as DCS feels necessary to accomplish the goals of the license suspension program.

NEW SECTION

WAC 388-14A-4505 The notice of noncompliance and intent to suspend licenses. (1) Before certifying a noncustodial parent (NCP) for noncompliance, the division of child support (DCS) must serve the NCP with a notice of noncompliance and intent to suspend licenses. This notice tells the NCP that DCS intends to submit the NCP's name to the department of licensing and any other appropriate licensing entity as a licensee who is not in compliance with a child support order.

(2) The notice must be served by certified mail, return receipt requested. If DCS is unable to serve the notice by certified mail, DCS must serve the notice by personal service, as provided in RCW 4.28.080.

(3) The notice must include a copy of the NCP's child support order and must contain the address and phone number of the DCS office which issued the notice.

(4) The notice must contain the information required by RCW 74.20A.320(2), telling the NCP that:

(a) The NCP may request an administrative hearing, but that the hearing is limited in scope (see WAC 388-14A-4530);

(b) DCS will certify the NCP unless the NCP makes a request for hearing within twenty days of the date of service of the notice;

(c) The NCP may avoid certification by agreeing to make timely payments of current support and agreeing to a reasonable payment schedule on the support debt;

(d) Certification by DCS will result in suspension or nonrenewal of the NCP's license by the licensing entity until DCS issues a release stating that the NCP is in compliance with the child support order;

(e) Suspension of a license may affect the NCP's insurance coverage, depending on the terms of any policy;

(f) Filing a petition to modify the support obligation may stay (or put a hold on) the certification process; and

(g) Even after certification, the NCP may obtain a release from certification by complying with the support order.

NEW SECTION

WAC 388-14A-4510 Who is subject to the DCS license suspension program? (1) The division of child support (DCS) may certify a noncustodial parent (NCP) as being in noncompliance with a child support order when:

(a) The NCP is required to pay child support under a court order or administrative order;

(b) The NCP is at least six months in arrears; and

(c) The NCP is not:

(i) In jail or prison, except if the NCP has other resources available;

(ii) A recipient of temporary assistance for needy families (TANF), Supplemental Security Income (SSI) or other exempt public assistance program; or

(iii) A WorkFirst participant who does not receive a cash grant.

(d) The NCP is not currently making payments to the Washington state support registry under a wage withholding action issued by DCS.

(2) "Noncompliance with a child support order" for the purposes of the license suspension program means a NCP has:

(a) Accumulated a support debt, also called an arrearage or arrears, totaling more than six months of child support payments;

(b) Failed to make payments pursuant to a written agreement with DCS towards a support debt in an amount that exceeds six months of payments; or

(c) Failed to make payments required by a superior court order or administrative order towards a support debt in an amount that exceeds six months of payments.

(3) There is no minimum dollar amount for the six months of arrears. The following are examples of when a NCP is at least six months in arrears:

(a) The child support order requires monthly payments of five hundred dollars. The NCP has not made a single payment since the order was entered seven months ago. This NCP is at least six months in arrears;

(b) The child support order requires monthly payments of one hundred dollars. The NCP has paid for the last few months, but owes a back debt of over six hundred dollars. This NCP is at least six months in arrears;

(c) The NCP owes a support debt according to a superior court judgment, which requires payments of one hundred dollars per month. The NCP has not made payment for eight months. This NCP is at least six months in arrears; or

(d) The child support order required monthly payments of two hundred dollars, but the child is over eighteen so no current support is owed. However, the NCP has a debt of over twelve hundred dollars. This NCP is at least six months in arrears.

(4) For the purposes of the license suspension program, a NCP is in compliance with the child support order when the amount owed in arrears is less than six months' worth of support.

NEW SECTION

WAC 388-14A-4515 How do I avoid having my license suspended for failure to pay child support? (1) DCS will stay certification action if the noncustodial parent (NCP) takes the following action within twenty days of service of the notice:

(a) Requests an administrative hearing under WAC 388-14A-4530; or

(b) Contacts DCS to negotiate a reasonable payment schedule on the arrears and agrees to make timely payments of current support.

(i) The stay for negotiation may last a maximum of thirty calendar days after the NCP contacts DCS; and

(ii) If no payment schedule has been agreed to in writing after thirty calendar days have passed, DCS may proceed with certification of noncompliance;

(iii) A reasonable payment schedule is described in WAC 388-14A-4520, below; and

(iv) The NCP may request a conference board review under WAC 388-14A-6400 if the NCP feels that DCS has not negotiated in good faith.

(2) If the NCP files a court or administrative action to modify the child support obligation, the certification action is stayed.

(3) The stay for modification action shall not exceed six months unless DCS finds good cause to extend the stay.

(4) The NCP must notify DCS that a modification proceeding is pending and must provide a copy of the motion or request for modification to DCS.

NEW SECTION

WAC 388-14A-4520 Signing a repayment agreement may avoid certification for noncompliance. (1) If a noncustodial parent (NCP) signs a repayment agreement, the certification action must be stayed. The NCP must agree to pay current support in a timely manner and to make regular payments on the support debt.

(2) The repayment agreement must state that If a NCP fails to make payments under the terms of the agreement, DCS may resume certification action.

(3) In setting the repayment amount, DCS must take into account the financial situation of the NCP and the needs of all children who rely on the NCP for support. The NCP must supply sufficient financial information to allow DCS to analyze and document the NCP's financial situation and requirements, including normal living expenses and emergencies.

(4) A reasonable monthly arrears payment is defined as a percentage of the NCP's "adjusted net income," which is the NCP's net monthly income minus any current support obligation. The following table sets forth the suggested monthly payments on arrears:

Monthly adjusted net income (ANI)	Monthly arrears payment=Percentage of ANI
\$1,000 or less	2%
\$1,001 to \$1,200	3%
\$1,201 to \$1,500	4%
\$1,501 to \$1,900	5%
\$1,901 to \$2,400	6%
\$2,401 to \$3,000	7%
\$3,001 or more	8%

(5) Examples of how to calculate the arrears payment are as follows:

(a) Monthly net income	=	\$1,500
Current support	=	\$300
Adjusted net income	=	\$1,200
Arrears payment = 3% of ANI (\$1,200)	=	\$36
(b) Monthly net income	=	\$3,100
Current support	=	\$-0-
Adjusted net income	=	\$3,100
Arrears payment = 8% of ANI (\$3,100)	=	\$248

(6) The NCP must document any factors which make the NCP eligible for an arrears payment less than the amount

PROPOSED

shown in the table in subsection (4). Such factors include, but are not limited to:

- (a) Special needs children, or
- (b) Uninsured medical expenses.

(7) The custodial parent and/or DCS must document any factors which make the NCP eligible for an arrears payment higher than the amount shown in the table in subsection (4). Such factors include, but are not limited to the factors listed in RCW 26.19.075 for deviation from the standard calculation for child support obligations.

NEW SECTION

WAC 388-14A-4525 How to obtain a release of certification for noncompliance. (1) After DCS has certified a noncustodial parent (NCP) to a licensing entity, the NCP may obtain a release from DCS by taking the following actions:

- (a) Paying the support debt in full; or
- (b) Signing a repayment agreement under WAC 388-14A-4520 and paying the first installment due under the agreement.

(2) DCS must provide a copy of the release to any licensing entity to which DCS has certified the NCP.

(3) The NCP must comply with any requirements of the licensing entity to get the license reinstated or reissued.

NEW SECTION

WAC 388-14A-4530 Administrative hearings regarding license suspension are limited in scope. (1) An administrative hearing on a notice of noncompliance under WAC 388-14A-4505 is limited to the following issues:

(a) Whether the person named in the child support order is the noncustodial parent (NCP);

(b) Whether the NCP is required to pay child support under a child support order; and

(c) Whether the NCP is at least six months in arrears.

(2) The administrative law judge (ALJ) is not required to calculate the outstanding support debt beyond determining whether the NCP is at least six months in arrears. Any debt calculation shall not be binding on the department or the NCP beyond the determination that there is at least six months' of arrearage.

(3) If the NCP requests a hearing on the notice, DCS stays the certification process until the hearing results in a finding that the NCP is not in compliance with the order, or that DCS is authorized to certify the NCP.

NEW SECTION

WAC 388-14A-4600 What is the division of child support's DCS most wanted Internet site? (1) The division of child support (DCS) maintains the DCS most wanted Internet site in an effort to:

(a) Locate noncustodial parents in order to establish or enforce a child support obligation; and

(b) Collect unpaid child support from noncustodial parents who have a support obligation.

(2) Anyone who has information concerning a noncustodial parent (NCP) is encouraged to provide that information to DCS.

NEW SECTION

WAC 388-14A-4605 Whose picture can go on the division of child support's DCS most wanted Internet site? (1) If the child's custodial parent (CP) requests DCS to post the NCP to the DCS most wanted Internet site (also called the "site"), the CP must:

(a) Give written permission to DCS to post the NCP on the site; and

(b) Provide a photograph of the NCP.

(2) Only the NCP's photograph appears on the site. If the CP submits a group photograph, DCS edits out everyone except the NCP.

(3) DCS may post an NCP to the site when:

(a) The NCP:

(i) Has made no payments in at least six months (intercepted IRS refunds are not considered to be payments for purposes of this section); and

(ii) Owes at least ten thousand dollars in back child support; or

(b) DCS has been unable to locate the NCP after trying other means for at least twelve months, and:

(i) There is a valid support order; or

(ii) There is a valid paternity affidavit filed for a child on the case, or

(iii) The NCP is:

(A) The mother of the child(ren) on the case; or

(B) The presumed father under RCW 26.26.040.

NEW SECTION

WAC 388-14A-4610 How does a noncustodial parent avoid being posted on the DCS most wanted Internet site?

(1) DCS mails a letter to the noncustodial parent's last known mailing address by first class mail before posting a noncustodial parent (NCP) on the site. The letter advises the NCP:

(a) Who cannot be located, to provide DCS with a current address and employer information.

(b) Who owes back support, to:

(i) Pay the back support debt in full; or

(ii) Sign a repayment agreement with DCS and make the first payment under that agreement.

(2) If the NCP does not comply within twenty days of the date on the letter, DCS may post the NCP to the site.

(3) If the NCP wishes to dispute the amount of the support debt, the NCP may request a conference board review under WAC 388-14A-6400. Such a request does not stay (stop) DCS from posting the NCP to the site.

(4) If the NCP files a court or administrative action to vacate or modify the support obligation, DCS stays the posting of the NCP to the site for up to six months. If DCS finds good cause, DCS may extend the stay.

(5) If the NCP enters into a repayment agreement, but then misses a payment under the agreement, DCS may post the NCP to the site without further notice to the NCP.

NEW SECTION**WAC 388-14A-4615 When does DCS remove a non-custodial parent from the DCS most wanted Internet site?**

(1) DCS must remove the noncustodial parent (NCP) from the site if:

- (a) The NCP pays the back support debt in full;
- (b) The NCP files a court or administrative action to modify or vacate the support obligation (subject to the limitations in WAC 388-14A-3700);

(c) The NCP enters into a repayment agreement and makes the first payment under that agreement (subject to the limitations in WAC 388-14A-4520);

(d) The CP withdraws permission for the posting.

(2) DCS may remove an NCP from the site even if the NCP has not complied with the requirements of this section.

(3) If an NCP receives a warning letter for locate purposes only, DCS must remove the NCP who provides a current address and employment information.

NEW SECTION**WAC 388-14A-4620 What information does the division of child support post to the DCS most wanted Internet site?**

(1) DCS may post to the site any information about the noncustodial parent (NCP) which may aid in locating the NCP or collecting child support from the NCP, such as:

- (a) Full name and aliases;
- (b) Photograph;
- (c) Physical description;
- (d) Birth date;
- (e) Last known address;
- (f) Usual occupation;
- (g) Number and ages of children;
- (h) Amount of back support owed; and
- (i) Ongoing monthly support obligation, if any.

(2) DCS does not post the names or photographs of the CP or the children.

PART E - DISTRIBUTION ISSUESNEW SECTION

WAC 388-14A-5000 How does the division of child support distribute support payments? (1) Under state and federal law, the division of child support (DCS) distributes support money it collects or receives to the:

(a) Department when the department provides or has provided public assistance payments for the support of the family;

(b) Payee under the order, or to the custodial parent (CP) of the child according to WAC 388-14A-5050;

(c) Child support enforcement agency in another state or foreign country which submitted a request for support enforcement services;

(d) Indian tribe which has a TANF program and/or a cooperative agreement regarding the delivery of child support services; or

(e) Person or entity making the payment when DCS is unable to identify the person to whom the support money is

payable after making reasonable efforts to obtain identification information.

(2) If DCS is unable to distribute support money because the location of the family or person is unknown, it must exercise reasonable efforts to locate the family or person. When the family or person cannot be located, DCS handles the money in accordance with chapter 458-65 WAC, the uniform unclaimed property act rules.

(3) When distributing support money, DCS does the following:

(a) Record payments in exact amounts without rounding;

(b) Distribute support money within eight days of the date DCS receives the money, unless it is unable to distribute the payment for one or more of the following reasons:

(i) The location of the payee is unknown;

(ii) DCS does not have sufficient information to identify the accounts against which or to which it should apply the money;

(iii) An action is pending before a court or agency which has jurisdiction over the issue to determine whether support money is owed or how DCS should distribute the money.

(iv) DCS receives prepaid support money which it is holding for distribution in future months under subsection (5) of this section;

(v) DCS mails a notice of intent to distribute support money to the custodial parent (CP) under WAC 388-14A-5050;

(vi) DCS may hold funds and not issue a check to the family for amounts under one dollar. DCS must give credit for the payment, but may delay disbursement of that amount until a future payment is received which increases the amount of the payment to the family to at least one dollar. This subsection does not apply to disbursements which can be made by electronic funds transfer (EFT), or to refunds of intercepted federal income tax refunds; or

(vii) Other circumstances exist which make a proper and timely distribution of the money impossible through no fault or lack of diligence of DCS.

(c) Distribute support money based on the date DCS receives the money, except as provided under subsection (3)(g) of this section;

(d) Apply support money within each Title IV-D nonassistance case:

(i) First, to satisfy the current support obligation for the month DCS received the money;

(ii) Second, to the noncustodial parent's support debts owed to the family;

(iii) Third, to prepaid support as provided for under subsection (5) of this section.

(e) Apply support money within each Title IV-D assistance case:

(i) First, to satisfy the current support obligation for the month DCS received the money;

(ii) Second, to satisfy support debts which are permanently assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family;

(iii) Third, to satisfy support debts which are temporarily assigned to the department to reimburse the cumulative amount of assistance paid to the family;

(iv) Fourth, to prepaid support as provided for under subsection (5) of this section.

(f) Apply support money within each Title IV-D former-assistance case:

(i) First, to satisfy the current support obligation for the month DCS received the money;

(ii) Second, to satisfy support debts which accrued after the family's most recent period of assistance;

(iii) Third, to satisfy support debts which are permanently assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family;

(iv) Fourth, to satisfy support debts which are temporarily assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family;

(v) Fifth, to satisfy support debts which exceed the cumulative amount of unreimbursed assistance which has been paid to the family;

(vi) Sixth, to prepaid support as provided for under subsection (5) of this section.

(g) Apply intercepted federal income tax refunds in accordance with 42 U.S.C. Sec. 657, as follows:

(i) First, to support debts which are permanently assigned to the department to reimburse public assistance payments; and

(ii) Second, to support debts which are temporarily assigned to the department to reimburse public assistance payments; and

(iii) Third, to support debts that are not assigned to the department; and

(iv) To support debts only, not to current and future support obligations. DCS must refund any excess to the noncustodial parent (NCP).

(h) Apply amounts to a support debt owed for one family or household and distribute the amounts accordingly, rather than make a proportionate distribution between support debts owed to different families, when:

(i) Proportionate distribution is administratively inefficient; or

(ii) The collection resulted from the sale or disposition of a specific piece of property against which a court awarded the custodial parent (CP) a judgment lien for child support; or

(iii) The collection is the result of a contempt order which provides that DCS must distribute the amounts to a particular case.

(i) Report amounts distributed to a family, receiving public assistance, to the community services office. This requirement does not relieve the recipient of the duty to report receipt of support money.

(4) Except as provided in subsection (3)(g) of this section, when the NCP has more than one Title IV-D case, DCS distributes support money:

(a) First, to the current support obligation on each Title IV-D case, in proportion to the amount of the current support order on each case; and

(b) Second, to the total of the support debts whether owed to the family or to the department for the reimbursement of public assistance on each Title IV-D case, in proportion to the amount of support debt owed by the NCP on each case; and

(c) Third, after distribution under subsection (3)(d)(ii) of this section, within each Title IV-D case according to subsection (3)(e) of this section.

(5) If DCS receives or collects support money representing payment on the required support obligation for future months, it must:

(a) Apply the support money to future months when the support debt is paid in full;

(b) Distribute the support money on a monthly basis when payments become due in the future; and

(c) Mail a notice to the last known address of the person entitled to receive support money. The notice informs the person that:

(i) DCS received prepaid support money;

(ii) DCS intends to distribute the prepaid money as support payments become due in the future; and

(iii) The person may request a conference board under WAC 388-14A-6400 to determine if the prepaid support money should be immediately distributed.

(d) DCS does not mail the notice referred to in (5)(c) of this section if the prepaid support is equal to or less than one month's support obligation.

(6) DCS changes the distribution rules based on changes in federal statutes and regulations.

NEW SECTION

WAC 388-14A-5050 When does DCS send a notice of intent to distribute support money? (1) The division of child support (DCS) may distribute support money to a custodial parent (CP) who is not the payee under the support order if the CP signs a sworn statement that:

(a) The CP has physical custody of and is caring for the child; and

(b) the CP is not wrongfully depriving the payee of physical custody.

(2) Before DCS begins distributing support money to a CP who is not the payee under the support order, it sends the payee under the support order and the noncustodial parent (NCP) a notice of intent to distribute support money and a copy of the sworn statement of the CP to their last known addresses by first class mail. The notice states:

(a) DCS intends to distribute support money collected under the support order to the CP; and

(b) The name of the CP.

(3) DCS distributes support money to the CP when the notice of intent to distribute support money becomes final.

(a) A notice of intent to distribute support money served in the state of Washington becomes final unless the payee under the support order, within twenty days of the date of mailing of the notice, files a request with DCS for a hearing under subsection (4) of this section. The effective date of a hearing request is the date DCS receives the request.

(b) A notice of intent to distribute support money served in another state becomes final according to WAC 388-14A-7200.

(4) A hearing on a notice of intent to distribute support money is for the limited purpose of resolving who is entitled to receive the support money.

(5) A copy of the notice of any hearing scheduled under this section must be mailed to the alleged CP at the CP's last known address. The notice advises the CP of the right to participate in the proceeding as a witness or observer.

(6) The payee under the support order may file a late hearing request on a notice of intent to distribute support money.

(a) The payee under the support order does not need to show good cause for filing a late hearing request.

(b) DCS may not reimburse the payee under the support order for amounts DCS sent to the CP before the administrative order on a late hearing request becomes final.

(7) The payee under the support order must give DCS and the CP notice of any judicial proceeding to contest a notice of intent to distribute support money.

(8) If the support order is a court order, DCS files a copy of the notice of intent to distribute support money or the final administrative order entered on a notice of intent to distribute support money with the clerk of the court where the support order was entered.

NEW SECTION

WAC 388-14A-5100 What kind of distribution notice does the division of child support send? (1) The division of child support (DCS) mails a distribution notice once each month, or more often, to the last known address of a person for whom it received support during the month, except as provided under subsection (6) of this section.

(2) DCS includes the following information in the notice:

(a) The amount of support money DCS received and the date of collection;

(b) A description of how DCS allocated the support money between current support and the support debt; and

(d) The amount DCS claims as reimbursement for public assistance paid, if applicable.

(3) The person to whom a distribution notice is sent may file a request for a hearing under subsection (4) of this section within ninety days of the date of the notice to contest how DCS distributed the support money, and must make specific objections to the distribution notice. The effective date of a hearing request is the date DCS receives the request.

(4) A hearing under this section is for the limited purpose of determining if DCS correctly distributed the support moneys in the contested notice.

(5) A person who requests a late hearing must show good cause.

(6) This section does not require DCS to send a notice to a recipient of payment services only.

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

NEW SECTION

WAC 388-14A-5200 What is a "total versus total" notice? (1) The division of child support (DCS) identifies cases needing a "total versus total" calculation, which compares amounts of public assistance paid to the assistance unit

with amounts of support collected and uncollected support debt. DCS must perform a total versus total calculation upon the request of the custodial parent (CP) or a DCS field office.

(a) The total versus total calculation allocates the uncollected support debt between the state and the custodial parent, based on the amounts of public assistance paid to the family.

(b) The total versus total calculation indicates the amounts of support paid by each noncustodial parent (NCP) and how the support was distributed.

(c) DCS may at any time review a case to determine if a total versus total calculation is appropriate.

(2) When a total versus total calculation is completed at the request of the CP, DCS mails a total versus total notice to the last known address of the former assistance recipient.

(3) The person to whom a total versus total notice is sent may within ninety days of the date of the notice file a request for a conference board under WAC 388-14A-6400 to contest the distribution of support money and the allocation of uncollected support debt. The requestor must state specific objections to the total versus total notice. The effective date of a hearing request is the date DCS receives the request.

NEW SECTION

WAC 388-14A-5300 How does the division of child support recover a support payment which has already been distributed? (1) The division of child support (DCS) may serve a notice to recover a support payment on the person who received the payment when DCS:

(a) Distributed the money in error;

(b) Distributed the money based on a check that is later dishonored;

(c) Is required to refund or return the money to the person or entity that made the payment; or

(d) Distributed money under a support order that was later modified so as to create an overpayment.

(2) DCS serves a notice to recover a support payment like a summons in a civil action or by certified mail, return receipt requested.

(3) In the notice, DCS must identify the support payment DCS seeks to recover.

(4) DCS may take action to enforce the notice to recover a support payment without further notice once the notice becomes final.

(a) A notice to recover a support payment becomes final unless the person who received the payment requests a hearing under subsection (5) of this section within twenty days of service of the notice to recover a support payment in Washington. The effective date of a hearing request is the date DCS receives the request.

(b) A notice to recover a support payment may be served in another state to recover a payment disbursed by DCS under RCW 26.21.385. A notice to recover a support payment served in another state becomes final according to WAC 388-14A-7200.

(5) A hearing on a notice to recover a support payment is for the limited purpose of resolving the existence and amount of the debt DCS is entitled to recover.

(6) A person who files a late request for a hearing on a notice to recover a support payment must show good cause.

(7) In nonassistance cases and payment services only cases, DCS may recover a support payment under a final administrative order on a notice to recover a support payment by retaining ten percent of current support and one hundred percent of amounts collected on arrears in addition to any other remedy authorized by law.

(8) If a public assistance recipient receives a support payment directly from a noncustodial parent (NCP) and fails to remit it to DCS as required, DCS recovers the money as retained support under WAC 388-14A-5500.

(9) DCS may enforce the notice to recover a support payment as provided in subsection (7), or may act according to RCW 74.20A.270 as deemed appropriate.

NEW SECTION

WAC 388-14A-5400 How does the division of child support tell the custodial parent when they adjust the amount of debt owed on the case? (1) The division of child support (DCS) mails a debt adjustment notice to the payee under a court order within thirty days of the date DCS reduces the amount of the court-ordered support debt it intends to collect if that reduction was due to:

- (a) A mathematical error in the debt calculation;
- (b) A clerical error in the stated debt;
- (c) Proof the support obligation should have been suspended for all or part of the time period involved in the calculation; or
- (d) Proof the noncustodial parent (NCP) made payments that had not previously been credited against the support debt.

(2) The debt adjustment notice must contain the following information:

- (a) The amount of the reduction;
- (b) The reason DCS reduced the support debt, as provided under subsection (1) of this section;
- (c) The name of the NCP and a statement that the NCP may attend and participate as an independent party in any hearing requested by the payee under this section; and
- (d) A statement that DCS continues to provide support enforcement services whether or not the payee objects to the debt adjustment notice.

(3) A debt adjustment notice served in Washington becomes final unless the payee, within twenty days of service of the notice in Washington, files a request with DCS for a hearing under subsection (4) of this section. The effective date of a hearing request is the date DCS receives the request.

(4) A debt adjustment notice served in another state becomes final according to WAC 388-14A-7200.

(5) A hearing under this section is for the limited purpose of determining if DCS correctly reduced the support debt as stated in the notice of debt adjustment.

(5) A payee who requests a late hearing must show good cause for filing a late hearing request if it is filed more than one year after the date of the notice of debt adjustment.

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

NEW SECTION

WAC 388-14A-5500 How does the division of child support collect support debts owed by someone other than a noncustodial parent? (1) Sections 17 and 18, chapter 171, Laws of 1979 ex. sess. (RCW 74.20.320 and 74.20A.270), provide that a custodian of children or other person who receives support moneys which moneys were paid, in whole or in part, in satisfaction of a support obligation owing to the department pursuant to 42 U.S.C. 602 (a)(26)(A), sections 17 and 22, chapter 171, Laws of 1979 ex. sess., or RCW 74.20A.030 has a duty to remit that money to the division of child support (DCS) within eight days of receipt, and is indebted to the department in an amount equal to the amount of the support money received and not remitted.

(2) By not remitting support moneys described in subsection (1) of this section, a custodial parent (CP) or other person is deemed, without the necessity of signing any document, to have made an irrevocable assignment to the department of an equal amount of any support delinquency not already assigned to the department, but owing to the CP or other person, or an equal amount of any support delinquencies which may accrue in the future. DCS is authorized to utilize the collection procedures of chapter 74.20A RCW to collect this assigned delinquency, to satisfy the debt owed under subsection (1) of this section by the CP or other person.

(3) DCS may also make a set-off to pay the debt under subsection (1) of this section from support moneys in its possession or in the possession of a county clerk or other forwarding agent if that money was paid to satisfy a support delinquency.

(4) DCS may take action alternatively or simultaneously under subsections (1), (2) and (3) of this section but in no event may the department recoup and retain more moneys than the debt described under subsection (1) of this section, refunding the excess, without deduction of fees, to the CP.

(5) The CP or other person must be given an accounting of actions taken under subsections (2) or (3) of this section.

NEW SECTION

WAC 388-14A-5505 DCS uses a notice of retained support debt to claim a debt owed by a custodial parent. The Division of Child Support (DCS) serves a notice of retained support debt setting forth:

(1) The amount of support moneys claimed by the department as property of the department by assignment, subrogation or by operation of law or legal process under chapter 74.20A RCW;

(2) The legal basis for the claim of ownership by the department;

(3) A description of the person, firm, corporation, association, or political subdivision who is or has been in possession of the support moneys together with sufficient detail to enable identification of the moneys in issue;

(4) A statement that, effective with the date of service of the notice, all moneys not yet disbursed or spent and all like moneys to be received in the future are deemed to be

impounded and shall be held in trust pending answer to the notice and any hearing which is requested;

(5) A statement that the notice must be answered, under oath and in writing, within twenty days of the date of service of the notice;

(6) A statement that the answer to the notice must include true answers to the questions in the notice and must either acknowledge the department's right to the moneys or request an administrative hearing to determine ownership of the moneys in issue;

(7) A statement that the burden of proof in a hearing on a notice of retained support debt under this section is on the department to establish ownership of the support moneys claimed;

(8) A statement that, if the person, firm, corporation, association, or political subdivision or officer or agent thereof does not answer and/or make a request for hearing in a timely manner, the department's claim will be assessed and determined and subject to collection action as a support debt pursuant to chapter 74.20A RCW; and

(9) A statement that a support debt, as assessed and determined, is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt: Provided, That no collection action may be taken against a recipient of public assistance during the period of time the recipient remains on assistance except as provided in RCW 74.20A.270 and WAC 388-14A-2040.

NEW SECTION

WAC 388-14A-5510 How does DCS serve a notice of retained support debt? The division of child support (DCS) serves the notice of retained support debt on the person, firm, corporation, association, or political subdivision or any officer or agent thereof in the manner prescribed for the service of a summons in a civil action, or by certified mail, return receipt requested. The receipt is *prima facie* evidence of service.

NEW SECTION

WAC 388-14A-5515 What happens if I don't respond to a notice of retained support debt or request a hearing?

(1) After service of a notice of retained support debt under WAC 388-14A-5510, if the person, firm, corporation, association, or political subdivision or any officer or agent thereof fails to answer, in a timely manner, the claim of the department is final and subject to collection action as a support debt pursuant to chapter 74.20A RCW.

(2) To be timely, a hearing request or response must be received by the division of child support within twenty days of service of the notice.

NEW SECTION

WAC 388-14A-5520 What happens if I make a timely objection to a notice of retained support debt? (1) Any debtor who objects to all or any part of a notice of

retained support debt may, within twenty days from the date of service of the notice, file an application for an administrative hearing. An objection under this section is considered to be a general denial of liability to the department.

(2) The notice of retained support debt does not become final until there is a final administrative order.

(3) If the objection is timely, the department serves the notice of hearing on the appellant or the appellant's representative by certified mail or another method showing proof of receipt.

(4) The department must notify the appellant that it is the appellant's responsibility to notify the department of the appellant's mailing address at the time the application is filed and also of any change of address after filing the application. Mailing by certified mail, return receipt requested, to the last address provided by the appellant constitutes service under chapters 74.20A and 34.05 RCW.

NEW SECTION

WAC 388-14A-5525 What happens at the hearing on a notice of retained support debt? (1) An administrative hearing on a notice of retained support debt is limited to the determination of the ownership of the moneys claimed in the notice and/or the reasonableness of a repayment agreement offered to a public assistance recipient for the purpose of recovering child support under RCW 74.20A.270 and WAC 388-14A-5505.

(2) The department has the burden of proof to establish ownership of the support moneys claimed, including but not limited to moneys not yet disbursed or spent.

(3) The administrative law judge (ALJ) must allow the division of child support (DCS) to orally amend the CP notice of support debt at the hearing to conform to the evidence. The ALJ may grant a continuance, if necessary, to allow the debtor additional time to present rebutting evidence and/or argument as to the amendment.

(4) The ALJ serves a copy of the initial decision on DCS and the debtor or the debtor's representative by certified mail to the last address provided by each party or by another method showing proof of receipt.

(5) If the debtor fails to appear at the hearing, the ALJ, upon a showing of valid service, enters an initial decision and order declaring the amount of the support moneys, as claimed in the notice, to be assessed and determined and subject to collection action under chapter 74.20A RCW.

NEW SECTION

WAC 388-14A-5530 Can I request a late hearing on a notice of retained support debt? (1) Within one year from the date a notice of retained support debt was served, the person, firm, corporation, association, political subdivision or any officer or agent thereof may petition the division of child support (DCS) for a hearing, upon a showing of any of the grounds enumerated in RCW 4.72.010 or CR 60.

(2) A copy of the objection must be served by certified mail, return receipt requested, or by service in the manner of a summons in a civil action on the district field office of DCS.

(3) The filing of the petition does not stay any collection action being taken, but the debtor may petition the secretary or the secretary's designee for an order staying collection action pending final decision of the secretary or the secretary's designee or the courts on an appeal made under chapter 34.05 RCW.

(4) Any moneys held and/or taken by collection action prior to the date of any such stay and any support moneys claimed by the department, including moneys to be received in the future, to which the department may have a claim, must be held in trust pending the final decision and appeal, if any, to be disbursed in accordance with the final decision.

(5) If a petition for a hearing is filed, the department serves the notice of hearing on the appellant, the appellant's attorney, or other designated representative by certified mail or other method showing proof of receipt.

(6) The department notifies the appellant that it is the appellant's responsibility to notify the department of the appellant's mailing address at the time the petition is filed and also of any change of address after filing the petition. Mailing by certified mail, return receipt requested, to the last address provided by the appellant constitutes service under chapters 74.20A and 34.05 RCW.

NEW SECTION

WAC 388-14A-5535 How does DCS collect a debt established on a notice of retained support debt? (1) The division of child support (DCS) may take action under chapter 74.20A RCW to collect debts determined under WAC 388-14A-5505.

(2) DCS may take action to assess the debt but may not take collection action under chapter 74.20A RCW and this chapter while a public assistance recipient receives a cash grant.

NEW SECTION

WAC 388-14A-5540 Can I just acknowledge that I own money to the division of child support? If you answer the notice of support debt acknowledging that the department owns the support payments in issue, the division of child support (DCS) is authorized to take collection action pursuant to chapter 74.20A RCW if you fail to pay the debt within twenty-one days of the date DCS receives the answer.

PART F - HEARINGS AND CONFERENCE BOARDS

NEW SECTION

WAC 388-14A-6000 Which statutes and regulations govern the division of child support's hearing process? (1) Hearings under this chapter are governed by:

(a) The Administrative Procedure Act, chapter 34.05 RCW, RCW 74.20A.055; and

(b) Chapter 388-02 WAC (which replaces chapter 388-08 WAC in late 2000).

(2) If any provision in this chapter conflicts with or is inconsistent with chapter 388-02 WAC, the provision in this chapter governs.

NEW SECTION

WAC 388-14A-6100 The division of child support accept orals requests for hearing or conference board. (1) Except for the instances listed in subsection (8), the division of child support (DCS) accepts either a written or an oral request for hearing or conference board, even though other sections of this chapter or the relevant statutes may provide that objections and hearing requests should be in writing.

(2) The subject matter of the objection determines whether the matter is set as a conference board or hearing, unless there is a specific request for an administrative hearing under chapter 34.05 RCW.

(3) DCS processes oral and written requests for hearing in the same manner.

(4) An oral request for hearing is complete if it contains sufficient information to identify the person making the request, the DCS action, and the case or cases involved in the hearing request.

(5) The effective date of an oral request for hearing is the date that a complete oral request for hearing is communicated to any DCS representative in person or by leaving a message on the automated voice mail system of any DCS field office.

(6) When making an oral request, you are not required to specify whether you want a hearing under chapter 34.05 RCW or a conference board under WAC 388-14A-6400.

(7) You can make an oral request for hearing or conference board on behalf of another person, if you have written authorization to act on their behalf. The effective date of an oral request for hearing or conference board made on behalf of another person is the date that DCS receives the written authorization.

(8) There are two types of hearing request which must be in writing:

(a) A petition for prospective modification under WAC 388-14A-3925; and

(b) A petition for reimbursement for day care expenses under WAC 388-14A-4300.

NEW SECTION

WAC 388-14A-6200 What are my hearing rights when the division of child support takes collection action against my bank account? (1) If the division of child support (DCS) takes collection action against a bank account, safe deposit box, or other property held by a bank, credit union or savings and loan, the noncustodial parent (NCP) or the joint owner of record of the bank account, safe deposit box or other property may contest the action in a hearing.

(2) The effective date of a hearing request or objection is the date DCS receives the request.

(3) The NCP or the joint owner must file the objection within twenty days of the date DCS mailed a copy of the order to withhold and deliver to the NCP's last known address.

(4) The NCP or joint owner of record must state in the objection the facts supporting the allegation by the NCP or the joint owner that the funds or property, or a portion of the funds or property, are exempt from satisfaction of the NCP's child support obligation.

PROPOSED

(5) If either the NCP or the joint owner of record objects to the collection action, DCS schedules a hearing solely for the purpose of determining whether or not one of the following exemptions applies to the funds in the bank account, or to the other property attached by the order to withhold and deliver:

(a) Pursuant to RCW 26.16.200 and 74.20A.120, the property or funds in the community bank account, joint bank account, or safe deposit box, or a portion of the property or funds which can be identified as the earnings of the NCP's spouse who does not owe a support obligation to the NCP's child or children, are exempt from satisfaction of the child support obligation of the NCP.

(b) The funds in a bank account, or a portion of those funds which can be identified as AFDC funds, TANF funds, SSI monies, or other kinds of funds which are legally exempt from collection action; or

(c) The funds or property attached by the order to withhold and deliver which can be identified as being solely owned by the joint owner of record of the bank account or safe deposit box who does not owe a child support obligation to the child or children of the NCP, are exempt from satisfaction of the NCP's child support obligation.

(6) The person challenging the collection action has the burden of tracing the funds and proving the property or funds in the bank account, or property in a safe deposit box, are exempt from satisfaction of the NCP's child support obligation.

(7) DCS holds moneys or property withheld as a result of collection action taken against a bank account or safe deposit box and delivered to DCS at the time of an objection, pending the final administrative order or during any appeal to the courts.

(8) If the final decision of the department or courts on appeal is that DCS has caused money or property that is exempt from satisfaction of the NCP's child support obligation to be withheld by the bank or delivered to the department, DCS must:

(a) Promptly release the order to withhold and deliver; or

(b) Refund the proportionate share of the funds having been identified as being exempt. The department is not liable for any interest accrued on any moneys withheld pursuant to RCW 74.20A.080.

NEW SECTION

WAC 388-14A-6300 Duty of the administrative law judge in a hearing to determine the amount of a support obligation. (1) In hearings held under this chapter to contest a notice and finding of financial responsibility or a notice and finding of parental responsibility or other notice or petition, the administrative law judge (ALJ) must determine:

(a) The noncustodial parent's obligation to provide support under RCW 74.20A.057;

(b) The net monthly income of the noncustodial parent (NCP) and any custodial parent (CP);

(c) The NCP's share of the basic support obligation and any adjustments to that share, as warranted by his or her circumstances;

(d) If requested by a party, the NCP's share of any special child-rearing expenses;

(e) The NCP's obligation to provide medical support under RCW 26.18.170;

(f) The NCP's accrued debt and order payments thereon; and

(g) The NCP's total current and future support obligation as a sum certain and order payments thereon.

(2) The ALJ must allow the division of child support (DCS) to orally amend the notice at the hearing to conform to the evidence. The ALJ may grant a continuance, when deemed necessary, to allow the NCP and/or the CP additional time to present rebutting evidence and/or argument as to the amendment.

(3) The ALJ may not require DCS to produce or obtain information, documents, or witnesses to assist the NCP or CP in proof of defenses to liability. However, this rule does not apply to relevant, nonconfidential information or documents that DCS has in its possession.

NEW SECTION

WAC 388-14A-6400 The division of child support's grievance and dispute resolution method is called a conference board. (1) The division of child support (DCS) provides conference boards for the resolution of complaints and problems regarding DCS cases, and for granting exceptional or extraordinary relief. A conference board is an informal review of case actions and of the circumstances of the parties and children related to a child support case.

(a) The term conference board can mean either of the following, depending on the context:

(i) The process itself, including the review and any meeting convened; or

(ii) The DCS staff who make up the panel which convenes the hearing and makes factual and legal determinations.

(b) A conference board chair is an attorney employed by DCS in the conference board unit. In accordance with section WAC 388-14A-6415, the conference board chair reviews a case, and:

(i) Issues a decision without a hearing, or

(ii) Sets a hearing to take statements from interested parties before reaching a decision.

(2) A person who disagrees with any DCS action related to establishing, enforcing or modifying a support order may ask for a conference board.

(3) DCS uses the conference board process to:

(a) Help resolve complaints and problems over agency actions;

(b) Determine when hardship in the paying parent's household, as defined in RCW 74.20A.160, justifies the release of collection action or the refund of a support payment;

(c) Set a repayment rate on a support debt; and

(d) Determine when it is appropriate to write off support debts owed to the department based on:

(i) Hardship to the paying parent or that parent's household;

- (ii) Settlement by compromise of disputed claims;
- (iii) Probable costs of collection in excess of the support debt; or
- (iv) An error or legal defect that reduces the possibility of collection.

(4) A conference board is not a formal hearing under the administrative procedure act, chapter 34.05 RCW.

(5) A conference board does not replace any formal hearing right created by chapters 388-14A WAC, or by chapters 26.23, 74.20 or 74.20A RCW.

(6) This section and WAC 388-14A-6405 through 388-14A-6415 govern the conference board process in DCS cases.

NEW SECTION

WAC 388-14A-6405 How to apply for a conference board. (1) A person may request a conference board, orally or in writing, at any division of child support (DCS) office.

(2) Oral requests for conference boards are governed by WAC 388-14A-6100.

(3) DCS may start conference board proceedings in appropriate circumstances.

NEW SECTION

WAC 388-14A-6410 Explanation of the conference board process. (1) An applicant for a conference board must make reasonable efforts to resolve the dispute with division of child support (DCS) staff before the conference board can act in the case.

(2) A conference board chair reviews each application to determine appropriate action:

(a) If there are questions of both law and fact or if the dispute involves only facts, the chair may schedule a conference board hearing to gather evidence;

(b) If the factual dispute would not provide a basis on which the conference board could grant relief, even if all facts were resolved in favor of the applicant, the chair may issue a decision without a hearing; or

(c) If the dispute can be resolved as a matter of law without relying upon disputed facts, the conference board chair may issue a decision without scheduling a hearing.

(3) If the conference board chair schedules a hearing, the conference board is made up of the conference board chair and staff from the DCS field office which handles the child support case, if needed.

(a) At the hearing, the conference board makes determinations of relevant disputed facts. Decisions on factual issues are made by a majority of the conference board.

(b) Decisions on issues of law are made by the conference board chair alone.

(c) The DCS worker regularly assigned to a case shall not be part of a conference board dealing with that case.

(4) The conference board chair will prepare a decision, if necessary, and provide that decision to the parties to the conference board, and to the DCS staff responsible for the case.

(5) The director of DCS, or a person designated by the director, may review conference board decisions, and may

alter, amend, vacate or remand decisions that are inconsistent with Washington law or DCS policy, or are grossly unfair.

NEW SECTION

WAC 388-14A-6415 Scope of authority of conference board chair defined. The conference board chair has the authority to:

(1) Subpoena witnesses and documents, administer oaths and take testimony;

(2) Grant relief by setting payment plans, writing off debt owed to the department, or refunding collected money;

(3) Adjust support debts based on evidence gathered during the conference board process;

(4) Direct distribution of collected support; and

(5) Take any action consistent with Washington law and DCS policy to resolve disputes, grant relief or address issues of equity.

NEW SECTION

WAC 388-14A-6500 Can I use equitable estoppel as a defense in a hearing with the division of child support?

(1) Equitable estoppel is available in adjudicative proceedings conducted under this chapter.

(2) When a party raises, or the facts indicate, a claim that equitable estoppel applies to a party to the proceeding, the administrative law judge (ALJ) must:

(a) Consider equitable estoppel according to the precedents set by reported Washington state appellate case law, where not contrary to public policy; and

(b) Enter findings of fact and conclusions of law sufficient to determine if the elements of equitable estoppel are met and apply.

(3) The party asserting, or benefitting from, equitable estoppel must prove each element of that defense by clear, cogent and convincing evidence.

(4) The ALJ must consider in the record whether a continuance is necessary to allow the parties to prepare to argue equitable estoppel when:

(a) A party raises equitable estoppel; or

(b) The facts presented require consideration of equitable estoppel.

(5) When the ALJ orders a continuance under subsection (4) of this section, the ALJ enters an initial decision and order for current support if:

(a) Current support is an issue in the proceeding; and

(b) The claim for current support is unaffected by the equitable estoppel defense.

(6) The defense of equitable estoppel is not available to a party to the extent that the:

(a) Party raises the defense against the department's claim for reimbursement of public assistance; and

(b) Act or representation forming the basis for an estoppel claim:

(i) Was made by a current or former public assistance recipient;

(ii) Was made on or after the effective date of the assignment of support rights; and

(iii) Purported to waive, satisfy, or discharge a support obligation assigned to the department.

PART G - INTERSTATE ISSUES

NEW SECTION

WAC 388-14A-7100 An order from another state may be reviewed in Washington for enforcement or modification. (1) A support enforcement agency, or a party to a child support order or an income-withholding order for support issued by a tribunal of another state, may register the order in this state for enforcement pursuant to chapter 26.21 RCW.

(a) The order may be registered with the superior court pursuant to RCW 26.21.490 or it may be registered with the administrative tribunal according to subsection (2) of this section, at the option of the division of child support (DCS). Either method of registration is considered valid registration.

(b) A support order or income-withholding order issued in another state is registered when the order is filed with the registering tribunal of this state.

(c) A registered order issued in another state is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this state.

(2) DCS must give notice to the nonregistering party when it administratively registers a support order or income-withholding order issued in another state.

(a) The notice must inform the nonregistering party:

(i) That a registered order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of this state;

(ii) That a hearing to contest the validity or enforcement of the registered order must be requested within twenty days after the date of receipt by certified or registered mail or personal service of the notice given to a nonregistering party within the state and within sixty days after the date of receipt by certified or registered mail or personal service of the notice on a nonregistering party outside of the state;

(iii) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages and precludes further contest of that order with respect to any matter that could have been asserted; and

(iv) Of the amount of any alleged arrearages.

(b) The notice must be:

(i) Served by certified or registered mail or by any means of personal service authorized by the laws of the state of Washington; and

(ii) Accompanied by a copy of the registered order and any documents and relevant information accompanying the order submitted by the registering party.

(c) The effective date of a request for hearing to contest the validity or enforcement of the registered order is the date DCS receives the request.

(3) A hearing under this section is for the limited purpose of determining if the nonregistering party can meet the burden of proving one or more of the defenses enumerated in RCW 26.21.540(1).

(a) If the contesting party presents evidence establishing a full or partial defense under RCW 26.21.540(1), the presiding officer may:

(i) Stay enforcement of the registered order;

(ii) Continue the proceeding to permit production of additional relevant evidence; or

(iii) Issue other appropriate orders.

(b) An uncontested portion of the registered order may be enforced by all remedies available under the law of this state.

(c) If the contesting party does not establish a defense under RCW 26.21.540(1) to the validity or enforcement of the order, the presiding officer shall issue an order confirming the registered order.

(d) The custodial parent (CP) or payee of the order may participate as a party to any hearing under this section.

(4) Confirmation of a registered order precludes further contest of the order with respect to any matter that could have been asserted at the time of registration. Confirmation may occur:

(a) By operation of law upon failure to contest registration; or

(b) By order of the administrative law judge (ALJ).

(5) A party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another state may register the order in this state according to RCW 26.21.560 through 26.21.580.

(a) The order must be registered in the same manner provided in subsection (1)(a) if the order has not yet been registered.

(b) A petition for modification may be filed at the same time as a request for registration, or later. The petition must specify the grounds for modification.

(c) DCS may enforce a child support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of this state, but the registered order may be modified only if the requirements of RCW 26.21.580 have been met.

(6) Interpretation of the registered order is governed by RCW 26.21.510.

NEW SECTION

WAC 388-14A-7200 DCS can serve notices in another state under the Uniform Interstate Family Support Act. (1) Except as specified in WAC 388-14A-3105, where grounds for personal jurisdiction exist under RCW 26.21.075 or other Washington law, the division of child support (DCS) may serve the following legal actions in another state by certified mail, return receipt requested or by personal service, under chapter 26.21 RCW:

(a) A notice and finding of financial responsibility under WAC 388-14A-3115; and

(b) A notice and finding of parental responsibility under WAC 388-14A-3120;

(c) A notice of paternity test costs under WAC 388-14A-8300; or

(d) An affidavit of birth costs under WAC 388-14A-3555.

(2) A notice and finding of financial responsibility, a notice of paternity test costs, or an affidavit of birth costs becomes final and subject to immediate wage withholding and enforcement without further notice under chapters 26.18, 26.23, and 74.20A RCW unless the noncustodial parent (NCP), within sixty days of service in another state:

- (a) Contacts DCS and signs an agreed settlement or consent order; or
- (b) Files a written request for a hearing under:
 - (i) WAC 388-14A-3115 for a notice and finding of financial responsibility;
 - (ii) WAC 388-14A-3555 for an affidavit of birth costs; or
 - (iii) WAC 388-14A-8300 for a notice of paternity test costs.

(3) The effective date of a hearing request is the date DCS receives the hearing request.

(4) A notice and finding of parental responsibility becomes final and subject to immediate wage withholding and enforcement without further notice under chapters 26.18, 26.23, and 74.20A RCW unless the NCP, within sixty days of service in another state:

- (a) Contacts DCS and signs an agreed settlement or consent order;
- (b) Files a written request for a hearing under WAC 388-14A-3120 with DCS; or
- (c) Files a written request for paternity testing under WAC 388-14A-8300 to determine if he is the natural father of the dependent child named in the notice and cooperates in the testing. A request for a hearing or paternity testing is filed on the date the request is received by DCS.

(5) If the results of paternity tests requested under subsection (4) of this section do not exclude the responsible parent as the natural father of the dependent child, the notice and finding of parental responsibility becomes final and subject to immediate wage withholding without further notice under chapters 26.18, 26.23, and 74.20A RCW unless the NCP, within sixty days of service of the paternity test costs in another state:

- (a) Contacts DCS and signs an agreed settlement or consent order; or
- (b) Files a written request for a hearing under WAC 388-14A-3120.

(6) Administrative law judges and parties must conduct administrative hearings on notices served in another state under this section under the special rules of evidence and procedure in chapter 26.21 RCW and according to chapter 34.05 RCW.

PART H - MISCELLANEOUS

NEW SECTION

WAC 388-14A-8100 Are there special rules for setting child support for children in foster care? (1) Child support obligations for children in foster care are set under chapter 26.19 RCW, just like any other support obligation.

(2) The division of child support does not establish or enforce support obligations for children in foster care who have been certified as eligible for DDD services.

NEW SECTION

WAC 388-14A-8105 Does the cost of care affect how much child support I pay when my child is in foster care?

(1) Child support obligations for children in foster care are set according to chapter 26.19 RCW, without regard to how much the department is expending in foster care funds.

(2) The administrative law judge or review judge may not limit the noncustodial parent's support obligation to the amount the department expends each month for foster care.

NEW SECTION

WAC 388-14A-8110 What happens to the money if current support is higher than the cost of care?

(1) When the division of child support (DCS) collects child support from the parent(s) of a child in foster care, DCS sends the amounts collected to the division of child and family services (DCFS), which administers foster care funds.

(2) DCFS and its Office of accounting services (OAS) apply child support payments collected by DCS.

(3) DCFS and/or OAS deposits in a trust account for the child any child support payments which are not used to reimburse foster care expenses.

NEW SECTION

WAC 388-14A-8120 Are there special rules for collection in foster care cases?

(1) Whenever the department provides residential care ("foster care") for a dependent child or children, the noncustodial parent (NCP) or parents (NCPs) satisfy their obligation to support the child or children by paying to the department the amount specified in a court order or administrative order, if a support order exists.

(2) The division of child support (DCS) takes action under the provisions of chapters 74.20 and 74.20A RCW and this chapter to enforce and collect support obligations owed for children receiving foster care services.

(3) If, during a month when a child is in foster care, the NCP is the "head of household" with other dependent children in the home, DCS does not collect and retain a support payment if:

(a) The household's income is below the need standard for temporary assistance for needy families (TANF) (see WAC 388-478-0015); or

(b) Collection of support would reduce the household's income below the need standard.

(4) The NCP's support obligation for the child or children in foster care continues to accrue during any month DCS is precluded from collecting and retaining support payments under this section.

(5) If the department has collected support payments from the head of household during a month or months which would qualify under section (3), the NCP may request a conference board in accordance with WAC 388-14A-6400.

(6) The NCP has the burden of proving at the conference board that the income of the household was below or was reduced below the need standard during the month or months payments were collected.

(7) If the conference board determines that DCS has collected support payments from the head of household that the department is not entitled to retain in accordance with this section, DCS must promptly refund, without interest, any such support payments, or the portion of such a payment which reduced the income of the household below the need standard.

(8) This section does not apply to payments collected prior to August 23, 1983.

NEW SECTION

WAC 388-14A-8200 All Washington employers must report new hires to the Washington state support registry.

(1) RCW 26.23.040 requires all employers doing business in the state of Washington to comply with the employer reporting requirements regarding new hires.

(2) The minimum information that must be reported is the employee's name, date of birth, social security number and date of hire.

(3) An employer who submits a copy of the employee's completed W-4 form complies with the filing requirements of RCW 26.23.040(3).

(4) An employer may choose to voluntarily report the other statutory elements.

NEW SECTION

WAC 388-14A-8300 Who pays for genetic testing when paternity is an issue? (1) As provided in WAC 388-14A-3120(14), the noncustodial parent (NCP) and/or the mother of the child may request genetic testing, also called paternity tests, after the service of a notice and finding of parental responsibility.

(2) Upon receipt of a request for paternity tests, the division of child support (DCS) must:

(a) Arrange and pay for the genetic testing, except as provided in subsection (6) of this section, with a laboratory under contract with the department to perform genetic testing; and

(b) Notify the NCP and the mother of the time and place to appear to give blood samples.

(3) After DCS receives the test results, DCS must:

(a) Mail a notice of the test results to the:

(i) NCP's last known address by certified mail, return receipt requested; and

(ii) Mother's and/or custodial parent's last known address by first class mail.

(b) Notify the NCP:

(i) Of the costs of the tests;

(ii) That an administrative order entered as a result of the notice and finding of parental responsibility will include the cost of the tests; and

(iii) That DCS may take collection action to collect the genetic testing costs twenty days after the date the NCP

receives notice in Washington, or within the time specified in WAC 388-14A-7200, of the test results if the NCP fails to:

(A) Request either a hearing on the issue of reimbursement to DCS for genetic testing costs under WAC 388-14A-3120 or the initiation of a parentage action in superior court; or

(B) Negotiate an agreed settlement;

(iv) If the notice was served in another state, DCS may take collection action according to WAC 388-14A-7200.

(4) When the genetic tests do not exclude the NCP from being the father, the NCP must reimburse the department for the costs of the tests.

(5) When the paternity tests exclude the NCP from being the father, DCS must:

(a) File a copy of the results with the state center for health statistics;

(b) Withdraw the notice and finding of parental responsibility; and

(c) Request the dismissal of any pending action based on the notice and finding of parental responsibility.

(6) RCW 74.20A.056 does not require DCS to arrange or pay for genetic testing when:

(a) Such tests were previously conducted; or

(b) A court order establishing paternity has been entered.

NEW SECTION

WAC 388-14A-8400 Does the division of child support have the right to approve my child support order before the court enters it?

(1) If the department is providing or has provided cash assistance to the family, parties to a court order must give the division of child support (DCS) twenty calendar days prior notice of the entry of any final order and five days prior notice of the entry of any temporary order in any proceeding involving child support or maintenance, because the department has a financial interest based on an assignment of support rights under RCW 74.20.330 or the state has a subrogated interest under RCW 74.20A.030.

(2) Either party may serve notice on DCS, by personal service on, or mailing by any form of mail requiring a return receipt to, the office of the attorney general.

(3) If you don't give sufficient notice before entering the support order, DCS may ask prosecuting attorney or attorney general to vacate the terms of the support order.

(4) DCS or the department are not entitled to terms for a party's failure to serve the department within the time requirements for this section, unless the department proves that the party knew that the department had an assignment of support rights or a subrogated interest and that the failure to serve the department was intentional.

NEW SECTION

WAC 388-14A-8500 Can the division of child support issue subpoenas? (1) The division of child support (DCS) issues subpoenas requiring the production of documents or records, or appearance of witnesses, under RCW 34.05.588 and 74.04.290.

(2) Compliance with DCS subpoenas is enforced under RCW 34.05.588 and 74.20A.350.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-11-011	Definitions.
WAC 388-11-015	Credits allowed—Debt satisfaction.
WAC 388-11-045	Service requirements—Tolling.
WAC 388-11-048	Request for paternity tests—Liability for costs.
WAC 388-11-065	Defenses to liability.
WAC 388-11-067	Equitable estoppel.
WAC 388-11-100	Duty of the administrative law judge.
WAC 388-11-120	Default—Vacate.
WAC 388-11-135	Service.
WAC 388-11-140	Modification.
WAC 388-11-143	Department review of support orders.
WAC 388-11-145	Notice to parties.
WAC 388-11-150	Consent order and agreed settlement.
WAC 388-11-155	Duration of obligation.
WAC 388-11-170	Collection of debts determined.
WAC 388-11-180	Procedural reference.
WAC 388-11-205	Assessing support.
WAC 388-11-210	Administrative orders.
WAC 388-11-215	Health insurance.
WAC 388-11-220	Liability for birth costs.
WAC 388-11-280	Credit for dependent benefits.
WAC 388-11-300	Amending notices.
WAC 388-11-305	Uniform Interstate Family Support Act—Notices served in another state.
WAC 388-11-310	Request for late hearing—Good cause.
WAC 388-11-320	What is the division of child support's DCS most wanted internet site?

WAC 388-11-325

Whose picture can go on the division of child support's DCS most wanted internet site?

WAC 388-11-330

How does a noncustodial parent avoid being posted on the DCS most wanted internet site?

WAC 388-11-335

When does DCS remove a noncustodial parent from the DCS most wanted internet site?

WAC 388-11-340

What information does the division of child support post to the DCS most wanted internet site?

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-13-010	Debt, assignment, recoupment, set-off.
WAC 388-13-020	Notice of support debt.
WAC 388-13-030	Service of notice of support debt.
WAC 388-13-040	Failure to make answer or request for hearing.
WAC 388-13-050	Petition for hearing after twenty days—Stay.
WAC 388-13-060	Timely application for hearing.
WAC 388-13-070	Hearing—Initial decision.
WAC 388-13-085	Collection action.
WAC 388-13-090	Limitation on proceeding.
WAC 388-13-100	Acknowledgment of debt.
WAC 388-13-110	Default.
WAC 388-13-120	Procedural reference.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-14-010	Office of support enforcement as the Title IV-D agency.
WAC 388-14-020	Definitions.
WAC 388-14-030	Confidentiality.
WAC 388-14-035	Requests for address disclosure—Form of request.

WAC 388-14-040	Authorization for address release.	WAC 388-14-376	Recovery of excess daycare and special child rearing expense payments.
WAC 388-14-045	Requests for address disclosure—Notice of request—Standards for nonrelease.	WAC 388-14-385	The division of child support's grievance and dispute resolution method is called a conference board.
WAC 388-14-050	Requests for address disclosure—Hearings.	WAC 388-14-386	How to apply for a conference board.
WAC 388-14-100	Absent parent's responsibility—Liability.	WAC 388-14-387	Explanation of the conference board process.
WAC 388-14-200	Families accepting assistance must assign certain support rights to the state.	WAC 388-14-388	Scope of authority of conference board chair defined.
WAC 388-14-201	Cooperation with division of child support.	WAC 388-14-390	Hearing when collection action is initiated against a bank account—Exemptions—Burden of proof.
WAC 388-14-202	Effects of noncooperation.	WAC 388-14-395	Limitation on collection of support payments from head of household—Request for conference board—Burden of proof.
WAC 388-14-203	Medical assistance only—Assignment of support rights—Cooperation.	WAC 388-14-410	Release of information to consumer reporting agency.
WAC 388-14-205	Responsibilities of the office.	WAC 388-14-415	Notice of support owed.
WAC 388-14-210	Support payments to office of support enforcement.	WAC 388-14-420	Once a support enforcement case is opened, under what circumstances can it be closed?
WAC 388-14-220	Subpoena power.	WAC 388-14-421	Under what circumstances may DCS deny a request to close a support enforcement case?
WAC 388-14-250	Payments to the family.	WAC 388-14-422	Who is mailed notice of DCS' intent to close a case?
WAC 388-14-260	Interstate cases.	WAC 388-14-423	What if I don't agree with the case closure notice?
WAC 388-14-270	Distribution of support payments.	WAC 388-14-424	What happens to payments that come in after a case is closed?
WAC 388-14-271	Notice of intent to distribute support money.	WAC 388-14-427	Payroll deduction notice—Order to withhold and deliver—Wage assignments—Agreements for electronic service.
WAC 388-14-272	Notice to recover a support payment.	WAC 388-14-435	Notice of support debt.
WAC 388-14-273	Payment distribution payment services only cases.	WAC 388-14-440	Notice to payee.
WAC 388-14-274	Distribution notice.	WAC 388-14-450	Debt adjustment notice.
WAC 388-14-276	Total versus total notice.	WAC 388-14-460	Notice of intent to enforce—Health insurance coverage.
WAC 388-14-300	Nonassistance support enforcement services—Persons eligible for services.		
WAC 388-14-310	Nonassistance support enforcement application.		
WAC 388-14-350	Location of absent parents.		
WAC 388-14-360	Cooperation with other states.		
WAC 388-14-365	Reassignment by state administering an approved plan.		
WAC 388-14-370	Cooperative arrangements with courts and law enforcement officials.		

- WAC 388-14-480 Notice of enrollment—Health insurance coverage—Issuance and termination.
- WAC 388-14-490 All Washington employers must report new hires to the Washington state support registry.
- WAC 388-14-495 Registering an order from another state for enforcement or modification.
- WAC 388-14-496 Uniform Interstate Family Support Act—Notices served in another state.
- WAC 388-14-500 The division of child support will accept oral requests for hearing or conference board.
- WAC 388-14-510 What is the division of child support's license suspension program?
- WAC 388-14-520 The notice of noncompliance and intent to suspend licenses.
- WAC 388-14-530 Who is subject to the DCS license suspension program?
- WAC 388-14-540 How do I avoid having my license suspended for failure to pay child support?
- WAC 388-14-550 Signing a repayment agreement will avoid certification for noncompliance.
- WAC 388-14-560 How to obtain a release of certification for noncompliance.
- WAC 388-14-570 Administrative hearings regarding license suspension are limited in scope.
- 388-530-1200 Drug formulary, 388-530-1250 Prior authorization, 388-530-1850 Drug utilization and education council, 388-530-1900 Drug utilization and claims review, 388-530-1950 Point-of-sale (POS) system/prospective drug utilization review (pro-DUR), and 388-530-2050 Reimbursement of out-of-state prescriptions.
- Purpose: To clarify and update program requirements and to comply with the Governor's Executive Order 97-02, which mandates that all rules be reviewed for clarity, necessity, fairness, etc.
- Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.
- Statute Being Implemented: RCW 74.08.090 and 74.04.050.
- Summary: The proposed rules update and clarify MAA's prescription drug program policy and furnishes providers with clear and concise policy that is consistent with federal regulations and agency goals.
- Reasons Supporting Proposal: To ensure current policy and practice is reflected in rule and to comply with the Governor's Executive Order 97-02.
- Name of Agency Personnel Responsible for Drafting: Kathy Sayre, DPS/RIP, P.O. Box 45533, Olympia, WA 98507-5533, (360) 725-1342; Implementation and Enforcement: Marilyn Mueller, DHSQS, P.O. Box 45506, Olympia, WA 98507-5510, (360) 725-1569.
- Name of Proponent: Department of Social and Health Services, Medical Assistance Administration, governmental.
- Rule is not necessitated by federal law, federal or state court decision.
- Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules update and clarify department policy regarding the prescription drug program. The purpose is to comply with requirements to put pharmacy policy in rule. Its anticipated effect is to clearly reflect department policy so those to whom it applies understand it.
- Proposal Changes the Following Existing Rules: The rules proposed above have been updated to reflect current department policy and processes for the MAA prescription drug program, as well as to establish consistency with federal regulations and the agency's goals.
- No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule amendments and concludes that they will have a no more than minor impact on the businesses affected by them therefore, no small business economic impact statement is required.
- RCW 34.05.328 does not apply to this rule adoption. The department has analyzed these rules and concluded that the proposed amendments do not make "significant amendments to a policy or regulatory program." Therefore, the department concludes that the proposed amendments do not meet the definition of "significant legislative rules."
- Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.
- Assistance for Persons with Disabilities: Contact Kelly Cooper by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

WSR 00-17-080**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed August 14, 2000, 3:36 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-087.

Title of Rule: Amending WAC 388-530-1000 The medical assistance administration (MAA) drug program, 388-530-1050 Definitions, 388-530-1100 Covered drugs and pharmaceutical supplies, 388-530-1150 Noncovered drugs and pharmaceutical supplies and reimbursement limitations,

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 8, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1000 The medical assistance administration (MAA) drug program. (1) The ~~((department shall))~~ medical assistance administration (MAA) reimburses providers for prescription drugs ((medically necessary to the health care of clients eligible for medical care programs in accordance with the department's rules.

~~(2) The pharmacy shall be an MAA provider as agreed under WAC 388-87-007.~~

~~(3) Acceptance and filling of a prescription drug for a client eligible for a medical care program constitutes acceptance of the department's rules and fees.~~

~~(4) The pharmacy shall bill the department and its clients according to WAC 388-87-010 and 388-87-015)) and pharmaceutical supplies according to department rules and subject to the exceptions and restrictions listed in this chapter.~~

(2) MAA reimburses only pharmacies that are MAA-enrolled providers and meet the general requirements for providers described under WAC 388-502-0020.

(3) Prescription drugs must be:

(a) Medically necessary as defined in WAC 388-500-0005;

(b) Billed according to the conditions under WAC 388-502-0150 and 388-502-0160; and

(c) Within the scope of an eligible client's medical care program. Refer to chapter 388-529 WAC.

(4) Acceptance and filling of a prescription for a client eligible for a medical care program constitutes acceptance of MAA's rules and fees. See WAC 388-502-0100 for general conditions of payment.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1050 Definitions. ~~((+))~~ The following definitions and abbreviations and those found in WAC 388-500-0005, Medical definitions, apply to this chapter.

"**Actual acquisition cost (AAC)**" means the actual price a provider paid for a drug marketed ~~((;))~~ in the package size of drug purchased, or sold by a particular manufacturer or labeler. Actual acquisition cost ~~((shall be))~~ is calculated based on factors ~~((such as))~~ including, but not limited to:

~~((+))~~ (1) Invoice price, including other invoice-based considerations;

~~((b))~~ (2) Order quantity and periodic purchase volume discount policies of suppliers (wholesalers and/or manufacturers);

~~((e))~~ (3) Membership/participation in purchasing cooperatives;

~~((d))~~ (4) Advertising and other promotion/display allowances, free merchandise deals; and

~~((e))~~ (5) Transportation or freight allowances.

~~((2))~~ "Administer" means the direct application of a ~~((legend))~~ prescription drug ((whether)) by injection, inhalation, ingestion, or any other means, to the body of a patient ~~((or research subject))~~ by a practitioner, or ~~((to the patient or research subject))~~ at the direction of the practitioner.

~~((3))~~ "Authorized prescriber" means a physician, osteopath, osteopathic physician/surgeon, dentist, nurse, physician assistant, optometrist, pharmacist, or other person duly authorized by law or rule in the state of Washington to prescribe drugs. See WAC 246-863-100 for pharmacists.

~~((4))~~ "Automated maximum allowable cost (AMAC)" means the ~~((cost))~~ rate established for all multiple-source drugs designated by three or more products at least one of which must be under a federal drug rebate contract and which are not on the maximum allowable cost (MAC) list.

~~((5))~~ "Average wholesale price (AWP)" means the average price of a drug product from wholesalers nationwide at a point in time. ~~((MAA determines AWP as reported by a drug pricing file contractor.~~

~~((6))~~ "Brand name" means the proprietary or trade name selected by the manufacturer and placed upon a drug, its container, label or wrapping at the time of packaging.

~~((7))~~ "Bulk drug delivery system" means the method in which the prescribed amount of a drug product is packaged and dispensed to the patient in one bulk container.

~~((8))~~ "Compendia of drug information" includes the following:

(1) The American Hospital Formulary Service Drug Information;

(2) The United States Pharmacopeia Drug Information; and

(3) DRUGDEX Information System.

"**Compounding**" ~~((is the professional practice))~~ means the act of combining two or more ((drugs, as defined in subsection (20)(a) and (b) of this section,)) active ingredients or adjusting therapeutic strengths in the preparation of a prescription.

~~((9))~~ "Contract drugs" ~~((are))~~ means drugs manufactured or distributed by manufacturers/labelers who signed a drug rebate agreement with the federal Department of Health and Human Services (DHHS).

~~((10))~~ "Controlled substance" means a drug or substance, or an immediate precursor of such drug or substance, as designated by chapter 69.50 RCW.

~~((11))~~ "Covered outpatient drug" means a drug approved for safety and effectiveness as a prescription drug under the federal Food, Drug, and Cosmetic Act, which is used for a medically accepted indication, and is not subject to the exceptions under WAC 388-530-1150, Noncovered drugs and pharmaceutical supplies.

~~((12))~~ "Deliver or delivery" means the ~~((actual, constructive, or attempted))~~ transfer of a drug or device from one

person to another ((of a drug or device whether or not there is an agency relationship)).

((13)) **"Department"** means the department of social and health services (DSHS).

((14)) **"DESI" or "less than effective drug((s))" ((are drugs))** means a drug for which:

(a) Effective approval of the drug application has been withdrawn by the Food and Drug Administration (FDA) for safety or efficacy reasons as a result of the drug efficacy study implementation (DESI) review; or

(b) The secretary of the department of health and human services (DHHS) has issued a notice of an opportunity for a hearing under section 505(e) of the federal Food, Drug, and Cosmetic Act on a proposed order of the secretary to withdraw approval of an application for such drug under such section because the secretary has determined the drug is less than effective for some or all conditions of use prescribed, recommended, or suggested in its labeling.

((15) **"Device"** means instruments, apparatus, and contrivances, including their components, parts and accessories, intended:

(a) For use in the diagnosis, cure, mitigation, treatment, or prevention of human disease; or

(b) To affect the human structure or any human function.

(16) **"Dispense"** means the interpretation of a prescription or order for a legend drug and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(17)) **"Dispense as written (DAW)"** means an instruction to the pharmacist forbidding substitution of a generic drug or a therapeutically equivalent product for the specific drug product prescribed.

((18)) **"Dispensing fee"** means the fee ((the department) MAA sets to reimburse pharmacy providers in addition to ingredient costs, for ((provider administrative costs estimated by the department and, including) expenses that include but are not limited to, information provided to the client as required by state laws and federal regulations, compounding time, and overhead expenses incurred in filling medical assistance prescriptions.

((19) **"Distribute"** means to deliver other than by administering or dispensing a legend drug.

(20) **"Double-blind drug study"** is a randomized trial in which a single patient undergoes a series of pairs of treatments, consisting of one active and one placebo per pair, with the order determined by random allocation. Appropriate treatment targets (signs, symptoms, or laboratory tests) are used as the measure of efficacy, and the trial is continued until efficacy is established or disproved.

(21) **"Drug"** means a substance:

(a) Recognized as a drug in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of the above publications;

(b) Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of human disease;

(c) (Other than food, minerals, or vitamins) intended to affect the structure or any function of the human body; and

(d) Intended for use as a component of any article specified in clause (a), (b) or (c) of this subsection, excluding devices or their components, parts or accessories.

((22)) **"Drug formulary"** means a list of MAA-covered outpatient drugs not requiring prior authorization ((except as listed in 388-530-1250(2), as developed by an appropriate committee or the drug use review (DUR) board)).

((23)) **"Drug pricing file contractor"** means the entity which has contracted to provide ((the department) MAA, at specified intervals, the latest information and/or ((database) data base on drugs and related supplies produced, prepared, processed, packaged, labeled, distributed, marketed, or sold in the marketplace. Contractor-provided information includes, but is not limited to, identifying characteristics of the drug (national drug code, drug name, manufacturer/labeler, dosage form, and strength) for the purpose of identifying and facilitating payment for ((the) drugs billed to MAA.

((24)) **"Drug rebates"** means payments provided by pharmaceutical manufacturers to state Medicaid programs under the terms of the manufacturers' agreements with the Department of Health and Human Services.

((25)) **"Drug-related supplies"** means nonpharmaceutical items necessary for administration or delivery of a drug.

((26)) **"Drug ((use) utilization review (DUR) ((program))"** means a quality ((assurance program)) review for covered outpatient drugs ((which) that assures ((that)) prescriptions are appropriate, ((are)) medically necessary, and ((are)) not likely to result in adverse medical outcomes.

((27)) **"Emergency kit"** means a set of limited pharmaceuticals furnished to a nursing facility by the ((primary)) pharmacy ((which) that provides prescription dispensing services to that facility. Each kit is specifically set up to meet the ((individual) emergency needs of ((each) an individual nursing facility.

((28)) **"Estimated acquisition cost (EAC)"** means ((the department's best) MAA's estimate of the price providers generally and currently pay for a drug marketed or sold by a particular manufacturer or labeler ((in the package size most frequently purchased by providers)).

((29)) **"Expedited prior authorization"** means the process for authorizing selected drugs in which providers use a set of numeric codes to indicate to ((the department which)) MAA the acceptable indications/conditions/diagnoses/criteria that are applicable to a particular request for drug authorization.

((30)) **"Experimental drugs"** means drugs the FDA has not approved, or approved drugs when used for medical indications other than those listed by the FDA.

((31)) **"Federal upper limit (FUL)"** means the maximum allowable payment set by the Health Care Financing Administration (HCFA) for a multiple source drug.

((32) **"Formulary"** means a drug formulary. See subsection (22) of this section for a definition of drug formulary.

(33) **"Generic code number"** means a number MAA uses regardless of manufacturer or package size to identify the generic formulation of a drug.

(34) "**Generic name**" means the official title of a drug or drug ingredients published in the latest edition of a nationally recognized pharmacopoeia or formulary.

(35)) "**Ingredient cost**" means the portion of a prescription's cost attributable to the drug ingredients, chemical components, and/or substances.

((36) "**Label**" means a display of written, printed or graphic matter upon the immediate container of any article.

(37) "**Labeling**" means all labels and other written, printed, or graphic matter:

(a) Upon any article or any of its containers or wrappers; or

(b) Accompanying such article.

(38) "**Legend or prescription drugs**" means any drugs required by any applicable federal or state law or regulation to be dispensed by prescription only or which are restricted to use by practitioners only.

(39)) "**Long-term therapy**" means treatment a client receives or will receive continuously through and beyond ninety days.

((40) "**Manufacture**" means:

(a) The production, preparation, propagation, compounding, or processing of a drug or other substance or device; or

(b) The packaging or repackaging of such substance or device; or

(c) The labeling or relabeling of the commercial container of such substance or device.

"Manufacture" does not include the activities of a practitioner who, as an incident to the practitioner's administration or dispensing such substance or device in the course of professional practice, prepares, compounds, packages, or labels such substance or device.

(41) "**Manufacturer**" means a person, corporation, or other entity engaged in the manufacture of drugs or devices.

(42)) "**Maximum allowable cost (MAC)**" means the maximum amount that MAA will pay for a specific dosage form and strength of a multiple source drug product.

((43)) "**Medically accepted indication**" means any indicated use for a covered outpatient drug:

(1) Approved under the Federal Food, Drug, and Cosmetic Act(;));

(2) Which appears in peer-reviewed medical literature; or

(3) Which is accepted by one or more of(;

(a) The American Hospital Formulary Service Drug Information;

(b) The American Medical Association Drug Evaluations; or

(c) The United States Pharmacopoeia Drug Information)) the references listed in the compendia of drug information.

((44) "**Medicine cart system**" is a patient-specific set of pharmaceuticals prearranged in a medicine cart, for administration over a specified time period.

(45)) "**Modified unit dose delivery system**" (also known as blister packs(;) or "bingo/punch cards") means a

method in which each patient's medication is delivered to a nursing facility:

((a)) (1) In individually sealed, single dose packages or "blisters(;"

(b) Usually on one card; and

(c))"; and

(2) In quantities for one month's supply, unless the prescriber specifies short-term therapy.

((46)) "**Multiple-source drug**" means a drug marketed or sold by:

((a)) (1) Two or more manufacturers or labelers; or

((b)) (2) The same manufacturer or labeler:

((i) Under two or more different proprietary names; or

(ii) Both under a proprietary name and without such a name.

(47)) (a) Under two or more different proprietary names; or

(b) Under a proprietary name and a generic name.

"**National drug code (NDC)**" means the eleven-digit number the manufacturer or labeler assigns to a pharmaceutical product and attaches to the product container at the time of packaging ((which)) that identifies the product's manufacturer, dose form and strength, and package size.

((48)) "**Noncontract drugs**" are drugs manufactured or distributed by manufacturers/labelers who have not signed a drug rebate agreement with the federal Department of Health and Human Services.

((49)) "~~(Nonlegend or)~~ **Nonprescription drugs**" means ((any)) drugs ((which)) that may be lawfully sold without a prescription.

((50) "**Nursing home pharmacy**" means a pharmacy serving primarily clients residing in nursing facilities.

(51)) "**Obsolete NDC**" means a national drug code replaced or discontinued by the manufacturer or labeler.

((52) "**On-line receipt of claims**" means claims information received from a switching vendor in a National Council for Prescription Data Processing approved format.

(53) "**Outpatient pharmacy**" means a pharmacy serving primarily outpatient clients.

(54)) "**Over-the-counter (OTC) drugs**" means drugs that do not require a prescription before they can be dispensed.

((55)) "**Pharmacist**" means a person ((duly)) licensed in the practice of pharmacy by the ((Washington State Board of Pharmacy to engage in the practice of pharmacy)) state in which the prescription is filled.

((56) "~~Pharmacist consultant~~") "**Pharmacy research specialist**" means a ((registered)) licensed pharmacist employed by MAA.

((57)) "**Pharmacy**" means every ((site, properly)) location licensed by the ((Washington)) State Board of Pharmacy(, in which) in the state where the practice of pharmacy is conducted.

((58)) "**Point-of-sale (POS)**" means a pharmacy claims processing system capable of receiving and adjudicating claims on-line.

((59)) "**Practice of pharmacy**" means the practice of and responsibility for:

~~((a)) (1) Accurately interpreting prescription orders;~~
~~((b)) (2) Compounding, dispensing, labeling, administering, and distributing of drugs and devices;~~

~~((c)) (3) Providing drug information to the client that includes, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices;~~

~~(4) Monitoring of drug therapy and use;~~

~~((d)) (5) Proper and safe storage of drugs and devices;~~

~~(6) Documenting and maintaining records;~~

~~(7) Initiating or modifying ((e)) drug therapy in accordance with written guidelines or protocols previously established and approved for a pharmacist's practice by a practitioner authorized to prescribe drugs;~~

~~((e)) and~~

~~(8) Participating in drug utilization reviews ((and drug product selection);~~

~~(f) Proper and safe storing and distribution of drugs and devices and maintenance of proper records thereof; and~~

~~(g) Providing legend drug information which includes, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices).~~

~~((60)) "Practitioner" means ((one)) an individual who has met the professional and legal requirements necessary to provide a health care service, such as a physician, nurse, dentist, physical therapist, pharmacist or other person ((duly)) authorized by ((Washington)) state law as a practitioner.~~

~~((61)) "Prescriber" means a physician, osteopathic physician/surgeon, dentist, nurse, physician assistant, optometrist, pharmacist, or other person authorized by law or rule to prescribe drugs. See WAC 246-863-100 for pharmacists' prescriptive authority.~~

~~"Prescription" means an order for drugs or devices issued by a practitioner ((duly)) authorized by ((Washington)) state law or rule to prescribe drugs or devices in the course of the practitioner's professional practice for a legitimate medical purpose.~~

~~((62)) "Prescription drugs" means drugs required by any applicable federal or state law or regulation to be dispensed by prescription only or that are restricted to use by practitioners only.~~

~~"Prospective drug ((use)) utilization review (Pro-DUR)" means a process in which a request for a drug product for a particular patient is screened, before the product is dispensed, for potential drug therapy problems.~~

~~((63)) "Reconstitution" means the process of returning a ((substance)) single active ingredient, previously altered for preservation and storage, to its approximate original state.~~

~~((64)) "Retrospective drug ((use)) utilization review (Retro-DUR)" ((is)) means the process in which patient drug ((use)) utilization is reviewed on a periodic basis to identify patterns of fraud, abuse, gross overuse, or inappropriate or unnecessary care.~~

~~((65)) "Risk/benefit ratio" means the result of assessing the risk of therapy compared to the benefits of therapy.~~

~~"Single source drug" means a drug produced or distributed under an original new drug application approved by the FDA((, including a drug product marketed by any cross-~~

~~licensed producers or distributors operating under the new drug application)).~~

~~((66) "Standard package size" means MAA's designated standard package or container size for a drug dosage form and/or strength for reimbursement purposes.~~

~~((67)) "Substitute" means to ((dispense)) replace, with the prescriber's authorization:~~

~~((a) With the practitioner's authorization, a therapeutically)) (1) An equivalent generic drug product of the identical base or salt as the specific drug product prescribed; or~~

~~((b) With the practitioner's prior consent,) (2) A therapeutically equivalent drug((s)) other than the identical base or salt.~~

~~((68)) "Terminated drug product" ((is)) means a product ((whose)) for which the shelf life expiration date has been met, per manufacturer notification.~~

~~((69)) "Therapeutically equivalent" means ((of essentially)) drugs with the same efficacy ((and toxicity)) when administered to an individual ((in the same dosage regimen)).~~

~~((70)) "Tiered dispensing fee system" means a ((method)) system of paying pharmacies different dispensing fee rates, based on the individual pharmacy's total annual prescription volume and/or drug delivery system used.~~

~~((71)) "True unit dose delivery" means a ((drug delivery system)) method in which each patient's medication is delivered to the nursing facility in quantities sufficient only for the day's required dosage. ((If a medication cart system is used, the pharmacy may deliver the medication cart to the nursing facility every other day, and provide for daily service as needed.~~

~~((72)) "Unit dose drug delivery ((systems))" means true unit ((and)) dose or modified unit dose ((or blister packs, also known as "bingo" or punch cards)) delivery systems.~~

~~((73)) "Usual and customary charge" means the ((amount)) fee that the provider typically charges the general public for the product or service((-For any given product, the amount charged by the pharmacy to fifty percent or more of its non-Medicaid clients shall be deemed its usual and customary charge.~~

~~(74) "Wholesaler" means a corporation, individual, or other entity which buys drugs or devices for resale and distributes the drugs or devices to corporations, individuals, or entities other than consumers)).~~

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1100 Covered drugs and pharmaceutical supplies. ((The department shall reimburse for:

(1) Outpatient legend drugs, generic or brand name, when the manufacturer has a signed rebate agreement with the federal Department of Health and Human Services, except as excluded under WAC 388-530-1150;

(2) Over the counter (OTC) drugs when the drug is:

(a) Prescribed;

(b) A less costly therapeutic alternative; and

(c) Formulary.

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~~(3) Compounded prescriptions when billed by each formulary ingredient used in the compound;~~

~~(4) Nonformulary drugs when prior authorized by the department;~~

~~(5) Drug-related supplies;~~

~~(6) Family planning supplies used in conjunction with family planning under WAC 388-86-035, including OTC supplies. Covered family planning OTC supplies include, but are not limited to, hormonal contraceptives, spermicidal contraceptives and barrier contraceptives;~~

~~(7) Oral, topical and/or injectable drugs, vaccines for immunizations, and biologicals, prepared or packaged for individual use and dispensed or administered to a client by an authorized provider;~~

~~(8) Obsolete national drug codes (NDCs) for up to two years from their date of obsolescence, as long as the drug is not a terminated drug product as defined in WAC 388-530-1050; and~~

~~(9) Drugs and supplies administered or provided under unusual and extenuating circumstances to clients by authorized providers who request and receive department approval. The secretary or secretary's designee shall review such requests on a case-by-case basis))~~ (1) The medical assistance administration (MAA) covers medically necessary prescribed drugs and pharmaceutical supplies, subject to the restrictions described in this section and other published WAC, except for those excluded under WAC 388-530-1150. MAA reimburses a provider for drugs listed in subsection (1)(a) through (e) of this section only when the manufacturer has a signed rebate agreement with the federal Department of Health and Human Services. Refer to WAC 388-530-1125 for information on the drug rebate program. Covered drugs and supplies include:

(a) Outpatient drugs, generic or brand name.

(b) Over-the-counter (OTC) drugs when the drug is:

(i) A less costly therapeutic alternative; and

(ii) Formulary.

(c) Nonformulary drugs when:

(i) Prior authorized by MAA; or

(ii) They meet MAA's published expedited prior authorization criteria and the process described in WAC 388-530-1250(4) is used.

(d) Oral, topical and/or injectable drugs, vaccines for immunizations, and biologicals, prepared or packaged for individual use.

(e) Drugs with obsolete national drug codes (NDCs) for up to two years from the date the NDC is designated obsolete, if the drug is not a terminated drug product as defined in WAC 388-530-1050.

(f) Drug-related supplies as determined in consultation with federal guidelines.

(g) Family planning supplies used in conjunction with family planning under chapter 388-532 WAC, including non-prescribed OTC supplies.

(h) Drugs and supplies provided under unusual and extenuating circumstances to clients by providers who request and receive MAA approval.

(2) MAA determines if certain drugs are covered with or without restrictions based on evidence contained in compen-

dia of drug information and/or peer-reviewed medical literature.

(a) Decisions regarding restrictions are based on, but are not limited to:

(i) Client safety;

(ii) FDA-approved indications;

(iii) Quantity;

(iv) Client age and/or gender; and

(v) Cost.

(b) Restrictions apply to, but are not limited to:

(i) Drugs covered in the nursing facility per diem rate;

(ii) Number of refills within a calendar month; and

(iii) Refills requested before seventy-five percent of the therapy days' supply has elapsed.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1150 Noncovered drugs and pharmaceutical supplies and reimbursement limitations. ((The department shall not pay for:

(1) Noncontract drugs, brand or generic, when the manufacturer has not signed a rebate agreement with the federal Department of Health and Human Services, except as provided under WAC 388-530-1100(4) of this chapter;

(2) Covered outpatient drugs, biological products, insulin, supplies, appliances, and equipment included in other reimbursement methods, including, but not limited to:

(a) Diagnosis-related group (DRG);

(b) Ratio of cost to charges (RCC);

(c) Nursing facility per diem;

(d) Managed care capitation rates; and

(e) Block grants.

(3) Any drug regularly supplied as an integral part of program activity by other public agencies;

(4) A drug when the drug is prescribed:

(a) For weight loss or gain;

(b) To promote fertility;

(c) For cosmetic purposes or hair growth;

(d) To promote smoking cessation; or

(e) For an indication which is not medically accepted as determined by MAA in consultation with federal guidelines, the Drug Utilization Education Council (DUEC), and MAA medical and pharmacy consultants.

(5) OTC drugs/supplies, unless approved for formulary use or family planning as described under WAC 388-86-035;

(6) Drugs listed in the federal register as "less than effective" ("DESI" drugs) or which are identical, similar, or related to such drugs;

(7) Covered outpatient drugs for which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or manufacturer's designee;

(8) Prescription vitamins and mineral products in the absence of a condition that is clinically recognized to produce a deficiency state, except prenatal vitamins and fluoride preparations. Prenatal vitamins are covered only when prescribed and dispensed to pregnant women. Fluoride preparations are covered only for children, under the early and periodic

screening, diagnosis, and treatment (EPSDT or "healthy kids") services;

~~(9) Drugs that are experimental, investigational, or of unproven efficacy or safety;~~

~~(10) Drugs requiring prior authorization for which department authorization has been denied;~~

~~(11) Preservatives, flavoring, and/or coloring agents used in the process of compounding;~~

~~(12) Less than a one-month supply of drugs for long-term therapy, except as provided under WAC 388-530-1250. Prior authorization. For a definition of long-term therapy, see WAC 388-530-1050(39);~~

~~(13) Prescriptions written on pre-signed prescription blanks filled out by nursing facility operators or pharmacists. The department shall terminate the core provider agreement of pharmacies involved in this practice;~~

~~(14) Drugs used to replace those taken from nursing facility emergency kits;~~

~~(15) Drugs used to replace a physician's stock supply;~~

~~(16) Free pharmaceutical samples;~~

~~(17) Obsolete NDCs, except that the department may allow reimbursement to a pharmacy for a drug product with an obsolete NDC when the product is dispensed to an eligible client not later than two years from the date the NDC is designated obsolete, if the drug is not a terminated drug product; and~~

~~(18) Terminated drug products)) (1) The medical assistance administration (MAA) does not cover:~~

~~(a) Noncontract drugs, brand or generic, when the manufacturer has not signed a rebate agreement with the federal Department of Health and Human Services. Refer to WAC 388-530-1125 for information on the drug rebate program.~~

~~(b) A drug prescribed:~~

~~(i) For weight loss or gain;~~

~~(ii) For infertility, frigidity, impotency, or sexual dysfunction;~~

~~(iii) For cosmetic purposes or hair growth; or~~

~~(iv) To promote smoking cessation.~~

~~(c) OTC drugs/supplies, unless approved for formulary use, or family planning as described under chapter 388-532 WAC.~~

~~(d) Prescription vitamins and mineral products, except:~~

~~(i) When prescribed for clinically documented deficiencies;~~

~~(ii) Prenatal vitamins only when prescribed and dispensed to pregnant women; or~~

~~(iii) Fluoride preparations for children under the early and periodic screening, diagnosis, and treatment (EPSDT or "healthy kids") services.~~

~~(e) A drug prescribed for an indication that is not medically accepted as determined by:~~

~~(i) MAA in consultation with federal guidelines; or~~

~~(ii) The Drug Utilization and Education (DUE) Council; and~~

~~(iii) MAA medical consultants and pharmacy research specialist.~~

~~(f) Drugs listed in the federal register as "less-than-effective" ("DESI" drugs) or which are identical, similar, or related to such drugs.~~

(g) Outpatient drugs for which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or manufacturer's designee.

(h) Drugs that are:

(i) Not approved by the FDA; or

(ii) Prescribed for non-FDA approved indications or dosing; or

(iii) Unproven for efficacy or safety.

(i) Drugs requiring prior authorization for which MAA authorization has been denied.

(j) Preservatives, flavoring and/or coloring agents.

(k) Less than a one-month supply of drugs for long-term therapy.

(l) A drug with an obsolete NDC more than two years from the date the NDC is designated obsolete.

(m) Products or items that do not have an eleven-digit NDC.

(2) MAA does not reimburse enrolled providers for:

(a) Outpatient drugs, biological products, insulin, supplies, appliances, and equipment included in other reimbursement methods including, but not limited to:

(i) Diagnosis-related group (DRG);

(ii) Ratio of costs-to-charges (RCC);

(iii) Nursing facility per diem;

(iv) Managed care capitation rates;

(v) Block grants; or

(vi) Drugs prescribed for clients who are on the MAA hospice program when the drugs are related to the terminal condition.

(b) Any drug regularly supplied as an integral part of program activity by other public agencies.

(c) Prescriptions written on pre-signed prescription blanks filled out by nursing facility operators or pharmacists. MAA may terminate the core provider agreement of pharmacies involved in this practice.

(d) Drugs used to replace those taken from nursing facility emergency kits.

(e) Drugs used to replace a physician's stock supply.

(f) Free pharmaceutical samples.

(g) Terminated drug products.

(3) MAA evaluates a request for a drug that is listed as noncovered in this section under the provisions of WAC 388-501-0160 which relates to noncovered services. The request for a noncovered drug is called exception to rule. See WAC 388-501-0160 for information about exception to rule.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1200 Drug formulary. (1) The medical assistance administration (MAA) ~~((shall not require prior approval for drug preparations listed in the MAA drug formulary for the initial prescription.~~

~~(a) MAA shall apply certain setting restrictions, such as nursing home or home use only as well as limits on quantity.~~

~~(b) MAA shall update the formulary list as necessary and shall publish the list periodically)) pharmacy research specialist, medical consultants, and an advisory board evaluate drugs for formulary inclusion, and may consult with the Drug~~

Utilization and Education (DUE) Council, and/or participating MAA providers.

(2) To request ~~((inclusion of))~~ consideration to include a drug product in MAA's drug formulary, a drug manufacturer ~~((shall))~~ must send ((to)) the ~~((pharmacist consultant))~~ pharmacy research specialist a written request and the following supporting documentation:

(a) Background data about the drug ~~((as requested by MAA));~~

(b) Product package information ~~((as requested by MAA));~~

(c) Any pertinent clinical studies; and

(d) Any additional information the manufacturer ~~((feels))~~ considers appropriate.

(3) ~~((MAA's pharmacist consultants and an advisory board shall evaluate drugs for formulary inclusion. The consultants and board may include MAA's medical consultants, the drug utilization and education council (DUEC), and/or participating MAA pharmacy providers.~~

~~((4) The criteria for evaluating whether to include or exclude a drug from MAA's formulary include, but are not limited to the following:~~

~~((a) The manufacturer has signed a federal drug rebate contract agreement;~~

~~((b) Like drugs are already on the formulary;~~

~~((c) The drug is a less-than-effective drug, or is identical, similar, or related to a less-than-effective drug;~~

~~((d) The drug falls into one of the categories authorized by federal law to be excluded from coverage;~~

~~((e) There are already less costly therapeutic alternatives in the formulary; and~~

~~((f) The drug has a potential for abuse.~~

~~((5) The MAA shall determine whether a drug should be covered with or without restrictions in a manner similar to how formulary status is determined.~~

~~((6) The department shall ensure decisions made in subsections (3) and (5) of this section are subject to review by the MAA assistant secretary or his/her designee. Manufacturers may seek review of adverse decisions by writing to the medical director.~~

~~((7) The department may require double-blind drug studies to be performed when there is a question of medical necessity or efficacy and the medical literature on the issue is inconclusive. MAA may use the double-blind study when:~~

~~((a) Considering addition or deletion of a drug to the formulary;~~

~~((b) Evaluating the relative merits of two drugs for general use or for a specific individual;~~

~~((c) Evaluating requests for prior authorization; or~~

~~((d) For whatever purpose the department deems necessary))~~ The criteria used to determine whether to include or exclude a drug from MAA's formulary include, but are not limited to, an evaluation of whether:

(a) There is a federal drug rebate contract agreement signed by the manufacturer;

(b) There are like drugs already on the formulary;

(c) The drug has a favorable risk/benefit ratio;

(d) The drug is a less-than-effective drug;

(e) The drug falls into one of the categories authorized by federal law to be excluded from coverage;

(f) There are less costly therapeutic alternative drugs already on the formulary; and

(g) The drug has a potential for abuse.

(4) MAA does not require prior approval for drug preparations listed in the MAA drug formulary. MAA updates and reviews the formulary list as necessary and publishes the list periodically.

(5) Manufacturers may seek review of formulary decisions by writing to the MAA medical director.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1250 Prior authorization. (1) ~~((Non-formulary drugs shall require prior authorization.~~

~~((2) MAA shall not require pharmacies to obtain prior authorization for formulary drugs, except for:~~

~~((a) Subsequent refills of certain drugs, as identified in the Prescription Drug Program Billing Instructions per client, per month;~~

~~((b) Those drugs which have specific per-month dose or unit limits as identified in the prescription drug program billing instructions;~~

~~((c) Drugs identified in the billing instructions as limited to nursing facility clients when prescribed to clients residing outside a nursing facility; and~~

~~((d) Brand name and generic drugs;~~

~~((i) Which have an established maximum allowable cost (MAC); and~~

~~((ii) For which the prescriber requests reimbursement at estimated acquisition cost (EAC).~~

~~((3) The pharmacy shall make a request to the department for drugs requiring prior authorization before dispensing the drug, except as provided for in subsection (6) of this section. The pharmacy shall:~~

~~((a) Ensure the request states the medical diagnosis and includes medical justification for the drug; and~~

~~((b) Keep on file the medical justification communicated to the pharmacy by the prescriber.~~

~~((4) MAA shall evaluate a request for prior authorization based on, but not limited to, the following criteria:~~

~~((a) As required under WAC 388-530-1000(1), 388-530-1150, and 388-501-0165;~~

~~((b) The drug is of moderate cost as determined by the department. MAA shall select the least costly of two or more preparations of equal effectiveness; and~~

~~((c) The drug is not experimental, investigational, or of unproven efficacy or safety.~~

~~((5) The department may authorize certain prescribed drugs through a process called "expedited prior authorization." (See WAC 388-530-1050(28), Definitions.) MAA shall determine drugs authorized through expedited prior authorization are those for which the department has established specific utilization criteria to address its concerns over the drugs:~~

~~((a) High cost;~~

~~((b) Potential for clinical misuse;~~

~~((c) Narrow therapeutic indication; or~~

~~((d) Safety.~~

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~~(6) The department~~) MAA requires pharmacies to obtain prior authorization for:

(a) Nonformulary drugs;

(b) Drugs that have specific per-month dose or unit limits as indicated by the FDA; and

(c) Additional fills in a calendar month for drugs dispensed for a less than thirty-four day supply when:

(i) Two fills for the same prescription have been dispensed, except for:

(A) Compounded prescriptions;

(B) OTC contraceptives; or

(C) Drugs prescribed to a suicidal patient or a patient at risk for potential drug abuse; or

(ii) Four fills in the same calendar month for the same prescription have been dispensed for any of the following:

(A) Antibiotics;

(B) Anti-asthmatics;

(C) Schedule II and III drugs;

(D) Antineoplastic agents;

(E) Topical preparations; or

(F) Propoxyphene, propoxyphene napsylate, and all propoxyphene combinations.

(2) The pharmacy provider must make a request to MAA for a drug requiring prior authorization before dispensing the drug. The pharmacy provider must:

(a) Ensure the request states the medical diagnosis and includes medical justification for the drug; and

(b) Keep on file the medical justification communicated to the pharmacy by the prescriber.

(3) MAA evaluates a request for prior authorization based on, but not limited to:

(a) Requirements in this section;

(b) Requirements under WAC 388-530-1000, 388-530-1150, and 388-501-0165; and

(c) The least costly alternative between two or more preparations of equal effectiveness.

(4) MAA authorizes certain prescribed drugs through a process called "expedited prior authorization." MAA determines which drugs can be authorized through the expedited prior authorization process by establishing specific utilization criteria which include, but are not limited to:

(a) High cost;

(b) Potential for clinical misuse;

(c) Narrow therapeutic indication; and

(d) Safety.

(5) MAA may authorize reimbursement at the brand name estimated acquisition cost (EAC) for a brand name multiple-source drug that would have been reimbursed at the ~~((established upper limit))~~ maximum allowable cost (MAC) for that multiple-source drug, if:

(a) The pharmacist calls for prior authorization; and

(b) The prescriber ~~((writes))~~ indicates:

(i) "Dispense as written" ~~((on))~~ for the prescription ~~((form, or certifies in the prescriber's own handwriting)); and~~

(ii) That a specific brand is "medically necessary" for a particular client; or

(c) The availability of generics in the marketplace is severely curtailed and the price disparity between the brand name EAC and the generic ~~((maximum allowable cost~~

~~((MAC)))~~ is such that clients would ~~((be effectively))~~ be denied the medication.

~~((7) The department may pay))~~

(6) MAA pays for drugs requiring prior authorization ~~((which))~~ that are dispensed without prior authorization only when:

(a) Given in an ~~((acute))~~ emergency;

(b) ~~((The department))~~ MAA receives justification within seventy-two hours of the fill date, excluding weekends and Washington state holidays; and

(c) ~~((The department))~~ MAA agrees with the justification and approves the request.

~~((8) The pharmacy shall obtain prior authorization from the department for any and all prescription fills in excess of the limits specified under WAC 388-530-1800, Requirements for pharmacy claim payment.~~

~~((9) The department shall ensure))~~

(7) MAA's prior authorization:

(a) Is limited to a decision of medical appropriateness for a drug; and

(b) ~~((Shall))~~ Does not guarantee payment.

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1850 Drug utilization and education council. MAA ~~((shall establish a DUR board, called the))~~ establishes a drug utilization and education council (DUEC) and determines membership rotation. ~~((The DUR board shall:))~~

(1) The DUEC must:

(a) Have a minimum of eight and a maximum of ten members, representing ~~((the state professional associations of medicine, pharmacy, and nursing. The board shall:~~

~~((a))~~ actively practicing health care professionals who have recognized knowledge and expertise in one or more of the following:

(i) The clinically appropriate prescribing of covered outpatient drugs;

(ii) The clinically appropriate dispensing and monitoring of covered outpatient drugs;

(iii) Drug use review, evaluation, and intervention;

(iv) Medical quality assurance; and

(v) Disease state management.

(b) Be made up of at least one-third but not more than fifty-one percent physicians, and at least one-third but not more than fifty-one percent pharmacists; and

~~((b))~~ (c) Include an advanced registered nurse practitioner and a physicians assistant ~~((The department shall determine membership rotation)).~~

(2) ~~((Meet))~~ The DUEC meets periodically to:

(a) Advise ~~((the department on DUR))~~ MAA on drug utilization review activities;

(b) Review provider and patient profiles;

(c) Recommend adoption of standards and treatment guidelines for drug therapy;

(d) Provide interventions targeted toward therapy problems; and

(e) Produce an annual report.

PROPOSED

AMENDATORY SECTION (Amending WSR 96-21-031, filed 10/9/96, effective 11/9/96)

WAC 388-530-1900 Drug ~~((use))~~ utilization and claims review. ~~((The department shall provide for a))~~ (1) Drug ~~((use))~~ utilization review (DUR) ~~((program consisting))~~ consists of:

~~((+))~~ (a) A prospective drug ~~((use))~~ utilization review (Pro-DUR)~~((, wherein))~~ that requires all ~~((prescription drug))~~ pharmacy providers ~~((shall))~~ to:

~~((a))~~ (i) Obtain ~~((a))~~ patient ~~((history))~~ allergies, idiosyncrasies, or chronic condition which may relate to drug utilization. See WAC 246-875-020 (1)(h)(i);

~~((b))~~ (ii) Screen for potential drug therapy problems; and

~~((e))~~ (iii) Counsel the patient in accordance with existing state pharmacy laws and federal regulations~~((, (2)))~~; and

(b) A retrospective drug ~~((use))~~ utilization review (Retro-DUR), ~~((wherein the department shall provide))~~ in which MAA provides for the ongoing periodic examination of claims data and other records in order to identify patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care among physicians, pharmacists, and individuals receiving benefits.

(2) MAA performs a periodic sampling of claims to determine if drugs are appropriately dispensed and billed. If a review of the sample finds that a provider is inappropriately dispensing or billing for drugs, MAA may implement corrective action that includes, but is not limited to:

(a) Educating the provider regarding the problem practice(s);

(b) Recouping the payment for the drug; and/or

(c) Terminating the provider's core provider agreement.

AMENDATORY SECTION (Amending Order 3960, filed 3/26/96, effective 4/26/96)

WAC 388-530-1950 Point-of-sale (POS) system/prospective drug utilization review (Pro-DUR). (1) All pharmacy drug claims ~~((processed through the medical assistance administration-))~~ received by MAA~~((s))~~ for payment ~~((system shall be))~~ are adjudicated by the MAA point-of-sale (POS) system~~((This includes claims received on-line, via paper or by modem, disk, or tape)).~~

(2) ~~((MAA shall ensure))~~ All pharmacy drug claims processed through the POS system undergo a system-facilitated prospective drug utilization review (Pro-DUR) screening~~((The system-facilitated Pro-DUR screening shall be performed by the MAA POS computer system at the time a drug claim is received and shall be intended))~~ as a complement to the Pro-DUR screening required of pharmacists.

(3) ~~((For the purposes of this section, the following definition applies: "MAA approved"))~~ MAA selects national council for prescription data processing (NCPDP) codes~~((means those NCPDP codes appearing in the MAA prescription drug program billing instructions which MAA has approved))~~ for pharmacy provider use in overriding MAA POS system alert messages.

(4) If the MAA POS~~((Pro-DUR))~~ system identifies a potential drug therapy problem during ~~((system-facilitated))~~ Pro-DUR screening, ~~((MAA may deny the claim with))~~ ~~((an alert))~~ a message ~~((indicating))~~ will alert the pharmacy provider indicating the type of potential problem~~((, including but not limited to:))~~.

(a) Alerts to possible drug therapy problems include, but are not limited to:

(i) Therapeutic duplication;

~~((b))~~ (ii) Duration of therapy exceeds maximum;

~~((e-Serious))~~ (iii) Drug-to-drug interaction;

~~((d-Overdosage))~~;

~~((e))~~ (iv) Drug disease precaution;

(v) High dose;

(vi) Ingredient duplication;

~~((f))~~ (vii) Drug-to-client age conflict; ~~((or~~

~~((g))~~ (viii) Drug-to-client gender conflict; or

(ix) Refill too soon.

(b) The dispensing pharmacist evaluates the potential drug therapy conflict.

(i) If the conflict is resolved, the pharmacy may process the claim using the applicable NCPDP code.

(ii) If the conflict is not resolved, MAA requires prior authorization for claims when an alert message is triggered in the POS system and NCPDP code is not appropriate.

(5) ~~((MAA may deny claims:))~~

(a) Which trigger an alert message in the POS system; or

(b) For drugs for which the department has established specific utilization criteria to address MAA concerns over the drug's high cost, potential for clinical misuse, narrow therapeutic indication or safety:

(i) For which prior authorization has not been received;

or

(ii) Which do not include an appropriate MAA-approved expedited prior authorization code or MAA-approved NCPDP code.

(6) If the MAA POS/Pro-DUR system identifies a potential drug therapy problem as described in subsection (4) of this section and the claim is denied for this reason, the dispensing pharmacist shall attempt to resolve the issue through professional utilization review. If upon further investigation a therapy problem is found not to exist, the pharmacist may dispense the drug product and:

(a) Request MAA authorization for payment as specified in WAC 388-530-1250, prior authorization; or

(b) Resubmit the claim using an applicable MAA-approved NCPDP override code as listed in the prescription drug program billing instructions.

~~((7) The department shall determine))~~ POS/Pro-DUR screening is not applicable to pharmacy claims included in the managed care capitated rate.

AMENDATORY SECTION (Amending WSR 00-01-088, filed 12/14/99, effective 1/14/00)

WAC 388-530-2050 Reimbursement of out-of-state prescriptions. (1) ~~((The department reimburses))~~ MAA reimburses out-of-state pharmacies for prescription drugs provided to an eligible ~~((MAA clients who are))~~ client within

PROPOSED

the scope of the client's medical care program if the pharmacy:

(a) ~~((Washington state residents))~~ Contracts with MAA to be an enrolled provider; and

(b) ~~((Located temporarily outside the state subject to the provisions of WAC 388-501-0180))~~ Meets the same criteria MAA requires for in-state pharmacy providers.

(2) ~~((Border areas, as described under WAC 388-501-0175, are considered in-state and not subject to out-of-state rules. Pharmacies in border areas are eligible to apply to the department to be enrolled as providers of medical services in the state of Washington.~~

(3) ~~Out-of-state pharmacies must meet the same criteria as in-state pharmacies))~~ MAA considers pharmacies located in bordering areas listed in WAC 388-501-075 the same as in-state pharmacies.

WSR 00-17-137
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed August 21, 2000, 3:45 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-080.

Title of Rule: General pesticide rules, chapter 16-228 WAC, WAC 16-228-1010, 16-228-1040, 16-228-1150, 16-228-1200, 16-228-1230, 16-228-1270, 16-228-1380, 16-228-1385, 16-228-1540, and 16-228-1580.

Purpose: Regulatory rule review to update regulations and clarify wording and requirements.

Statutory Authority for Adoption: Chapters 15.58, 17.21 RCW.

Statute Being Implemented: Chapters 15.58, 17.21 RCW.

Summary: Modifications to existing rules.

PROPOSED

WAC Number	Title	Initial Proposed Changes	Reason
WAC 16-228-1010	Definitions.	(1) Add definition of "blossoming." (2) Add definition of "chemigation." (3) Add definition of "pollen shedding corn."	Clarify when other rules are applicable.
WAC 16-228-1040	Response time.	(1) Add "or alleged violation of Chapters 17.21 or 15.58 RCW or the accompanying rules."	Department must initiate an investigation if there is an alleged violation of laws or rules.
WAC 16-228-1150	Dispositions.	(1) Add "or notice of correction."	Consistency with regulatory penalties allowed in law.
WAC 16-228-1200	Restrictions on distribution, transportation, storage and disposal.	(1) Add "Restrictions," "pesticide," "application" to title. (2) Change DSHS to DOH, subsection (9). (3) Add "illegible" to subsection (10).	Title reflects content of rule. Reflects agency name change. The intent of the law is to prohibit sale when the label cannot be read.
WAC 16-228-1230 WAC 16-228-1231	State restricted use pesticides.	(1) Revised section and combined with aquatic pesticides. (2) Add "crop or site..." to dealer records.	Consolidate general rules regarding the use of restricted use products and dealer record-keeping requirements.
WAC 16-228-1270	Use of pesticides on small seeded vegetable seed crops.	(1) Add "clover" to list (crops grown only for seed).	Include clover seed in the list of nonfood, nonfeed crops (when grown for seed) in order to allow state use of certain pesticides.
WAC 16-228-1380	Regulation of application of vertebrate control pesticides.	(1) Add "certified" to subsection (3)(c) "The name of the firm and/or <u>certified</u> applicator....." (2) Modify wording for tamper resistant bait boxes in subsection (3).	Recognize that the certified applicator is responsible. Clarify that the bait is allowed to be accessible to the target pest.
WAC 16-228-1385	Compounds 1080, etc.	(1) Modify wording regarding certified applicators. (2) Modify wording on placement of bait.	Clarify that a certified applicator is required. Clarify that the bait is to be inaccessible to humans or domestic animals.
WAC 16-228-1540	Examination requirements.	(1) Add "and at other offices as scheduled" to subsection (1).	Allow for testing at other offices.
WAC 16-228-1580	Change of exemptions.	Delete WAC.	Rule contents covered in law.
Chapter 16-228 WAC	General pesticide regulations.	(1) Change title to "General pesticide rules."	Contents are "rules", not "regulations."

Reasons Supporting Proposal: Clarification and update.

Name of Agency Personnel Responsible for Drafting and Implementation: Ann Wick, Olympia, (360) 902-2051; and Enforcement: Cliff Weed, Olympia, (360) 902-2038.

Name of Proponent: Washington State Department of Agriculture.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Modify and update general pesticide regulations for clarity, add consistency with other laws or rules and add needed regulatory authority to existing rules.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business eco-

conomic impact statement was determined not to be required as the economic impact of the rule changes are minor.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable to the Washington State Department of Agriculture.

Hearing Location: The videoconference hearing will be held at three sites throughout the state simultaneously. LACEY, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98503, (360) 407-9487; SPOKANE, DIS Interactive Technologies, North 1101 Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; and YAKIMA, DIS Interactive Technologies, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902, (509) 454-7878; on October 10, 2000, at 7:00 p.m.

Assistance for Persons with Disabilities: Contact Laurie Mauerman by October 2, 2000, TDD (360) 902-1996.

Submit Written Comments to: Laurie Mauerman, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093, by October 11, 2000.

Date of Intended Adoption: October 24, 2000.

August 18, 2000

Bob Arrington
Assistant Director

Chapter 16-228 WAC

GENERAL PESTICIDE ((REGULATIONS)) RULES

WAC

- 16-228-1010 Definitions.
 16-228-1020 Rights of complainants.
 16-228-1030 Rights of person aggrieved.
 16-228-1040 Investigative response time.
 16-228-1100 Statement of purpose — Penalty assignment.
 16-228-1110 Definitions — Penalty assignment.
 16-228-1120 Calculation of penalty.
 16-228-1130 Penalty assignment schedule — Table A.
 16-228-1140 Penalty assignment schedule — Table B.
 16-228-1150 Other dispositions of alleged violations.
 16-228-1200 Restrictions on pesticide distribution, transportation, application, storage and disposal.
 16-228-1220 Restrictions applying to any person holding, handling, using, or disposing of pesticides and their containers.
 ((16-228-1230 State restricted use pesticides for use by certified applicators only.))
 16-228-1231 State restricted use pesticides for distribution by licensed pesticide dealers and for use by certified applicators only.
 ((16-228-1240 Aquatic pesticides.))
 16-228-1250 Phenoxy herbicide restrictions.
 16-228-1260 Tributyltin.
 16-228-1270 Use of pesticides on small seeded vegetable seed crops and seed alfalfa.
 16-228-1300 Distribution records.
 16-228-1320 Applicator requirements.
 16-228-1330 Compliance with federal requirements.
 16-228-1370 Waste pesticide disposal.

- 16-228-1380 Regulation of application of vertebrate control pesticides.
 16-228-1385 Special restrictions on the use of Compounds 1080, 1081 and phosphorus paste.

General Pesticide ((Regulations)) Rules-Registration

- 16-228-1400 Pesticide labeling requirements.
 16-228-1410 Home and garden products — Definition.
 16-228-1420 Complete pesticide formula.
 16-228-1430 Adequate containers.
 16-228-1440 Artificial coloring.
 16-228-1450 Pesticide-fertilizer registration and labeling.
 16-228-1455 Pesticide-fertilizer mix restrictions.
 16-228-1460 Experimental use permits.

General Pesticide ((Regulations)) Rules-Licensing

- 16-228-1500 License denied, revoked or suspended.
 16-228-1520 Financial responsibility insurance certificate (FRIC).
 16-228-1530 Pesticide licenses — Renewal dates — Penalties.
 16-228-1540 Examination requirements.
 16-228-1550 Apparatus display signs.
 16-228-1555 Requirements on placement of commercial applicator apparatus license plates and windshield identification.
 16-228-1570 Permits.
 ((16-228-1580 Change of exemptions.))
 16-228-1585 Ground maintenance on an occasional basis — Exempt from licensing requirements.
 16-228-1590 Pesticide dealer and dealer manager licenses.

General Pesticide ((Regulations)) Rules—Wood Destroying Organisms

- 16-228-2000 Inspection and reporting criteria for complete wood destroying organism inspections.
 16-228-2020 Inspection and report prerequisite to wood destroying organism treatment.
 16-228-2030 Limited wood destroying organism inspections.
 16-228-2040 Reporting criteria for limited wood destroying organism inspections.

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

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1010 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Agricultural commodity" means any plant, or part of a plant, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators,

Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by people or animals.

(2) "Agricultural emergency" means a sudden occurrence or set of circumstances which the agricultural employer could not have anticipated and over which the agricultural employer has no control, and which requires entry into a pesticide treated area during a restricted-entry interval, when no alternative practices would prevent or mitigate a substantial economic loss.

(3) "Authorized agent" is any person who is authorized to act on behalf of a certified applicator for the purpose of purchasing pesticides.

(4) "Bait box" for rodenticides is a box constructed of durable metal, wood, plastic, or other treated synthetic material. It shall be designed to hold rodent bait securely, allow rodents to enter and leave, and prevent unauthorized persons and domestic animals from gaining access to the bait. The cover shall be provided with a lock that can be unlocked only by a combination, key, special tool, or forced entry. Fragile materials are unacceptable.

(5) "Bait station" may be any location where baits are placed to allow target pests to gain access to the bait.

(6) "Blossoming plants" means

(a) when there are five or more open blooms per square yard on average in a given field; or

(b) when there are one or more open blooms per tree or vine in an orchard or vineyard; or

(c) when there are five or more open weed blooms per square yard on average for the area being measured for groundcover in orchard or vineyards, fence lines, ditch banks, or field, vineyard or orchard edges: PROVIDED that this definition shall not apply to plants that are not attractive to bees (e.g. lentils, white blossomed peas, second bloom of pears and potatoes). For the purposes of this definition, "bloom" means a flower head, raceme or spike with one or more open flowers.

~~((6))~~ (7) "Bulk fertilizer" is a commercial fertilizer, agricultural mineral, or lime, distributed in nonpackaged form.

~~((7))~~ (8) "Certified applicator" means any individual who is licensed as a commercial pesticide applicator, commercial pesticide operator, public operator, private-commercial applicator, demonstration and research applicator, or certified private applicator, or any other individual who is certified by the director to use or supervise the use of any pesticide which is classified by the EPA as a restricted use pesticide or by the state as restricted to use by certified applicators only.

(9) "Chemigation" means the application of any substance or combination of substances intended as a pesticide, plan or crop protectant or a system maintenance compound applied with irrigation water.

~~((8))~~ (10) A "complainant" is defined as a person who has requested an inspection of an area in which a pesticide violation is believed to have occurred.

~~((9))~~ (11) "Complete wood destroying organism inspection" means (a) an inspection of a structure for the purpose of determining (i) evidence of infestation(s), and (ii)

damage, and (iii) conducive conditions; or (b) any wood destroying organism inspection which is conducted as the result of a telephone solicitation by an inspection firm or pest control business, even if the inspection would otherwise fall within the definition of a limited wood destroying organism inspection.

~~((10))~~ (12) "Conducive conditions" means those conditions which may lead to or enhance an infestation of wood destroying organisms.

~~((11))~~ (13) "Controlled disposal site" means any place where solid or liquid waste is disposed: Provided, That the area has been designated as a disposal site for waste materials by the appropriate jurisdictional agency: Provided further, That the site is fenced, barricaded or otherwise enclosed or attended by some person in charge to facilitate control-access of domestic animals, pets, and unauthorized persons.

~~((12))~~ (14) "Department" means the Washington state department of agriculture.

~~((13))~~ (15) "Diluent" means a material, liquid or solid, serving to dilute the pesticide product to field strength for adequate coverage (such as water).

~~((14))~~ (16) "Director" means the director of the department or a duly authorized representative.

~~((15))~~ (17) "Dry pesticide" is any granular, pelleted, dust or wettable powder pesticide.

~~((16))~~ (18) "EPA" means the United States Environmental Protection Agency.

~~((17))~~ (19) "EPA restricted use pesticide" means any pesticide with restricted uses as classified for restricted use by the administrator, EPA.

~~((18))~~ (20) "Fertilizer" as included in this order means any liquid or dry mixed fertilizer, fertilizer material, specialty fertilizer, agricultural mineral, or lime.

~~((19))~~ (21) "FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act as amended (61 stat. 163, 7 U.S.C. Sec. 136 et seq.).

~~((20))~~ (22) "Floor level" is considered to be the floor upon which people normally walk — not shelves, ledges, overhead beams, tops of stacked materials, surfaces of equipment, or similar places.

~~((21))~~ (23) "Food service establishment" means any fixed or mobile restaurant; coffee shop; cafeteria; short order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; nightclub; roadside stand; industrial-feeding establishment; retail grocery; retail food market; retail meat market; retail bakery; private, public, or nonprofit organization routinely serving food; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

~~((22))~~ (24) "Fumigant" means any substance or combination of substances that produce gas, fumes, vapors, or smoke, and is used to kill pests in some kind of enclosure.

~~((23))~~ (25) "Highly toxic pesticide" for the purpose of this chapter, means any pesticide that conforms to the criteria in 40 C.F.R. Sec. 156.10 for toxicity Category I due to oral inhalation or dermal toxicity.

~~((24))~~ (26) "Landscape application" means an application by a certified applicator of any EPA registered pesticide to any exterior landscape plants found around residential property, commercial properties such as apartments or shopping centers, parks, golf courses, schools including nursery schools and licensed day cares, or cemeteries or similar areas. This definition shall not apply to: (a) Applications made by certified private applicators; (b) mosquito abatement, gypsy moth eradication, or similar wide-area pest control program sponsored by governmental entities; and (c) commercial pesticide applicators making structural applications.

~~((25))~~ (27) "Limited wood destroying organism inspection" means the inspection of a structure for purposes of identifying or verifying evidence of an infestation of wood destroying organisms.

~~((26))~~ (28) "Person" is defined as any individual, partnership, association, corporation, or organized group of persons whether or not incorporated.

~~((27))~~ (29) A "person aggrieved" by a violation is defined as a person who has reasonable grounds to believe that he or she has been subjected to harm or an unreasonable risk by such violation.

(30) "Pollen shedding corn" means that stage of growth when ten percent or more of the corn plants in any one quarter portion of the field are showing spike anthers.

~~((28))~~ (31) "Private applicator" means a certified applicator who uses or is in direct supervision of the use of (a) any EPA restricted use pesticide; or (b) any state restricted use pesticide restricted to use only by certified applicators by the director for the purposes of producing any agricultural commodity and for any associated noncrop application on land owned or rented by the private applicator or the applicator's employer or if applied without compensation other than trading of personal services between producers of agricultural commodities on the land of another person.

~~((29))~~ (32) "Private-commercial applicator" means a certified applicator who uses or supervises the use of (a) any EPA restricted use pesticide; or (b) any restricted use pesticide restricted to use only by certified applicators for purposes other than the production of any agricultural commodity on lands owned or rented by the applicator or the applicator's employer.

~~((30))~~ (33) "State restricted use pesticide" means any pesticide determined to be a restricted use pesticide by the director under the authority of chapters 17.21 and 15.58 RCW that are restricted to use only by certified applicators.

~~((31))~~ (34) "Substantial economic loss" means a loss in profitability greater than that which would be expected based on the experience and fluctuations of crop yields in previous years. Only losses caused by the agricultural emergency specific to the affected site and geographic area are considered. The contribution of mismanagement cannot be considered in determining the loss.

~~((32))~~ (35) "Unreasonable adverse effects on the environment" means any unreasonable risk to people or the environment taking into account the economic, social and environmental costs and benefits of the use of any pesticide, or as otherwise determined by the director.

~~((33))~~ (36) "Waste pesticide" is any pesticide formulation which cannot be used according to label directions in

Washington state because of cancellation or suspension of its federal or state registration, or deterioration of the product or its label, and any pesticide formulation whose active ingredients are not clearly identifiable because of label deterioration or because the pesticide is not stored in its original container.

~~((34))~~ (37) "Wood destroying organisms" means those organisms including, but not limited to, subterranean termites, dampwood termites, carpenter ants, wood boring beetles of the family anobiidae (deathwatch beetle), and wood decay fungus (rot). Wood destroying organisms shall not include such organisms which occurred prior to the manufacturing or processing of the lumber, e.g., pocket rot.

~~((35))~~ (38) "Wood destroying organism inspection" means the service of inspecting a building for the presence of wood destroying organism pests destructive to its structural components, and/or their damage, and/or conducive conditions. For purposes of these rules a wood destroying organism inspection shall be either a "complete wood destroying organism inspection" or a "limited wood destroying organism inspection."

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 99-22-022 [99-22-002], filed 10/20/99, effective 11/20/99)

WAC 16-228-1040 Investigative response time. Upon receipt of a verified report of loss as set forth in RCW 17.21.190 or alleged violation of Chapters 17.21 or 15.58 RCW or the accompanying rules, the department shall initiate an investigation. Investigation of a complaint concerning immediate acute pesticide exposure to humans or animals shall be initiated immediately. Other complaint investigations shall be initiated no later than forty-eight hours after receipt of the verified report of loss.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1150 Other dispositions of alleged violations. Nothing herein shall prevent the department from:

- (1) Choosing not to pursue a case administratively.
- (2) Issuing a warning letter or notice of correction in lieu of pursuing administrative action.
- (3) Negotiating settlement(s) of cases on such terms and for such reasons as it deems appropriate. Prior violation(s) covered by a prior settlement agreement may be used by the department for the purpose of determining the appropriate penalty for the current alleged violation(s) if not prohibited by the agreement.

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1200 Restrictions on pesticide distribution, transportation, application, storage and disposal. (1)

No person shall handle, transport, store, display, apply, dispose of or distribute pesticides in such a manner as to endanger humans and their environment or to endanger food, feed, or any other product that may be transported, stored, displayed, or distributed with such pesticides. Toxicities of pesticides shall be considered in distribution, storage, handling, and merchandising practices.

(2) Highly toxic pesticides shall not be transported in the same compartment of the vehicle or other equipment together with clothes, food, feed, or any other material intended for consumption by humans or animals. Any vehicle or other equipment shall be inspected by the owner or authorized agent for contamination before reuse. In instances where leakage or spillage has occurred, the shipper of the pesticides shall be immediately notified for instructions concerning the best method to be employed for the removal of the contamination. Vehicles or other equipment which have been contaminated shall not be returned to service until the contamination has been removed.

(3) Pesticide containers shall be secured during transit by use of side or end racks, bracing, chocks, tiedowns, or other means to prevent their sliding, falling, tipping, rolling, or falling off the vehicle with normal vehicle acceleration, deceleration, or change in direction.

(4) Valves shall be tightly closed and manhole covers shall be secured on cargo or portable tanks used for transporting pesticides, whether tanks are full or empty.

(5) Portable tanks shall be secured to prevent their sliding, falling, tipping, or rolling with normal vehicle acceleration, deceleration, or change in direction. Ends, sidewalls, or doors of van bodies shall not be relied upon for securement.

(6) Pesticides shall not be delivered to a pesticide consignee unless the consignee or authorized agent is present to accept delivery of the pesticides and signs a delivery slip and the pesticides are secured in a proper storage.

(7) Pesticides shall not be stored and/or displayed over or adjacent to meat or vegetable cases, other human foods, animal feeds, or drugs, or in any manner that may result in contamination of food, feed, or clothing. Pesticides intended for sale or distribution shall only be stored and displayed within an enclosed area of a building or fence and shall not be displayed on sidewalks.

(8) Pesticide dealers shall not sell, offer for sale, or hold for sale highly toxic pesticides in the same department where food for human consumption is displayed or sold. The use of the same "checkstand" or food packaging area is prohibited for the distribution of highly toxic pesticides.

(9) All pesticide incidents involving undesirable impacts on human health shall be reported to the Washington state department of ((social and)) health ((services)).

(10) Pesticides in leaking, broken, corroded, or otherwise damaged containers shall not be displayed, offered for sale, or transported and shall be handled or disposed of in a manner that would not contaminate the environment or cause injury to humans and/or animals. Pesticides with obscured, illegible or damaged labels shall not be displayed or offered for sale.

(11) No person shall distribute or sell any pesticide unless it is in the registrant's or the manufacturer's unbroken,

immediate container and there is affixed to the container its registered pesticide label.

(12) A user of a pesticide may distribute a properly labelled pesticide to another user who is legally entitled to use that pesticide without obtaining a pesticide dealer's license if the exclusive purpose of distributing the pesticide is keeping it from becoming a hazardous waste as defined in chapter 70.105 RCW.

(13) The distribution and use of DDT and DDD shall be prohibited in this state except for uses allowed by the Environmental Protection Agency or the Center for Disease Control of the United States Department of Health and Human Services.

NEW SECTION

WAC 16-228-1231 State restricted use pesticides for distribution by licensed pesticide dealers and for use by certified applicators only.

(1) Pesticides defined by the following categories or active ingredients are hereby declared state restricted use pesticides and shall be distributed only by licensed pesticide dealers to certified applicators or to their duly authorized agents. The certified applicator must have a valid certification, license or permit to use or purchase the kind and quantity of such pesticide sold or delivered. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator, and only for those uses covered by the certified applicator's license category.

(a) Any EPA restricted use pesticide.

(b) 2, 4-D - all dry formulations and all liquid amine or salt formulations distributed in quantities larger than one gallon, that are used in counties located east of the crest of the Cascade Mountains.

(c) Strychnine and its salts

(d) Aquatic pesticides. All pesticides formulations labeled for application onto or into water to control pests on or in water.

(e) Pesticides containing the following active ingredients and their isomers are hereby declared state restricted use pesticides for the protection of groundwater.

atrazine
bromacil
dcpa
disulfoton
diuron
hexazinone
metolachlor
metribuzin
picloram
prometon
simazine
tebuthiuron

(2) Pesticides which are no classified as EPA restricted use pesticides and which are labeled and intended only for the following uses shall be exempt from the requirements of this section:

(a) Swimming pools

(b) Wholly impounded ornamental pools or fountains

- (c) Aquariums
- (d) Closed plumbing and sewage systems
- (e) Enclosed food processing systems
- (f) Air conditioners, humidifiers, and cooling towers
- (g) Industrial heat exchange, air washing and similar industrial systems
- (h) Disinfectants
- (i) Aquatic environments in states other than Washington
- (j) Animal pets
- (k) Use within wholly enclosed structures (with floors) or fumigation chambers.

Greenhouses are not considered as wholly enclosed structures for the purposes of this section.

(3) Products listed in WAC 16-228-1230(e) and dry formulations of 2, 4-D which are labeled and intended only for Home & Garden use are exempt from the requirements of this section.

(4) Distribution of pesticides bearing combined labeling of uses onto or into water plus non-aquatic general uses, may be made by licensed pesticide dealers to noncertified applicators if the dealer indicates on the sales slip or invoice that the purchaser of the pesticide agrees that it will not be applied into or onto water. If requested by the department, dealers shall furnish record on the sales of pesticides labeled for application onto or into water, whether sold for that use or not. Records shall include the name and address of the purchaser, the complete product name and/or EPA registration number of the pesticide and the amount purchased. Records shall be kept for seven years from the date of distribution.

(5) Licensed pesticide dealers shall keep records of distribution of state restricted use pesticides for a period of seven years from the date of distribution. Records shall be furnished to the director immediately upon request. The records shall contain the following information:

- (a) Name and address of certified applicator;
 - (b) Name of authorized agent (if applicable);
 - (c) Product name and EPA registration number;
 - (d) Quantity in pounds or gallons of the pesticide distributed;
 - (e) Date of distribution;
 - (f) Certified applicator's license number;
 - (g) Crop or site to which the pesticide will be applied.
- (6) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization by the certified applicator to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license number.

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1270 Use of pesticides on small seeded vegetable seed crops and seed alfalfa. (1) For purposes of pesticide registration, the following crops, when grown to produce seed specifically for crop reproduction purposes, are considered nonfood and nonfeed sites of pesticide use:

Common Name	Synonyms
alfalfa	
arugula	Mediterranean salad, rucola, roquette, Ghargir
beet	
broccoli raab	Rapani, Choy Sum, Chinese flowering cabbage
Brussels sprouts	
cabbage	
carrot	
cauliflower	
Chinese cabbage	Pe-tsai
Chinese kale	Chinese broccoli
Chinese mustard	Pak Choi (Choy), Bok Choi (Choy) Taisai, celery mustard, spoon cabbage
<u>clover</u>	
collard	
coriander	cilantro
dill	
endive	
kale	bore kale
kohlrabi	
leek	
lettuce	
mustard	
onion (bulb)	
onion (bunching)	
parsley	
parsnip	
radish (other than daikon)	
rape	
rutabaga	
spinach	
spinach mustard	
swiss chard	spinach beet
turnip	

(2) For the seed crops listed in subsection (1) of this section, the following conditions shall be met:

(a) All seed screenings shall be disposed of in such a way that they cannot be distributed or used for food or feed. The seed conditioner shall keep records of screening disposal for three years from the date of disposal and shall furnish the records to the director forthwith upon request. Disposal records shall consist of documentation from a controlled dump site, incinerator, or other equivalent disposal site and shall show the lot numbers, amount of material disposed of, its grower(s), and the date of disposal.

(b) No portion of the seed plant, including but not limited to green chop, hay, pellets, meal, whole seed, cracked seed,

PROPOSED

roots, bulbs, leaves and seed screenings may be used or distributed for food or feed purposes.

(c) All seed from the crops listed in subsection (1) of this section grown or conditioned in this state shall bear a tag or container label which forbids use of the seed for human consumption or animal feed.

(d) No seed from the crops listed in subsection (1) of this section grown or conditioned in this state may be distributed for human consumption or animal feed.

(3) Violation of any condition listed in subsection (2) of this section is declared to be a violation of chapters 17.21 and 15.58 RCW.

(4) Any seed crop certified under provisions of RCW 15.86.070, the Organic Food Products Act, shall be exempt from the requirements of this section.

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

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1380 Regulation of application of vertebrate control pesticides. Vertebrate control pesticides shall be used only under the following conditions:

(1) Vertebrate control pesticides shall be placed only in locations that are not readily accessible to nonpest animals, children, and unauthorized persons, and in a manner that shall preclude contamination of food, feed, drugs, and other consumer commodities. Exposure of rodenticides baits within buildings shall not be above floor levels.

(2) Baits shall be colored or otherwise formulated so that they will be identifiable from foods common to the establishment in which the bait is placed.

(3) When the use of bait boxes is necessary to ensure that baits are not readily accessible to nonpest animals, children, and unauthorized persons, the bait boxes shall be of sturdy construction and ~~((designed to accomplish that purpose, and))~~ tamper resistant. Baits placed in industrial, commercial or other areas that are accessible to the public shall be contained in tamper resistant bait boxes and such bait boxes shall be secured in such a way that nonpest animals, children and unauthorized persons cannot displace or remove the baits out of such bait boxes. Bait boxes shall be labeled clearly with letters on contrasting background showing the following information:

(a) Any information required by the EPA or Washington state registered label for the bait or the concentrate from which it was formulated.

(b) The name of the active ingredient(s).

(c) The name of the firm and/or certified applicator, address, and the telephone number.

(4) Containers used for exposing vertebrate control baits to pests shall be composed of tough, nonabsorbent, corrosion resistant materials and designed so they cannot be readily overturned or carried off by pest animals. Those containers that are used for exposing vertebrate control pesticides outside of bait boxes shall bear a legible warning label with wording not less restrictive than requirements on bait boxes being used as per WAC 16-228-1380(3), (except for the size

of lettering). Food containers, such as "meat boats" and "souffle cups" are unacceptable. Containers used for liquid bait exposure shall be water and/or liquid impervious.

(5) All vertebrate control pesticide stocks, when not in use or when unattended, shall be kept in locked storage or locked service vehicles.

(6) All containers used for storing or transporting vertebrate control pesticides shall bear an EPA or department registered label.

(7) Servicemen's kits which contain vertebrate control pesticides shall be handled with extra caution and shall not be left where children or other unauthorized persons or nontarget animals might remove contents.

(8) Upon completion of a baiting operation, all bait boxes, containers, and/or throw bags, if they may become readily accessible to the public, shall be recovered for disposal in an approved manner.

(9) Wherever poisoned carcasses jeopardize public sanitation, or create a health hazard to wildlife, domestic animals, or the public, they shall be recovered and disposed of by burning, burying not less than three feet below the soil surface, or placed in proper waste containers and delivered to an approved disposal site.

(10) Thallium-containing compounds shall not be used for vertebrate control.

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1385 Special restrictions on the use of Compounds 1080, 1081 and phosphorus paste. Compounds 1080 and 1081, and phosphorus paste shall be restricted for use as follows:

(1) No person shall possess or use these pesticides except certified applicators of federal, state, county, or municipal officers or their employees for use in their official duties in pest control; research or chemical laboratories in their respective fields; pest control applicators and operators licensed by the state; and wholesalers or jobbers who distribute, sell, or export these pesticides to the aforementioned persons.

(2) No person shall use these pesticides in occupied structures such as private homes, apartment houses, other human dwellings or food service establishments. Those persons authorized in subsection (1) above shall use these pesticides only in buildings such as grain elevators, seed houses, or warehouses. The portions of these buildings being baited must be under control of the licensee. A controlled building is one that is locked or attended and that is under at least once-a-day surveillance by the licensee, unless authorized as per WAC 16-228-1385(7).

(3) Compounds 1080 and 1081 and phosphorous paste shall be used only by authorized persons who have read and will comply with the "Instructions For Using Sodium Fluoroacetate (Compound 1080)," by the National Research Council and all other labeling of the registrant, and are familiar with hazards of the above compounds.

(4) Compounds 1080 and 1081 and phosphorous paste may be used in warehouses, grain elevators, seed houses and industrial buildings only when warning signs are used which are not less than eight by ten inches with the words "DANGER"

PROPOSED

— "FATAL POISON" — "RODENT BAITS" in red letters not less than one inch in height on a contrasting background and the skull and crossbones, in red, not smaller than the letters. These signs must be conspicuously posted at all entrances to the building and portions of the building under control of the licensee. Below is the suggested format:

DANGER

FATAL POISON - RODENT BAIT

IN THIS AREA

(skull/crossbones) DO NOT TOUCH BAITS (skull/crossbones)

OR DEAD ANIMALS

Name, address, and phone number
of certified applicator

Name of the rodenticide

All authorized personnel in the building must be notified of the baiting; a diagram showing the number of bait stations and the location of each on the premises must be readily available on the property; and a copy of such diagram must be in the possession of the certified applicator or licensee or persons(s) under the direct supervision of a certified applicator who is performing the baiting operation.

(5) No person shall use Compounds 1080 and 1081, or phosphorus paste unless all unused baits are recovered and disposed of appropriately at the end of the baiting operation, and carcasses shall be recovered daily and disposed of as per WAC 16-228-1380(9), unless a permit issued pursuant to WAC 16-228-1385(7) provides alternative requirements.

(6) When placed in burrows, baits should be put far enough into the burrow so that domestic animals cannot reach them readily. Baits applied to dumps should be placed beneath objects, in containers, or into holes so that it is inaccessible to humans or domestic animals. Appropriate warning cards, as per WAC 16-228-1380(4) shall be conspicuously displayed in adequate numbers whenever Compounds 1080 and 1081 or phosphorus baits are used on public property or on private property accessible to the public.

(7) Any authorized person desiring to use these pesticides in any areas other than licensee-controlled buildings, controlled dumps, sanitary sewers or in emergency situations where application sites are controlled and attended, such as waterfronts, shall apply for and obtain a permit from the director prior to applying the pesticide. These permits may be issued by the department if, after an on-site inspection, the department determines that:

(a) Good housekeeping and sanitary procedures are being followed to help control the rodent population;

(b) Rodent populations and conditions are such that an emergency situation exists and less toxic rodenticides and other control measures will not be adequate for the needed rodent control;

(c) The applicant designates a competent trained person to be named on the permit, who will accept responsibility for properly collecting and disposing of dead rodents; and

(d) A date is given for completion of the baiting operation (not more than thirty days duration) when the licensee will service the bait boxes (if any) and determine if a renewal of the permit is necessary.

(8) All compound 1080 solutions shall be dyed black. All 1080 baits shall be discolored.

(9) Compounds 1080 and 1081 shall be kept in a locked container within locked storage or locked service vehicle.

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

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1540 Examination requirements. (1)

An examination fee of ten dollars shall be paid prior to administration of any pesticide license examination at other than a regularly scheduled examination session. Scheduled exam sessions occur every Tuesday at the Olympia and Yakima pesticide management division offices and at other offices as scheduled. The department reserves the right to restrict the number of applicants examining at any given time.

(2) Any individual who fails any pesticide licensing examination twice shall be required to wait at least fourteen days before retaking that examination a third time. Subsequent testing shall be at the director's discretion.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|-----------------|--|
| WAC 16-228-1230 | State restricted use pesticides for use by certified applicators only. |
| WAC 16-228-1240 | Aquatic pesticides |
| WAC 16-228-1580 | Change of exemptions. |

**WSR 00-17-143
PROPOSED RULES
BOARD OF INDUSTRIAL
INSURANCE APPEALS**

[Filed August 22, 2000, 11:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-053 through 00-12-060; 00-12-062 through 00-12-064; and 00-12-066 through 00-12-068.

Title of Rule: Chapter 263-12 WAC, Practice and procedure before the Board of Industrial Insurance Appeals.

Purpose: To revise the board's rules of practice and procedure by amending WAC 263-12-016, 263-12-020, 263-12-045, 263-12-050, 263-12-060, 263-12-090, 263-12-093, 263-

PROPOSED

12-095, 263-12-100, 263-12-115, 263-12-120, 263-12-135, 263-12-140, and 263-12-145.

Statutory Authority for Adoption: RCW 51.52.020.

Summary: The proposed revisions make a number of housekeeping changes by correcting the address of the headquarters; clarifying and simplifying language; clarifying representation before the board; subpoena power of industrial insurance appeals judge; provide for new types of appeals identified by legislative changes; change contents of notice of proceedings; allow judges to make record of agreed resolutions; to create record of proceedings consistent with changes to WAC 263-12-093; to clarify judges ability to exclude evidence from a record that is admissible and who can request interlocutory review from the chief industrial appeals judge; to include litigation orders and judges report of proceedings identified.

Reasons Supporting Proposal: Rules are being rewritten to meet the WAC migration and clear-writing mandates.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David E. Threedy, 2430 Chandler Court S.W., Olympia, WA, (360) 753-9646.

Name of Proponent: Board of Industrial Insurance Appeals, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 263-12-016, the rule corrects the board's address and will allow parties to properly address mailings for public disclosure requests; WAC 263-12-020, to clarify who may represent employees in adjudicative proceedings involving industrial insurance and WISHA; WAC 263-12-045, clarifies the subpoena power of industrial appeals judges; WAC 263-12-050, to consolidate several rules into a single rule that will clarify the requirements for the contents of a notice of appeal. Contains provisions for new types of appeals due to legislative changes to chapter 41.26 RCW; WAC 263-12-060, to clarify and simplify language regarding time limitations for filing appeals; WAC 263-12-090, to change contents of notice of proceedings so it will no longer specify the industrial appeals judge assigned to a particular conference; WAC 263-12-093, to allow judges to make a record of an agreed resolution without use of a court reporter; WAC 263-12-095, to clarify judges prehearing activities and to reflect ability to create record of proceedings consistent with changes to WAC 263-12-093; WAC 263-12-115, to clarify judge's ability to exclude evidence from a record that is inadmissible under WAC 263-12-095(5) and clarifies who may request an interlocutory review from the chief industrial appeals judge; WAC 263-12-135, to clarify definition of board record to include litigation orders and judges report of proceedings identified by WAC 263-12-093; and WAC 263-12-100, 263-12-120, 263-12-140, and 263-12-145, to clarify and simplify language used in the rules.

Proposal Changes the Following Existing Rules: See Purpose, Summary and Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no impact on financial issues in the amendments being made. They are basically clarification of rules in order to make them easier to understand.

RCW 34.05.328 does not apply to this rule adoption. These rule changes are not legislative, they relate to procedures related to agency hearing or clarify language of a rule without changing its effect.

Hearing Location: Board of Industrial Insurance Appeals, 2430 Chandler Court S.W., Main Conference Room, Olympia, WA, on October 10, 2000, at 9:30 - 11:30.

Assistance for Persons with Disabilities: Contact Dee Mathews by September 30, 2000.

Submit Written Comments to: David E. Threedy, P.O. Box 42401, Olympia, WA 98504-2401, fax (360) 586-5611, by October 9, 2000.

Date of Intended Adoption: November 7, 2000.

August 22, 2000

David E. Threedy
Executive Secretary

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-016 Public records—Location. (1) Public records available. All public records of the board as defined in chapter 42.17 RCW are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.

(2) General information concerning the board may be obtained at its headquarters, 2430 Chandler Ct. S.W., (~~MS FL-13~~) P.O. Box 42401, Olympia, Washington 98504-2401.

(3) Public records officer. The public records officer shall be responsible for the following: The implementation of the board's rules and regulations regarding release of public records, coordinating the staff of the board in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(4) Indices are available providing identifying information as to the following: (a) Final decisions and orders of the board, including concurring and dissenting opinions; (b) proposed decisions and orders of the board's industrial appeals judges; (c) (~~industrial appeals judge's handbook~~; (~~d~~)) in addition, any indices maintained for intra-agency use are available for public inspection and copying.

(5) No fee will be charged for inspection of public records. Inspection will be during office hours in a space provided by the board and must be accomplished without excessive interference with the essential functions of the agency, and without causing damage or disorganization to (~~said~~) public records.

(6) A fee shall be charged for copies of documents made with the board's equipment in an amount necessary to cover the cost to the agency of providing such service.

AMENDATORY SECTION (Amending WSR 98-20-109, filed 10/7/98, effective 11/7/98)

WAC 263-12-020 Appearances of parties before the board. (1) **Who may appear.**

(a) Any party to any appeal may appear before the board at any conference or hearing held in such appeal, either on the party's own behalf or by an attorney at law or other autho-

rized lay representative of the party's choosing as prescribed by section 3 below.

(b) Appeals under the Washington Industrial Safety and Health Act.

(i) In an appeal by an employee or employee representative under the Washington Industrial Safety and Health Act, the cited employer may enter an appearance as prescribed in subsection (2) below and will be deemed a party to the appeal.

(ii) In an appeal by an employer, under the Washington Industrial Safety and Health Act, an employee or employee representative may enter an appearance as prescribed in subsection (2) below, and will be deemed a party to the appeal.

(c) Where the party appears representing himself or herself, he or she may be accompanied, both at conference and at hearing, by a lay person of his or her choosing who shall be permitted to accompany the party into the conference or hearing room and with whom he or she can confer during such procedures.

(d) Although the industrial appeals judge may not advocate for either party, all parties who appear either at conferences or hearings are entitled to the assistance of the industrial appeals judge presiding over the proceeding. Such assistance shall be given in a fair and impartial manner consistent with the industrial appeals judge's responsibilities to the end that all parties are informed of the procedure which is to be followed and the issues which are involved in the proceedings. Any party who appears representing himself or herself shall be advised by the industrial appeals judge of the burden of proof required to establish a right to the relief being sought.

(2) How to make an appearance.

(a) Appearances shall be made either by:

(i) Filing a written notice of appearance with the board containing the name of the party to be represented, and the name and address of the representative; or by

(ii) Appearing at the time and place of a conference or hearing on the appeal, and notifying the industrial appeals judge of the party to be represented, and the name and address of the representative.

(b) The appearing party shall furnish copies of every written notice of appearance to all other parties or their representatives of record at the time the original notice is filed with the board.

(c) The board shall serve all notices and orders on each representative and each party represented. Service upon the representative shall constitute service upon the party. Where more than one individual associated with a firm, or organization, including the office of the attorney general, has made an appearance, service under this subsection shall be satisfied by serving the individual who filed the notice of appeal, or who last filed a written notice of appearance or, if no notice of appeal or written notice of appearance has been filed on behalf of the party, the individual who last appeared at any proceeding concerning the appeal.

(3) Lay representation. Duly authorized lay representatives may be permitted to appear in proceedings before the board without a formal request for admission to practice before the board so long as the lay representative does not

charge a fee and is not otherwise compensated for the representation except as provided below:

(a) A worker or beneficiary may be represented by a person employed by the worker's labor union whose duties include handling industrial insurance matters for the union. Lay persons may not represent workers before the board in return for remuneration received from the worker or from the worker's receipt of benefits under this act.

(b) An employer may be represented by an employee. An employer may also be represented by a firm or firms that contracts with the employer to handle matters pertaining to industrial insurance without regard to whether a fee is charged.

(c) In appeals involving the Washington Industrial Safety and Health Act under chapter 49.17 RCW and assessments under chapter 51.48 RCW, an employer may be represented by a lay person without regard to whether a fee is charged.

(ed) Paralegals supervised by an attorney licensed in the state of Washington to practice law may represent any party appealing before the board.

(4) Withdrawal or substitution of representatives. An attorney or other representative withdrawing from a case shall immediately notify the board and all parties of record in writing. The notice of withdrawal shall comply with the rules applicable to notices of withdrawal filed with the superior court in civil cases. Withdrawal shall be subject to approval by the industrial appeals judge or the executive secretary. Any substitution of an attorney or representative shall be accomplished by written notification to the board and to all parties of record together with the written consent of the prior attorney or representative. If such consent cannot be obtained, a written statement of the reason therefor shall be supplied.

(5) Conduct. All persons appearing as counsel or representatives in proceedings before the board or before its industrial appeals judges shall conform to the standards of ethical conduct required of attorneys before the courts of the state of Washington.

(a) Industrial appeals judge. If any such person does not conform to such standard, the industrial appeals judge presiding over the appeal, at his or her discretion and depending on all the circumstances, may take the following action:

(i) Admonish or reprimand such person, or

(ii) Exclude such person from further participation in the proceedings and adjourn the same, or

(iii) Certify the facts to the appropriate superior court for contempt proceedings as provided in RCW 51.52.100, or

(iv) Report the matter to the board.

(b) The board. In its discretion, either upon referral by an industrial appeals judge as stated above or on its own motion, after information comes to light that establishes to the board a question regarding a persons ethical conduct and fitness to practice before the board, and after notice and hearing, may take appropriate disciplinary action including, but not limited to:

(i) A letter of reprimand,

(ii) Refusal to permit such person to appear in a representative capacity in any proceeding before the board or its industrial Appeals judges, or

(iii) Certification of the record to the superior court for contempt proceedings as provided in RCW 51.52.100. If the circumstances require, the board may take action as described above prior to notice and hearing if the conduct or fitness of the person appearing before the Board requires immediate action in order to preserve the orderly disposition of the appeal or appeals.

(c) Proceedings. If any person in proceedings before the board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered so to do, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take oath as a witness, or after having the oath refuses to be examined according to law, the industrial appeals judge ~~((shall))~~ may, at his or her discretion and depending on all the circumstances:

(i) Admonish or reprimand such person, or

(ii) Exclude such person from further participation in the proceedings and adjourn the same, or

(iii) Certify the facts to the appropriate superior court for contempt proceedings as provided in RCW 51.52.100, or

(iv) Report the matter to the board for action consistent with (b) above.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-045 Industrial appeals judges. (1) **Definition.** Whenever used in these rules, the term "industrial appeals judge" shall include any member of the board, the executive secretary, as well as any duly authorized industrial appeals judge assigned to conduct a conference or hearing.

(2) **Duties and powers.** It shall be the duty of the industrial appeals judge to conduct conferences or hearings in cases assigned to him or her in an impartial and orderly manner. The industrial appeals judge shall have the authority, subject to the other provisions of these rules:

(a) To administer oaths and affirmations;

(b) To issue subpoenas on request of any party or on his or her own motion. Subpoenas may be issued to compel:

(i) The attendance and testimony of witnesses at hearing and/or deposition, or

(ii) The production of books, papers, documents, and other evidence for discovery requests or proceedings before the board;

(c) To rule on all objections and motions including those pertaining to matters of discovery or procedure;

(d) To rule on all offers of proof and receive relevant evidence;

(e) To interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;

(f) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as he or she deems necessary to fairly and equitably decide the appeal, including the obtaining of physical, mental, or vocational examinations or evaluations of workers;

(g) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;

(h) To issue orders joining other parties, on motion of any party, or on his or her own motion when it appears that such other parties may have an interest in or may be affected by the proceedings;

(i) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;

(j) To take any other action necessary and authorized by these rules and the law.

(3) **Substitution of industrial appeals judge.** At any time the board or a chief industrial appeals judge or designee may substitute one industrial appeals judge for another in any given appeal.

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

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-050 ~~((Appeals arising under the Industrial Insurance Act—))~~ **Contents of notice of appeal.** ~~((In cases arising under the Industrial Insurance Act (Title 51 RCW) —))~~ The board's jurisdiction ((of the board)) shall be invoked by filing a written notice of appeal(;;). (1) General Rule. In all appeals, the notice of appeal ((which)) shall contain where applicable:

~~((1))~~ (a) The name and address of the appealing party and of the party's representative, if any;

~~((2))~~ The name and address of the injured worker;

~~((3))~~ The name and address of the worker's employer at the time the injury occurred;

~~((4))~~ In the case of occupational disease, the name and address of all employers in whose employment the worker was allegedly exposed to conditions that gave rise to the occupational disease;

~~((5))~~ The time when and the place where the injury occurred or the occupational disease arose;

~~((6))~~ The nature of the injury or occupational disease;

~~((7))~~ (b) A statement identifying the date and content of the department order, decision or award being appealed. This requirement may be satisfied by attaching a copy of the order, decision or award;

~~((8))~~ (c) The ((grounds upon which)) reason why the appealing party considers such order, decision or award to be unjust or unlawful;

~~((9))~~ (d) A statement of facts in full detail in support of each ((ground)) stated reason;

~~((10))~~ (e) The specific nature and extent of the relief sought;

~~((11))~~ In the case of an appeal from a notice of assessment arising under chapter 51.48 RCW, a statement setting forth with particularity the reason for the appeal and the amounts, if any, that the party admits are due;

~~((12))~~ (f) The place, most convenient to the appealing party and ~~(said)~~ that party's witnesses, where board proceedings are requested to be held;

~~((13))~~ (g) A statement that the person signing the notice of appeal has read it and that to the best of his or her knowledge ~~(or information and belief)~~ the contents ~~(thereof)~~ are true.

~~((A notice of appeal may be signed by))~~ The signature of the appealing party or ~~(by)~~ the party's representative.

(2) Industrial Insurance Appeals. In appeals arising under the Industrial Insurance Act (Title 51 RCW), the notice of appeal shall also contain: (a) The name and address of the injured worker;

(b) The name and address of the worker's employer at the time the injury occurred;

(c) In the case of occupational disease, the name and address of all employers in whose employment the worker was allegedly exposed to conditions that gave rise to the occupational disease;

(d) The nature of the injury or occupational disease;

(e) The time when and the place where the injury occurred or the occupational disease arose;

(3) Crime Victims' Compensation Act. In appeals arising under the Crime Victims' Compensation Act (chapter 7.68 RCW), the notice of appeal shall also contain: (a) The time when and the place where the criminal act occurred;

(b) The name and address of the alleged perpetrator of the crime; and

(c) The nature of the injury.

(4) Assessment Appeals. In appeals from a notice of assessment arising under chapter 51.48 RCW or in cases arising from an assessment under the Worker and Community Right to Know Act (chapter 49.70 RCW), the notice of appeal shall also contain: (a) A statement setting forth with particularity the reason for the appeal; and

(b) The amounts, if any, that the party admits are due;

(5) LEOFF Appeals. In appeals arising under the special death benefit provision of the Law Enforcement Officers' and Fire Fighters' Retirement System (chapter 41.26 RCW), the notice of appeal shall also contain: (a) The time when and the place where the death occurred; and

(b) The name and address of the decedent's employer at the time the injury occurred;

(6) Asbestos Certification Appeals. In appeals arising under chapter 49.26 RCW concerning the denial, suspension or revocation of certificates involving asbestos projects, the notice of appeal shall also contain: (a) A statement identifying the certification decision appealed from;

(b) The reason why the appealing party considers such certification decision to be incorrect.

(7) WISHA Appeals. In appeals arising under the Washington Industrial Safety and Health Act (chapter 49.17 RCW), the appeal shall also contain: (a) A statement identi-

fyng the citation, penalty assessment, or notice of abatement date appealed from;

(b) The name and address of the representative of any labor union representing any employee who was or who may be affected by the alleged safety violation(s);

(c) A statement certifying compliance with WAC 263-12-057;

(8) Other Safety Appeals. In appeals arising under chapter 49.22 RCW concerning alleged violations of safety procedures in late night retail establishments, chapter 70.74 RCW concerning alleged violations of the Washington State Explosives Act, or chapter 88.04 RCW concerning alleged violations of the Charter Boat Safety Act, the notice of appeal shall also contain: (a) A statement identifying the citation, penalty assessment, or notice of abatement date appealed from;

(b) The name and address of the representative of any labor union representing any employee who was or who may be affected by the alleged safety violation or violations;

(c) A statement certifying compliance with WAC 263-12-057;

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

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-060 Filing appeals—Limitation of time. (1) In cases arising under the Industrial Insurance Act, or the Worker and Community Right to Know Act, ~~((or the Crime Victims Compensation Act,))~~ the notice of appeal shall be filed within sixty days from the date the copy of the order, decision or award of the department was received by the appealing party, except ~~((as follows:~~

~~(a) An appeal from a notice of assessment, filed pursuant to RCW 51.48.131, shall be filed within thirty days from the date the notice of assessment was served;~~

~~(b) A) an appeal from an order or decision making demand for repayment of sums paid to a provider of medical, dental, vocational or other health services shall be filed within twenty days from the date the order or decision was received by the provider(;;).~~

~~(2) ((As required by the provisions of RCW 49.17.140, an appeal from a citation, abatement period or penalty assessment under the Washington Industrial Safety and Health Act is be initiated by giving the director of the department of labor and industries notice of intent to appeal within fifteen working days from the date of notification of such citation, abatement period or penalty assessment. If the director does not reassume jurisdiction over the matter to which notice of intent to appeal is given, the department shall promptly transmit the notice of intent to appeal together with the department's record in the matter to the board, whereupon the matter shall be deemed an appeal before the board. If the director reassumes jurisdiction pursuant to a notice of intent to appeal, there shall be, within thirty working days of such reassumption or within the extended redetermination period up to an additional fifteen working days upon agreement of all parties to the appeal, a further determinative order issued in the mat-~~

ter. Any appeal from such further determinative order must be made directly to the board, with a copy filed with the director of the department, within fifteen working days from the date of notification of such further determinative order.) In appeals arising under the Crime Victims Compensation Act (chapter 7.68 RCW), the notice of appeal shall be filed within ninety days from the date the copy of the order, decision or award of the department was received by the appealing party.

(3) ~~((Appeals from certification decisions under chapter 49.26 RCW or citation, abatement period or penalty assessments under chapter 49.22 RCW shall be filed in the manner and within the time allowed for filing appeals under RCW 49.17.140 and WAC 263-12-060(2).))~~ In appeals from a notice of assessment arising under chapter 51.48 RCW, the notice of appeal shall be filed within thirty days from the date the notice of assessment was served.

(4) ~~((The board shall forthwith acknowledge receipt of any appeal filed with the board and the board's stamp placed thereon shall be prima facie evidence of the date of receipt. The board may thereafter require additional copies to be filed.))~~ In appeals arising under the Washington Industrial Safety and Health Act (chapter 49.17 RCW), the appeal shall be initiated by giving the director of the department of labor and industries notice of intent to appeal within fifteen working days from the date of notification of such citation, abatement period or penalty assessment. If the director does not reassume jurisdiction over the matter to which notice of intent to appeal is given, the department shall promptly transmit the notice of intent to appeal together with the department's record in the matter to the board, whereupon the matter shall be deemed an appeal before the board. If the director reassumes jurisdiction pursuant to a notice of intent to appeal, there shall be, within thirty working days of such reassumption or within the extended redetermination period up to an additional fifteen working days upon agreement of all parties to the appeal, a further determinative order issued in the matter. Any appeal from such further determinative order must be made directly to the board, with a copy filed with the director of the department, within fifteen working days from the date of notification of such further determinative order.

(5) In appeals arising under chapter 49.26 RCW concerning the denial, suspension or revocation of certificates involving asbestos projects or in appeals arising under chapter 49.22 RCW concerning alleged violations of safety procedures in late night retail establishments, chapter 70.74 RCW concerning alleged violations of the Washington State Explosives Act, or chapter 88.04 RCW concerning alleged violations of the Charter Boat Safety Act, the notice of appeal shall be filed in the manner and within the time allowed for filing appeals under RCW 49.17.140 and WAC 263-12-060(3).

(6) The board shall forthwith acknowledge receipt of any appeal filed with the board and the board's stamp placed thereon shall be prima facie evidence of the date of receipt. The board may thereafter require additional copies to be filed.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-090 Conferences—Notice of conferences. Once an appeal has been granted, it shall be assigned to an industrial appeals judge with direction to conduct a settlement conference or a conference to schedule the appeal for hearing. If a conference is scheduled in a case, it shall be upon written notice to all parties specifying ~~((the industrial appeals judge assigned to hear the case as well as))~~ the time and place set for such conference, and such notice shall be mailed not less than seven days prior to the date of the conference, unless such notice is waived by all parties. The industrial appeals judge assigned to conduct hearings in an appeal or his or her designee shall conduct the conference at which hearings are scheduled.

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-093 Conferences—Disposition of appeals by agreement. (1) If an agreement concerning final disposition of any appeal is reached by all the parties present or represented at a conference, an order shall be issued in conformity ~~((therewith))~~ with their agreement, providing the board finds ~~((said))~~ the agreement is in accordance with the law and the facts.

(a) In industrial insurance cases, if an agreement concerning final disposition of the appeal is reached by the employer and worker or beneficiary at a conference at which the department is represented, and no objection ~~((thereto))~~ is interposed by the department, an order shall be issued in conformity ~~((therewith))~~ with their agreement, providing the board finds that ~~((said))~~ the agreement is in accordance with the law and the facts. If an objection is interposed by the department on the ground that ~~((said))~~ the agreement is not in accordance with the law or the facts, a hearing shall be scheduled.

(b) In cases involving the Washington Industrial Safety and Health Act, an agreement concerning final disposition of the appeal among the parties must include regardless of other substantive provisions covered by the agreement: ~~((a))~~ (i) A statement reciting the abatement date for the violations involved, and ~~((b))~~ (ii) ~~((a))~~ A statement confirming that the penalty assessment for contested and noncontested violations has ~~((been paid))~~ or will be paid.

(c) Where all parties concur in the disposition of an appeal but the industrial appeals judge is not satisfied that the agreement is in conformity with the facts and the law or that the board has jurisdiction or authority to order the relief sought, the industrial appeals judge may require such evidence or documentation ~~((as is deemed))~~ necessary to adequately support the agreement in fact and/or in law.

(2) All agreements reached at a conference concerning final disposition of the appeal shall be stated on the record by the industrial appeals judge and the parties shall indicate their

concurrence on the record. The record may either be transcribed by a court reporter or recorded and certified by the industrial appeals judge conducting the conference.

~~((2) Ordinarily an agreement concerning final disposition of an appeal will be accepted only at a conference attended by all agreeing parties.))~~ The industrial appeals judge may, ~~((however,))~~ in his or her discretion accept ~~((the))~~ an agreement for submission to the board in the absence of one or more of the parties from the conference, or without holding a conference.

(a) In such cases the agreement ~~((shall))~~ may be confirmed in writing by the parties to the agreement not in attendance at a conference, except that the written confirmation of a party to the agreement not in attendance at a conference will not be required where the industrial appeals judge is satisfied of the concurrence of the party or that the party received notice of the conference and ~~((those))~~ did not ~~((to))~~ appear.

(b) In cases where no conference has been held but the parties have informed the judge of their agreement, yet no written confirmation has been received, the judge may submit a judge's report of proceedings which encompasses the agreement. The judge will submit copies of the report to the parties and, if no objection is received within ten days, the agreement may be submitted to the board for approval.

(3) In the event concurrence of all affected employees or employee groups cannot be obtained in cases involving agreements for final disposition of appeals under the Washington Industrial Safety and Health Act, a copy of the proposed agreement shall be posted by the employer at each establishment to which the agreement applies in a conspicuous place or places where notices to employees are customarily posted. The agreement shall be posted for ten days before it is submitted to the board for entry of the final order. The manner of posting shall be in accordance with WAC 296-350-400 (4) and (5). If an objection to the agreement is interposed by affected employees or employee groups prior to entry of the final order of the board, further proceedings shall be scheduled.

~~((3))~~ (4) The parties present at a conference may agree to a vocational evaluation or a further medical examination of a worker or crime victim, including further evaluative or diagnostic tests, except such as require hospitalization, by medical or vocational experts acceptable to them, or to be selected by the industrial appeals judge. In the event the parties agree that an order on agreement of parties or proposed decision and order may be issued based on the report of vocational evaluation or medical examination, the industrial appeals judge may arrange for evaluation or examination and the board will pay reasonable and necessary expenses involved. Upon receipt by the board, copies of the report of such examination or evaluation will be distributed to all parties represented at the conference and further appropriate proceedings will be scheduled or an order on agreement of parties or proposed decision and order issued. If the worker or crime victim fails to appear at the evaluation or examination, the party or their representative may be required to reimburse the Board for any fee charged for their failure to attend.

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

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-095 Conference procedures. (1) **Scheduling information.** If no agreement is reached by the parties as to the final disposition of an appeal, the industrial appeals judge presiding at a settlement conference may direct that the appeal be assigned to an industrial appeals judge for the purpose of scheduling and conducting a hearing in the appeal. Any industrial appeals judge assigned to conduct proceedings in an appeal, or his or her designee may elicit from the parties such information as is necessary and helpful to the orderly scheduling of hearing proceedings and as may aid in expediting the final disposition of the appeal.

(2) **Prehearing matters.** At any proceeding a stipulation of facts may be obtained to show the board's jurisdiction in the matter. In addition, agreement as to the issues of law and fact presented and the simplification or limitation thereof may be obtained. The industrial appeals judge may also determine: (a) ~~((t))~~ The necessity of amendments to the notice of appeal or other pleadings; (b) ~~((determine))~~ the possibility of obtaining admissions of facts and authenticity of documents which will avoid unnecessary proof(;-); (c) the admissibility of exhibits(;-); (d) a stipulation as to all or part of the facts in the case(;-); (e) obtain information as to the number of expert and lay witnesses expected to be called by the parties and their names when possible, the place or places where hearings will be required, the approximate time necessary for the presentation of the evidence of the respective parties, and all other information which may aid in the prompt disposition of the appeal; (f) the limitation of the number of witnesses(;-); (g) the need for interpretive services; (h) ~~((and the))~~ exchange of medical and vocational reports and other relevant documents; (i) receive and rule on motions pertaining to pre-hearing discovery. These include ~~((including))~~ motions by a party for a vocational evaluation of a claimant which may be granted upon a showing of surprise which ordinary prudence could not have guarded against or upon an equivalent showing of circumstances constituting good cause and upon notice to all parties of the time, place, manner, conditions, and scope of the evaluation and the person or persons by whom it is to be made, provided that the industrial appeals judge shall impose all conditions necessary to avoid delay and prejudice in the timely completion of the appeal(;-obtain information as to the number of expert and lay witnesses expected to be called by the parties and their names when possible, the place or places where hearings will be required, the approximate time necessary for the presentation of the evidence of the respective parties, and all other information which may aid in the prompt disposition of the appeal)).

(3) ~~((Statement on the r))~~ **Record of results of conferences.** The results of ~~((such))~~ any conferences ~~((proceedings))~~ shall be stated on the record. The record may be a transcript of the proceeding, a judge's report of proceedings, and/or written interlocutory order. ~~((and t))~~ The ~~((statement))~~ record shall include, where applicable, agreements concerning issues, admissions, stipulations, witnesses, time and location of hearings, the issues remaining to be determined, and other matters that may expedite the hearing proceedings. The statement of agreement and issues, and rulings of the indus-

trial appeals judge, shall control the subsequent course of the proceedings, subject to modification ~~((to prevent manifest injustice))~~ by the industrial appeals judge or by interlocutory review pursuant to WAC 263-12-115(6).

(4) **Failure to supply information.** If any party fails to supply the information reasonably necessary to schedule the hearing in a case, the board or the industrial appeals judge may suspend setting a hearing pending receipt of the required information, or may impose such conditions upon the presentation of evidence by the defaulting party as may be deemed appropriate.

(5) **Admissibility of matters disclosed at conference.** If no agreement of the parties is reached resolving all issues presented, no offers of settlement, admissions, or statements made by any party shall be admissible at any subsequent proceeding unless they are independently admissible therein.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 11, filed 1/18/82)

WAC 263-12-100 Hearings—Notice of hearing. (1) Time. In those cases that proceed to hearing, the board shall mail notice ~~((thereof))~~ of scheduled hearings to all parties at their last known address as shown by the records of the board or department of labor and industries not less than fifteen days prior to the hearing date: ~~((Provided, That the h))~~ Hearings may be held on less than fifteen days' notice upon agreement of all parties that have ((theretofore)) made an appearance in the appeal.

(2) Contents. The notice shall identify the appeal to be heard, the names of the parties to the appeal and their representatives, if any, and shall specify the time and place of hearing ~~((, together with the evidence which shall be expected to be presented thereat)).~~

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-115 Procedures at hearings. (1) **Industrial appeals judge.** All hearings shall be conducted by an industrial appeals judge who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections and motions.

(2) **Order of presentation of evidence.**

(a) In any appeal under either the Industrial Insurance Act, the Worker and Community Right to Know Act or the Crime Victims Compensation Act, the appealing party shall initially introduce all evidence in his or her case-in-chief except that in an appeal from an order of the department that alleges fraud the department or self-insured employer shall initially introduce all evidence in its case-in-chief.

(b) In all appeals subject to the provisions of the Washington Industrial Safety and Health Act, the department shall initially introduce all evidence in its case-in-chief.

(c) After the party with the initial burden has presented his or her case-in-chief, the other parties may then introduce

the evidence necessary to their cases-in-chief. In the event there is more than one other party, they may either present their cases-in-chief successively or may join in their presentation. Rebuttal evidence shall be received in the same order.

Witnesses may be called out of turn in contravention of this rule only by agreement of all parties.

(3) **Objections and motions to strike.** Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon. Extended argument or debate shall not be permitted.

(4) **Rulings.** The industrial appeals judge on objection or on his or her own motion shall exclude all irrelevant or unduly repetitious evidence and statements that are inadmissible pursuant to WAC 263-12-095(5). ~~((a))~~ All rulings upon objections to the admissibility of evidence shall be made in accordance with rules of evidence applicable in the superior courts of this state.

(5) **Interlocutory appeals to the board - Confidentiality of trade secrets.** A direct appeal to the board shall be allowed as a matter of right from any ruling of an industrial appeals judge adverse to the employer concerning the confidentiality of trade secrets in appeals under the Washington Industrial Safety and Health Act.

(6) **Interlocutory review by a chief industrial appeals judge.**

(a) Except as provided in ~~((WAC 263-12-115))~~ subsection (5) of this section interlocutory rulings of the industrial appeals judge are not subject to direct review by the board. A party to an appeal or a witness who has made a motion to quash a subpoena to appear at board related proceedings, may within five working days of receiving an adverse ruling from an industrial appeals judge request a review ~~((of such ruling))~~ by a chief industrial appeals judge or his or her designee. Such request for review shall be in writing and shall be accompanied by an affidavit in support ~~((thereof))~~ of the request and setting forth the grounds ~~((therefor))~~ for the request, including the reasons for the necessity of an immediate review during the course of conference or hearing proceedings. Within ten working days of receipt of the written request, the chief industrial appeals judge, or designee, may decline to review the ruling based upon the written request and supporting affidavit; or, after such review as he or she deems appropriate, may either affirm or reverse the ruling, or refer the matter to the industrial appeals judge for further consideration.

(b) Failure to request review of an interlocutory ruling shall not constitute a waiver of the party's objection, nor shall an unfavorable response to the request preclude a party from subsequently renewing the objection whenever appropriate.

(c) No conference or hearing shall be interrupted for the purpose of filing a request for review of the industrial appeals judge's rulings; nor shall any scheduled proceedings be canceled pending a response to the request.

(7) **Recessed hearings.** Where, for good cause, all parties to an appeal are unable to present all their evidence at the time and place originally set for hearing, the industrial appeals judge may recess the hearing to the same or a different location so as to insure that all parties have reasonable opportunity to present their respective cases. No written

"notice of hearing" shall be required as to any recessed hearing.

(8) **Failure to present evidence when due.** If any party is due to present certain evidence at a hearing or recessed hearing and, for any reason on its part, fails to appear and present such evidence, the industrial appeals judge may conclude the hearing and issue a proposed decision and order on the record, or recess or set over the proceedings for further hearing for the receipt of such evidence.

(9) **Evidence by deposition.** When a hearing is recessed or set over pursuant to ~~((WAC 263-12-115))~~ subsection (7) or (8) of this section, or if a party volunteers or desires to take the testimony of any witness in a proceeding by deposition, or if the admission of evidence cannot otherwise be accomplished in a reasonably timely manner, the industrial appeals judge may permit or require the perpetuation of testimony by deposition regardless of the witness' availability to testify at the hearing or at a future recessed hearing. Such ruling may only be given after the industrial appeals judge gives due consideration to: (a) The complexity of the issues raised by the appeal, (b) the desirability of having the witness' testimony presented at a hearing, (c) the costs incurred by the parties in complying with the ruling, and (d) the fairness to the parties in complying with the ruling. The industrial appeals judge may require that depositions be taken and published within prescribed time limits, ~~((with each party bearing its own costs;))~~ which time limits may be extended by the industrial appeals judge for good cause. Each party shall bear its own costs, except when appropriate the industrial appeals judge may allocate costs to parties or their representatives. The deposition must be transcribed in a reproducible format or it may be excluded from the record.

(10) **Procedure at deposition.** Unless the parties stipulate or the industrial appeals judge determines otherwise, all depositions permitted to be taken for the perpetuation of testimony shall be taken subject to the following conditions: (a) That all motions and objections, whether to form or otherwise, shall be raised at the time of the deposition, and if not raised at such time shall be deemed waived; (b) that all exhibits shall be marked and identified at the time of the deposition and, if offered into evidence, appended to the deposition; (c) that the deposition be published, without necessity of further conference or hearing, at the time it is received by the industrial appeals judge; (d) that all motions and objections raised at the time of the deposition shall be ruled upon by the industrial appeals judge in the proposed decision and order; and (e) that the deposition may be appended to the record as part of the transcript, and not as an exhibit, without the necessity of being re-typed into the record.

(11) **Offers of proof in colloquy.** When an objection to a question is sustained an offer of proof in question and answer form shall be permitted unless the question is clearly objectionable on any theory of the case.

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

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-120 Additional evidence by industrial appeals judge. The industrial appeals judge may, when all parties have rested, present such evidence, in addition to that presented by the parties, as deemed necessary to decide the appeal fairly and equitably, and in the exercise of this power, a physical, mental or vocational examination or evaluation of a worker by one or more medical or vocational experts may be ordered to be conducted at the board's expense. Any such evidence secured and presented by the industrial appeals judge shall be presented in an impartial manner, and shall be received subject to full opportunity for cross-examination by all parties. If a party desires to present rebuttal evidence to any evidence so presented by the industrial appeals judge, ~~((he))~~ the party shall make application ~~((therefor))~~ immediately following the conclusion of such evidence. ~~((Such application shall be granted by assignment of a time and place for presentation of such rebuttal evidence.))~~

AMENDATORY SECTION (Amending Order 4, filed 6/9/72)

WAC 263-12-135 Record. The record in any contested case shall consist of the order of the department, the notice of appeal therefrom, all orders issued by the board (including litigation orders and judge's report of proceeding), responsive pleadings, if any, and notices of appearances, and any other written applications, motions, stipulations or requests duly filed by any party. Such record shall also include all depositions, the transcript of testimony and other proceedings at the hearing, together with all exhibits offered. No part of the department's record or other documents shall be made part of the record of the board unless offered in evidence.

AMENDATORY SECTION (Amending WSR 95-02-065, filed 1/3/95, effective 2/3/95)

WAC 263-12-140 Proposed decisions and orders. Upon completion of the record ~~((and submission of the issues for decision and order, the))~~ an industrial appeals judge shall enter a proposed decision and order which shall be in writing and contain findings of fact and conclusions of law as to each contested issue of fact and law, as well as the order based thereon ~~((, and e))~~. Copies ((thereof)) of the proposed decision and order shall be mailed ((by the board)) to each party to the appeal and to his or her attorney or representative of record.

AMENDATORY SECTION (Amending WSR 91-13-038, filed 6/14/91, effective 7/15/91)

WAC 263-12-145 Petition for review. (1) **Time for filing.** Within twenty days from the date of communication of the proposed decision and order to the parties or their representatives of record, any aggrieved party ~~((aggrieved thereby))~~ may file with the board a written petition for review. ~~((In the event such))~~ When a petition for review is filed, the failure of any party not aggrieved by the proposed

decision and order to file a petition for review shall not be deemed a waiver by such party of any objections or irregularities disclosed by the record.

(2) **Extensions of time.** The board may extend the time for filing a petition for review ~~((on application))~~ upon written request of a party filed within twenty days from the date of communication of the proposed decision and order to the parties or their representatives of record. Such extension of time, if granted, will apply to all parties to the appeal. Further extensions of time beyond any initial extension may be allowed only if (a) an application for further extension is filed within twenty days from the date of communication of the proposed decision and order to the parties or their representatives of record or (b) the board, on its own motion or at the request of a party, acts to further extend the time for filing a petition for review before the prior extended time for filing a petition for review has expired.

(3) **Contents.** ~~((Such))~~ A petition for review shall set forth in detail the grounds ~~((therefor and the))~~ for review. A party ~~((or parties))~~ filing ~~((the same shall be deemed to have waived))~~ a petition for review waives all objections or irregularities not specifically set forth therein. A general objection to findings of fact on the ground that the weight of evidence is to the contrary shall not be considered sufficient compliance, unless the objection shall refer to the evidence relied upon in support thereof. A general objection to all evidentiary rulings adverse to the party shall be considered adequate compliance with this rule. If legal issues are involved, the petition for review shall set forth the legal theory relied upon and citation of authority and/or argument in support thereof. ~~((In order to facilitate preparation of such petition for review in sufficient detail, t))~~ The board shall, ((on)) at the request of any party, ((serve upon said party)) provide a copy of the transcript of testimony and other proceedings at the hearing ~~((; provided that such)).~~ The requesting party shall sign an acknowledgement that receipt ((thereof)) of the transcript of proceedings shall constitute compliance by the board ~~((; in the event of an appeal to superior court,))~~ with any statute requiring service on ~~((said))~~ the party of a certified copy of the testimony. ~~((With respect to rulings concerning admission or exclusion of evidence, a general objection to all such rulings adverse to the party shall be considered adequate compliance with this rule.))~~

(4) **Action by board on petition for review.** ~~((Within twenty days a))~~ After receipt of a petition for review, the board shall enter an order within twenty days either: (i) denying the petition for review, in which case the proposed decision and order shall become the final order of the board, or (ii) granting the petition for review, in which case the board shall within one hundred and eighty days from the date the petition for review was filed issue a final decision and order based upon its review of the record ~~((or any part thereof deemed necessary-)).~~ (b) After twenty days of receipt. ~~((Provided, That i))~~ If a petition for review is not acted upon by the board ~~((within twenty days from the date it is filed,))~~ it shall be deemed to have been granted. (c) Remands for further hearing. After review of the record, the board may set aside the proposed decision and order and remand the appeal to the hearing process, with instructions to

the industrial appeals judge to whom the appeal is assigned on remand, to ~~((schedule a further hearing for the purpose of presenting such evidence in addition to that contained in the record as the board deems necessary to decide the appeal fairly and equitably. In the exercise of this power, a physical or mental examination of a worker or victim of crime by medical experts or evaluation by an expert vocational consultant may be ordered to be conducted at the board's expense. Any evidence presented by the industrial appeals judge shall be presented in an impartial manner, and shall be received subject to full opportunity for cross-examination by all parties. If a party desires to present rebuttal evidence to any evidence so presented, he must make application therefor immediately following the conclusion of such evidence. Such application will be granted by recessing the hearing to a time and place for taking such rebuttal evidence. Following the completion of the further hearing ordered by the board, the industrial appeals judge shall enter a proposed decision and order based upon the entire record. If an objection is made to a ruling or rulings of an industrial appeals judge sustaining an objection to admissibility of evidence, or denying a recess for the presentation of further evidence, or denying a motion for a physical or mental examination or vocational evaluation of a worker or victim of crime, and the board determines that said ruling or rulings were erroneous, the board may return the case to the industrial appeals judge with appropriate instructions, and a further proposed decision and order shall be issued by the industrial appeals judge after the additional evidence shall have been received.))~~ dispose of the matter in any manner consistent with WAC 263-12.

(5) **Reply to petition for review.** Any party may, within ten days of receipt of the board's order granting review, submit a reply to the petition for review, a written brief, or a statement of position regarding the matters to which objections were made, or the board may, on its own motion, require the parties to submit written briefs or statements of position or to appear and present oral argument regarding the matters to which objections were made, within such time and on such terms as may be prescribed. ~~((In such instances, copies of the transcript of testimony and other proceedings at the hearing shall be furnished to any party requesting same, and this shall be deemed compliance with any statute requiring service on said party of a certified copy of the testimony in the event of an appeal to superior court.))~~

WSR 00-17-158
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed August 22, 2000, 3:22 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-08-084.

Title of Rule: Chapter 388-160 WAC, Overnight youth shelters.

Purpose: Clarify the language of the licensing requirements for overnight youth shelters. The rules also meet the intent of the Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.15.030.

Statute Being Implemented: Chapter 74.15 RCW.

Summary: The clear language and format change will lead to overall clarification of the chapter. The addition of the FBI fingerprinting places state statute and agency policy into WAC. The addition of the qualifications for the lead counselor section consolidates those requirements in one section rather [than] sprinkled throughout the chapter.

Reasons Supporting Proposal: Overall clarity, efficiency and effectiveness of the overnight youth shelter regulations will be achieved.

Name of Agency Personnel Responsible for Drafting and Implementation: Jean L. Croisant, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992; and Enforcement: Division of Licensed Resources.

Name of Proponent: Department of Social and Health Services, Children's Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-160-0125, this rule adds qualifications of a lead counselor. This rule more clearly defines the lead counselor responsibilities and places this requirement in one section rather [than] in several as they are currently.

WAC 388-160-0175, this rule adds FBI criminal history check for those individuals who have lived in the state less than three consecutive years prior to application.

The anticipated effect will be the overall clarification of the requirements of overnight youth shelters. The more clearly written question and answer format will be consistent with the changes being made in the licensing requirements for other group facilities for children and youth. It is anticipated there will be greater compliance with the rules and fewer corrective action plans needed as a result of the changes.

Proposal Changes the Following Existing Rules: The FBI criminal history check has been state statute and agency policy since 1995 and is now being codified. This will provide clarity and ease in locating rules that apply to providers regulated by this chapter.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules do not have an economic impact on small businesses. Overnight youth shelters are nonprofit organizations/agencies. No small business economic impact statement is required.

RCW 34.05.328 applies to this rule adoption. The proposed rule changes for chapter 388-160 WAC, Overnight youth shelters, are "significant legislative rules" as defined in RCW 34.05.328 and therefore require a cost benefit analysis (CBA). A copy of the CBA may be requested by contacting Jean L. Croisant at Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992, or loje300@dshs.wa.gov.

Hearing Location: The hearing will be conducted using Washington Interactive Technologies' videoconferencing service. There will be four sites available for simultaneous

hearing: SPOKANE, 1101 North Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; RENTON, 1107 S.W. Grady Way, Suite 112, Renton, WA 98055, (425) 277-7290; TRICITIES, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336, (509) 734-7180; and LACEY, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98504, (360) 407-9487; on October 26, 2000, at 1:30. Please contact Kelly Cooper, DSHS Rules Coordinator, at (360) 664-6094 for directions.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 26, 2000.

Date of Intended Adoption: No sooner than October 27, 2000.

August 18, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-160 WAC

~~(MINIMUM LICENSING REQUIREMENTS FOR)~~ OVERNIGHT YOUTH SHELTERS

PURPOSE AND DEFINITIONS

NEW SECTION

WAC 388-160-0005 Authority. The following minimum licensing requirements for overnight youth shelter rules are adopted under chapter 74.15 RCW.

NEW SECTION

WAC 388-160-0015 What is the purpose of overnight youth shelters? (1) The purpose of overnight youth shelters is to provide youth with an emergency sleeping arrangement.

(2) The overnight youth shelter may be licensed to provide care for one of the following categories of youth:

(a) Children from thirteen through seventeen years of age; or

(b) Youths sixteen through twenty years of age.

NEW SECTION

WAC 388-160-0025 What definitions apply to this chapter? The following definitions are helpful in understanding these rules:

"**Capacity**" means the maximum number of children a facility is licensed to care for at a given time.

"**Department**" means the department of social and health services (DSHS).

"**DLR**" means the division of licensed resources.

"I" or "you" refers to anyone who operates an overnight youth shelter.

"Overnight youth shelter" or "OYS" means a licensed facility operated by a nonprofit agency that provides overnight shelter to homeless or runaway youth. Overnight youth shelters do not provide residential care during daytime hours.

"We" refers to the department, including DLR licensors.

"Youth" means an individual who is under twenty-one years old.

GENERAL PROGRAM AND SERVICES

NEW SECTION

WAC 388-160-0035 Does the department put limitations or conditions on a person who is licensed? Even if we approve you for an overnight license youth shelter, we may put limitations or conditions on the license to ensure youth's safety and health.

NEW SECTION

WAC 388-160-0045 Does the department make exceptions to the licensing requirements? (1) We may make exceptions to licensing requirements for good cause if you ensure the safety and wellbeing of the persons receiving care.

(2) You or department staff must request in writing an exception to licensing requirements before DLR makes an exception to licensing rules.

(3) Exceptions are approved at the discretion of the department.

(4) If we approve your request for an exception to our requirements, we issue a written waiver that is limited to:

- (a) A specific purpose or child; and
- (b) A specified period of time which does not exceed the expiration date of your license.

(5) You must keep a copy of the approved waiver for your files.

(6) Along with a waiver, we may limit or restrict a license issued to you.

(7) You do not have the right to appeal a denial of your request for an exception to the requirements.

NEW SECTION

WAC 388-160-0055 What services must be offered at a shelter? (1) At a minimum, all overnight youth shelters must offer the following services to all clients:

- (a) A client identification and intake assessment including:
 - (i) Emergency contacts (phone numbers);
 - (ii) Areas of possible problems, such as school status, medical problems, family situation and suicide evaluation;
 - (iii) History of assaultive or predatory behavior; and
 - (iv) Drug/alcohol involvement.
- (b) Individual crisis intervention;

(c) Assistance in accessing emergency resources, including child protective services (CPS) and emergency medical services; and

(d) Resource information.

(2) An overnight youth shelter must provide (as needed) information about:

(a) Educational or vocational services;

(b) Housing;

(c) Medical care or services;

(d) Substance abuse services;

(e) Mental health services;

(f) Other treatment agencies;

(g) Food programs; and

(h) DSHS services.

(3) If the overnight youth shelter cannot directly provide these services, staff must have information on referrals to programs or organizations that would provide these services to clients.

NEW SECTION

WAC 388-160-0065 What must I include in the assessment when a youth first enters a shelter? (1) When a youth first enters an overnight youth shelter, you must:

(a) Determine whether the parents are aware of the whereabouts of the youth;

(b) Determine whether an adult contact exists;

(c) Notify the police or children's administration intake of any unaccompanied child twelve years of age or younger who is requesting service.

(2) As part of the initial assessment, you must also assess the youth's:

(a) Recent history;

(b) Outstanding warrants;

(c) Physical and medical needs, including medication;

(d) School status;

(e) Immediate needs for counseling; and

(f) Options for the near future.

NEW SECTION

WAC 388-160-0075 How does the department decide how many youth I may serve in my shelter? (1) We approve the number of youth that your overnight youth shelter may serve based on our evaluation of the following factors:

(a) Physical accommodations in your overnight youth shelter;

(b) The number of staff and volunteers available for providing care;

(c) The skills of your staff and volunteers; and

(d) The ages and characteristics of the people you are serving.

(2) Based on our evaluation, we may license you for the care of fewer persons than you would normally serve in your category.

STAFF QUALIFICATIONS AND STAFFING RATIOS

NEW SECTION

WAC 388-160-0085 How old do I have to be to apply for a shelter license? You must be at least twenty-one years old to apply for a license for an overnight youth shelter; except that staff may be nineteen or twenty if involved in an internship program through a college or university program.

NEW SECTION

WAC 388-160-0095 What qualifications do I need to provide care to youth at an overnight youth shelter? If you are requesting a license or a position as an employee or volunteer at an overnight youth shelter, you must meet the following qualifications:

- (1) You, your staff and volunteers must not have a history of founded child abuse or neglect.
- (2) You, your staff and volunteers must pass our background check.
- (3) We may require additional information from you, your staff or volunteers. We may request this information at any time and it may include, but is not limited to:
 - (a) Substance and alcohol abuse evaluations;
 - (b) Psychiatric evaluations;
 - (c) Psycho-sexual evaluations; and
 - (d) Medical evaluations.

NEW SECTION

WAC 388-160-0105 Who must be on the premises when youth are present at an overnight youth shelter? (1) In an open or dormitory type setting, a same gender staff person must be within visual and auditory range of every youth at all times.

- (2) At least one fully trained lead counselor must be on the premises at all times when youth are present.
- (3) A qualified program supervisor must be on call at all times when the shelter is open or youth are present (see WAC 388-160-0115 for qualifications). The program supervisor may be on staff, on contract or available by written agreement.
- (4) Staff must represent both genders to reflect the population of youth in care.

NEW SECTION

WAC 388-160-0115 What qualifications must a program supervisor have in order to work in a shelter? Every overnight youth shelter must have a program supervisor. The program supervisor must have either a:

- (1) Master's degree in social work or a related field and one year of experience with high-risk adolescents; or
- (2) Bachelor's degree and three years of experience with high-risk adolescents.

NEW SECTION

WAC 388-160-0125 What qualifications must a lead counselor have in order to work in a shelter? To work in an overnight youth shelter, lead counselors must meet the following qualifications:

- (1) Be at least twenty-one years of age;
- (2) Have at least one year of experience working with high risk adolescents;
- (3) Have completed HIV/AIDS training;
- (4) Have completed first aid and CPR; and
- (5) Have completed a tuberculin test (as required under WAC 388-160-0565).

NEW SECTION

WAC 388-160-0135 What minimum qualifications must child care staff and volunteers have in order to work in a shelter? (1) All child care staff and volunteers who work at an overnight youth shelter must be at least twenty-one years old.

- (2) Child care staff and volunteers also must have successfully completed:
 - (a) A background check;
 - (b) A tuberculin test (as required under WAC 388-160-0565);
 - (c) Current first aid and cardio pulmonary resuscitation (CPR) training; and
 - (d) HIV/AIDS training.

NEW SECTION

WAC 388-160-0145 What is the required ratio of staff to youth in a shelter? (1) A shelter licensed for youth who are thirteen through seventeen years old must have one staff person to every eight youth.

- (2) A shelter licensed for youth who are sixteen through twenty years old must have one staff person to every six youth.
- (3) A shelter must maintain the staffing ratio while youth are asleep.
- (4) At least one staff person must remain awake while youth are asleep. Other staff persons may be asleep, but must be available in the shelter in case of emergency;
- (5) Whenever only one staff person is required to be on duty, a second staff person must be on call.

TRAINING REQUIRED

NEW SECTION

WAC 388-160-0155 What training is required for shelter staff and volunteers? (1) All overnight youth shelter staff and volunteers must receive training before providing care for youth. The overnight youth shelter must ensure that this training includes, at a minimum, the following subjects:

- (a) Job responsibilities;
- (b) Facility administration;
- (c) Supervision of youth;

PROPOSED

- (d) Behavior management training in accordance with department behavior management guidelines;
- (e) Fire safety procedures;
- (f) Handling emergency situations;
- (g) Current first aid and cardiopulmonary resuscitation (CPR); and
- (h) HIV/AIDS training consistent with the department of health approved curriculum.

(2) An overnight youth shelter must provide on-going training to all staff and volunteers.

(a) The training must cover qualifications for each position, including supervisory skills, adolescent development and problems, and the needs of youth.

(b) The shelter's training must also include, at a minimum, classes addressing:

- (i) Sexual abuse;
- (ii) Predatory behavior;
- (iii) Substance abuse;
- (iv) Depression;
- (v) Mental health;
- (vi) Teen suicide;
- (vii) Injurious behavior toward oneself or others; and
- (viii) Cultural sensitivity.

(3) New overnight youth shelter staff and volunteers must work shifts with fully trained staff until all required training has been completed by the new person.

APPLICATION PROCESS

NEW SECTION

WAC 388-160-0165 How do I apply or reapply for a license? (1) To apply or reapply for a license, the person or legal entity responsible for your overnight youth shelter must send the following information to the DLR licensor:

(a) The application form;

Note: If you are applying for a license renewal, you must send the application form to the DLR licensor ninety days prior to the expiration of your current license.

(b) A completed "criminal history and background inquiry" form from each applicant, staff person, board member and volunteer who:

- (i) Is at least sixteen years old;
- (ii) Is not a foster child or shelter youth; and
- (iii) Has unsupervised access to youth.

(c) Written verification of:

- (i) A tuberculosis test unless you have religious beliefs prohibiting the test;
- (ii) First-Aid and cardiopulmonary resuscitation (CPR) training; and
- (iii) HIV-AIDS training.

(2) If any person required to have a background check has lived in Washington state less than three years immediately prior to their application, you must provide us with a completed FBI fingerprint form for that person.

(3) We may require additional information from you including, but not limited to:

- (a) Substance and alcohol abuse evaluations;
- (b) Psychiatric evaluations;

- (c) Psycho-sexual evaluations; and
- (d) Medical evaluations.

NEW SECTION

WAC 388-160-0175 May I receive more than one type of group care license for the same location? (1) If you have an overnight youth shelter license, you may not hold a license for any other type of residential care at that location.

(2) **Exception:** If you make it clear to us that care for one kind of client does not interfere with the care for another kind of client, we may consider making an exception to our rule.

CORRECTIVE ACTION

NEW SECTION

WAC 388-160-0185 When must the department deny, suspend or revoke a license? A license must be denied, suspended or revoked if we decide that you are not providing care for youth in a way that ensures their safety, health and wellbeing. We must disqualify you for any of the following reasons:

(1) You are using illegal drugs, or excessively using alcohol or prescription drugs.

(2) You have failed your background check (see chapter 388-146 WAC).

(3) You permit or assist in treating people under your care with cruelty, indifference, abuse, neglect or exploitation.

(4) You, your staff or volunteers have had a license denied, or revoked by an agency that provides care to youth or expectant mothers.

(5) You have refused to allow authorized department staff and inspectors to have requested information or access to your facility, your files and/or your staff, volunteers and clients.

(6) You try to get a license by deceitful means, such as making false statements or leaving out important information on the application.

(7) You permit or assist in an illegal act on the premises of an overnight youth shelter.

(8) You repeatedly employ or fail to maintain qualified or an adequate number of staff to care for the number and types of youth in your care.

(9) You are unable to manage the property, fiscal responsibilities or staff in your agency.

(10) You knowingly allowed employees or volunteers to work at your agency who made false statements on their applications.

NEW SECTION

WAC 388-160-0195 When may the department suspend or revoke my overnight youth shelter license? We may suspend or revoke your license if you exceed the conditions of your facility license by:

- (1) Having more youth than the license allows;

(2) Having youth with ages different than the license allows;

(3) Failing to comply with any other licensing requirements; or

(4) Failing to provide a safe and healthy environment for youth in your care.

NEW SECTION

WAC 388-160-0205 How does the department notify me if they modify, deny, suspend or revoke my license?

We send you a certified letter informing you of our decision to modify, deny, suspend or revoke your license. In the letter, we also tell you what you need to do if you disagree with our decision.

NEW SECTION

WAC 388-160-0215 What may I do if I disagree with the department's decision to modify, deny, suspend or revoke my license? You have the right to appeal any decision the department makes to modify, deny, suspend or revoke your license.

(1) You may request an administrative hearing if you disagree with our decision to modify, suspend, revoke or deny your license.

(2) You must request an administrative hearing within twenty-eight days of receiving a certified letter with our decision (chapter 34.05 RCW).

(3) You must send a letter to the Office of Administrative Hearings, PO Box 42489, Olympia, WA 98504-2489, 1-800-583-8271 requesting an administrative hearing. The letter must have the following attachments:

(a) A specific statement of your reasons for disagreeing with the decision and any laws that relate to your reasons; and

(b) A copy of the certified letter from DLR that you are disputing.

RECORDKEEPING/REPORTING REQUIREMENTS/PERSONNEL POLICIES/POSTING OF LICENSE

NEW SECTION

WAC 388-160-0225 What incidents involving youth must I report? (1) You or your staff must report any of the following incidents within forty-eight hours to your local children's administration child protective services intake staff:

(a) Any alleged incidents of child abuse or neglect;

(b) Any violations of the licensing requirements;

(c) Death of a child;

(d) Any youth's suicide attempt that results in injury requiring medical attention or hospitalization;

(e) Any emergent medical care to any youth in care;

(f) Any use of physical restraint that is alleged improper or excessive;

(g) Sexual contact between two or more youth;

(h) Physical assaults between two or more youth that result in injury requiring off-site medical attention or hospitalization;

(i) Unexpected health problems caused by medications that require off-site medical attention;

(j) Any medication given incorrectly that required off-site medical attention;

(k) Serious property damage that is a safety hazard and is not immediately corrected.

(2) You or your staff must report any of the following incidents to the youth's DSHS social worker, if one is assigned to the youth:

(a) Suicidal ideas, gestures or attempts that do not require professional medical attention;

(b) Unexpected health problems caused by medication that do not require professional medical attention;

(c) Any incident of medication incorrectly administered;

(d) Physical assaults between two or more children resulting in injury that does not require professional medical attention;

(e) Runaways; and

(f) Use of physical restraints for routine discipline.

NEW SECTION

WAC 388-160-0235 Are there other reporting requirements? Any occurrence of food poisoning or communicable disease must be reported to the local public health department, as required by the department of health.

NEW SECTION

WAC 388-160-0245 Do I need to document instances when physical restraint is used? (1) You must document all instances of the use of physical restraints. You must keep a copy of this document at your overnight youth shelter. At a minimum, you must record:

(a) The youth's name and age;

(b) The date of the use of the restraint;

(c) The time in and out of the restraint;

(d) The events preceding the behavior that lead to using the restraint;

(e) The de-escalation methods that were used;

(f) Names of those involved in the restraint and any observers;

(g) A description of the type of restraint used;

(h) A description of injuries to the youth, or others, including caregivers;

(i) An analysis of how the restraint might have been avoided; and

(j) The signature of the person making the report.

(2) Additional information on behavior management and the use of physical restraints can be obtained from the department.

NEW SECTION

WAC 388-160-0255 Do I need to report runaway youth who stay at the shelter? (1) Within eight hours of learning that a youth staying at a shelter does not have paren-

tal permission to be there, shelter staff must report the location of the youth to:

- (a) The parent;
 - (b) The law enforcement agency having jurisdiction in the shelter's area; or
 - (c) The department.
- (2) The shelter staff must:
- (a) Make the report by telephone or other reasonable means; and
 - (b) Document the report in writing in the youth's file.

NEW SECTION

WAC 388-160-0265 What changes to my overnight youth shelter must I report to my licensor? (1) You must report to your licensor any changes in the original licensing application that might cause DLR to reclassify your overnight youth shelter. Changes include any of the following:

- (a) Changes in your location;
- (b) Change in the designated space, or phone number;
- (c) Changes in the maximum number, age ranges, and sex of persons you wish to serve;
- (d) Changes in the structure of your facility or premises due to events causing damage such as a fire, or caused by remodeling; or

(e) Addition of any new staff person, employee or volunteer, who might have contact with the youth in care.

(2) A license is valid only for the person or organization named on the license.

(3) If you operate an overnight youth shelter, you must also report the following changes to your licensor:

- (a) A change of your facility's chief executive;
- (b) The death, retirement, or incapacity of the person who holds the license;
- (c) A change in name of a licensed corporation, or name by which your facility is commonly known; or
- (d) Changes in agency's articles of incorporation and bylaws.

NEW SECTION

WAC 388-160-0275 What are the department's requirements for keeping client records? (1) Your records must be kept at your overnight youth shelter and contain, at a minimum, the following information:

- (a) The child's name and birthdate;
- (b) Admission dates;
- (c) Names, address and home and business telephone numbers of parents or persons to be contacted in case of emergency;
- (d) Dates and kinds of illnesses, accidents, medications and treatments given at the overnight;
- (e) Daily attendance logs, dates of admission, referrals, dates of exit;
- (f) An incident log documenting the use of physical restraint; and
- (g) Other information determined relevant by the department.

(2) Identifying and personal information about the youth must be kept confidential.

(3) You must keep information about the youth and their families in a secure place.

NEW SECTION

WAC 388-160-0285 Do I need a citizens' board for my overnight youth shelter? (1) Every overnight youth shelter must have a citizens' board that complies with laws and rules for nonprofit boards of directors. If the overnight youth shelter is part of a larger agency that has a citizens' board, that board will suffice.

(2) The shelter director must keep the following on file:

- (a) A list of all members of the current citizens' board; and
- (b) A copy of the articles of incorporation filed with the Secretary of State verifying nonprofit status.

NEW SECTION

WAC 388-160-0295 What personnel policies must I have? The following requirements apply to licensed overnight youth shelters.

(1) Each employee or volunteer with unsupervised access to youth must complete an employment application and a "criminal history of background inquiry" form enabling us to do a background check by the date of hire. Employees and volunteers are not allowed to have unsupervised access to youth until the department approves their background checks.

(2) If you have five or more staff, you must have written policies describing duties, qualifications, and staff benefits.

NEW SECTION

WAC 388-160-0305 What personnel records must I keep? You must keep personnel records on file for each staff person and volunteer for your overnight youth shelter. These must include:

- (1) An employment application, including work and education history;
- (2) Documentation of completed criminal history and background check form;
- (3) A record of a negative Mantoux, tuberculin skin tests results, X-ray, or an exemption to the skin test or X-ray;
- (4) A record of participation in HIV/AIDS education and training;
- (5) A record of participation in staff development training;
- (6) A record of participation in the program's orientation;
- (7) Documentation of a valid food handler permit, when applicable; and
- (8) A record of participation in the current first-aid and CPR training.

NEW SECTION

WAC 388-160-0315 Where must I post my license? You must post your license in a place that is easily viewed by the public.

NEW SECTION

WAC 388-160-0325 What other information must I keep readily available? If you operate an overnight youth shelter, you must have the telephone number of "on-call" masters or bachelors degree-level persons with other emergency numbers readily available for staff

HEALTH AND GENERAL SAFETY REQUIREMENTS

NEW SECTION

WAC 388-160-0335 Are local ordinances part of your licensing requirements? Local ordinances (laws), such as zoning regulations and local building codes, fall outside the scope of our licensing requirements.

NEW SECTION

WAC 388-160-0345 What fire safety requirements must I follow to qualify for a license? If you own or operate an overnight youth shelter, you must follow the regulations developed by the Washington state fire marshal's office. The regulations are minimum requirements for protecting life and property against fire. You can find these contained in the current state building code.

NEW SECTION

WAC 388-160-0355 Where may my shelter be located? Your overnight youth shelter must be located on a well-drained site free from hazardous conditions. The safety of the youth in care is paramount. You must discuss with the licensor any potential hazardous conditions, considering the youth's ages and behaviors. Some examples of hazards are natural or man-made water hazards such as lakes or streams, steep banks, ravines, and busy streets.

NEW SECTION

WAC 388-160-0365 May I have firearms in my overnight youth shelter? (1) You may not have firearms or other weapons on the premises.

(2) Firearms and weapons that are confiscated from youth must be locked up and given to law enforcement officers as soon as possible.

NEW SECTION

WAC 388-160-0375 What substances are prohibited at overnight youth shelters? (1) During operating hours when youth are in care, no staff or volunteers on the premises or caring for youth off-site may be under the influence of, consume, or possess alcoholic beverages or illegal drugs.

(2) You must prohibit smoking in:

- (a) Your facility while caring for youth; and
- (b) Any motor vehicles transporting youth.

(3) You may permit adults to smoke outdoors away from youth.

NEW SECTION

WAC 388-160-0385 What are your requirements for storing dangerous items? (1) You must store the following items in a place that is not accessible to youth in care:

- (a) Cleaning supplies,
- (b) Toxic substances,
- (c) Poisons,
- (d) Aerosols,
- (e) Items with warning labels.

(2) You must label containers filled from a stock supply. The labels must identify all contents.

(3) Toxic substances must be stored separately from food items.

NEW SECTION

WAC 388-160-0395 Do I need to have first-aid supplies? You must keep first aid supplies on hand for immediate use.

NEW SECTION

WAC 388-160-0405 What structural safety requirements must my facilities meet? You must keep your equipment and the physical structures in your facility safe and clean for the youth you serve. At a minimum you must:

(1) Maintain your buildings, premises, and equipment in a clean and sanitary condition, free of hazards and in good repair;

(2) Provide handrails for steps if the department decides handrails are necessary for safety;

(3) Have emergency lighting devices available and in operational condition;

(4) Refinish all flaking or deteriorating lead-based paint with lead-free paint or other nontoxic material for exterior and interior wall surfaces and equipment.

(5) Have washable, water resistant floors in the facility's toilet rooms, kitchen, and other rooms exposed to moisture.

Exception: We may approve washable, short-pile carpeting that is kept clean and sanitary for your facility's kitchen.

(6) Have easy access to rooms occupied by youth in case an emergency arises.

NEW SECTION

WAC 388-160-0415 What measures must I take for pest control? You must keep the premises free from pests, such as rodents, flies, cockroaches, fleas, and other insects using the least toxic methods.

ROOM REQUIREMENTS

NEW SECTION

WAC 388-160-0425 What are your requirements for kitchens? You must ensure that a shelter providing food service:

- (1) Provides for the proper storage, preparation, and service of food to meet the needs of the youth;
- (2) Has facilities and implements practices as required by the rules and regulations of the department of health that govern food service sanitation.

NEW SECTION

WAC 388-160-0435 What are the requirements for bedrooms in shelters? You must comply with the following requirements for bedrooms:

- (1) Provide sleeping areas at least fifty square feet per occupant of unobstructed floor area with a ceiling height of at least seven feet, six inches;
- (2) Not use hallways and kitchens as sleeping rooms;
- (3) Maintain a space that is at least thirty inches between sleeping youths;
- (4) Provide sleeping areas separated by a visual barrier five feet high or more for gender; and
- (5) Separate youth under eighteen years old from youth who are eighteen through twenty years old by having a staff or volunteer supervise open space or have a physical barrier to prevent contact.

NEW SECTION

WAC 388-160-0445 What are your requirements for bedding? (1) An overnight youth shelter providing youth with sleeping equipment and bedding must keep the equipment and bedding in good repair, clean, and sanitary.

- (2) The shelter must accept the use of sleeping and bedding equipment that is personally provided by the youth if it is not a health or safety risk.

TELEPHONE/LIGHTING/VENTILATION/WATER/LAUNDRY/SEWAGE

NEW SECTION

WAC 388-160-0455 What telephone requirements must I follow? We have two requirements for the telephone that you must meet at your overnight youth shelter.

- (1) You must have at least one telephone on the premises for incoming and outgoing calls. The telephone must be accessible for emergency use at all times.
- (2) You must post emergency phone numbers next to the phone.

NEW SECTION

WAC 388-160-0465 What are the lighting requirements for my overnight youth shelter? You must locate light fixtures and provide lighting that promote good visibility and comfort for the youth.

NEW SECTION

WAC 388-160-0475 What are the requirements about drinking water? You must provide:

- (1) A public water supply or a private water supply approved by the local health authority at the time of licensing or relicensing; and
- (2) Disposable paper cups, individual drinking cups or glasses, or inclined-jet drinking type drinking fountains.

NEW SECTION

WAC 388-160-0485 What are your requirements for laundry facilities? We have specific requirements for laundry facilities at your overnight youth shelter. You must:

- (1) Have separate and adequate facilities for storing soiled and clean linen.
- (2) Provide adequate laundry and drying equipment or make other arrangements for getting laundry done on a regular basis.
- (3) Locate laundry equipment in an area separate from the kitchen.

NEW SECTION

WAC 388-160-0495 What are the requirements for washing clothes? You must sanitize laundry contaminated with urine, feces, lice, scabies, or other potentially infectious materials through temperature or chemical measures.

NEW SECTION

WAC 388-160-0505 What are the requirements for toilets, sinks, and bathing facilities in shelters? You must provide:

- (1) Two or more indoor flush-type toilets close to handwashing sinks with hot and cold running water;
- (2) One toilet and sink for the first eight youth, with a second toilet and sink when four more youth are on the premises;
- (3) Privacy for persons of the opposite sex at toilets and any bathing facilities;
- (4) Hot and cold running water not exceeding one hundred twenty degrees Fahrenheit at handwashing sinks, and bathing facilities;
- (5) A conveniently located grab bar or nonslip floor surfaces in any bathing facilities;
- (6) Urinals instead of toilets as long as only urinals do not replace more than one-third of the total required number of toilets; and
- (7) Dispenser soap and individual towels, disposable towels, or other approved single-use hand drying devices, at handwashing sinks, and any bathing facilities.

NEW SECTION

WAC 388-160-0515 Do overnight youth shelters require a housekeeping sink. An overnight youth shelter must have and use a method of drawing clean mop water and disposing of wastewater.

PROPOSED

NEW SECTION

WAC 388-160-0525 What are the requirements for sewage and liquid wastes? You must discharge sewage and liquid wastes into a public sewer system or into a functioning septic system.

**MEDICAL CARE AND
MEDICATION MANAGEMENT**

NEW SECTION

WAC 388-160-0535 What health and emergency policies and procedures must I have? (1) An overnight youth shelter must have current written health policies and procedures including, but not limited to:

- (a) First aid;
- (b) Infection control;
- (c) Care of minor illnesses; and
- (d) General health practices and actions to be taken in event of medical and other emergencies.

(2) Health policies and procedures must be readily available for staff orientation and implementation.

NEW SECTION

WAC 388-160-0545 How must I manage medications for youth at my shelter? An overnight youth shelter must follow our requirements for managing nonprescription and prescription medications for youth at the shelter. You must:

(1) Place any medication brought into the shelter by a youth in locked storage so it is unavailable to other youth in care;

(2) Supervise youth who take their own medication according to the prescription or manufacturer's instructions; and

(3) Properly dispose of medications that are no longer being taken.

NEW SECTION

WAC 388-160-0555 What must I do to prevent the spread of infections and communicable diseases? You must take precautions to guard against infections and communicable diseases infecting the youth in care in your overnight youth shelter.

(1) Those who have regular contact with children in care at an overnight youth shelter must have a tuberculosis skin test by the Mantoux method. They must have this skin test prior to being licensed, employed, or volunteering.

(2) Persons whose tuberculosis skin test is positive must have a chest x-ray within ninety days following the skin test.

(3) Exception: We do not require any entry test if:

(a) A person has a tuberculosis skin test that has been documented as negative within the past six months; or

(b) A physician indicates that the test is medically unadvisable.

(4) We will not require retesting unless a person believes they have been exposed to someone with tuberculosis or if testing is recommended by their health care provider.

(5) You must keep a record of skin test results, x-rays, or exceptions to this requirement in the individual's personnel file at your facility.

FOODNEW SECTION

WAC 388-160-0565 What nutritional guidelines must I follow? An overnight youth shelter providing meals must consider the age, cultural background, and nutritional requirements of youth served when preparing meals.

CLIENT RIGHTSNEW SECTION

WAC 388-160-0575 What are your requirements for protecting a youth under my care from child abuse and neglect? As part of ensuring health, welfare and safety, you must protect youth in your care from child abuse and neglect (see RCW 26.44.020(12)).

NEW SECTION

WAC 388-160-0585 What are the requirements about nondiscrimination? Overnight youth shelters must follow all state and federal laws regarding nondiscrimination while providing services to youth in care.

NEW SECTION

WAC 388-160-0595 What religious activities are allowed in overnight youth shelters? You must respect the religious rights of the youth in care.

(1) Youth have the right to practice their own faith.

(2) Youth have the right not to practice another person's faith.

SUPERVISIONNEW SECTION

WAC 388-160-0605 How much supervision is required for child care staff and volunteers? The program supervisor must provide two hours of supervision for each forty hours that child care staff and volunteers work at overnight youth shelters.

DISCIPLINENEW SECTION

WAC 388-160-0615 What requirements must I follow when disciplining youth? (1) You are responsible for disciplining youth in your care. This responsibility must not be delegated to any youth.

(2) You must write down your disciplinary practices and include these with your application for a license.

(3) Discipline must be:

(a) Based on an understanding of the individual's needs and stage of development;

(b) Designed to help the youth under your care to develop inner control, acceptable behavior and respect for the rights of others; and

(c) Fair, reasonable, consistent, and related to the individual's behavior.

NEW SECTION

WAC 388-160-0625 What types of disciplinary practices are forbidden? (1) You must not use cruel, unusual, frightening, unsafe or humiliating discipline practices, including but not limited to:

- (a) Spanking youth with a hand or object;
- (b) Biting, jerking, kicking, or shaking the youth;
- (c) Pulling the youth's hair;
- (d) Throwing the youth;
- (e) Purposely inflicting pain as a punishment;
- (f) Name calling, using derogatory comments, or abusing the youth verbally; and

(g) Threatening the youth with physical harm.
 (2) You must not use methods that interfere with a youth's basic needs, including but not limited to:

- (a) Depriving the youth of sleep;
- (b) Providing inadequate food, clothing or shelter; or
- (c) Interfering with a youth's ability to take care of their own hygiene and toilet needs.

(3) You must not use methods that deprive a youth of necessary services, including:

- (a) Access to the youth's legal representative;
- (b) DSHS social worker, if one is assigned; or
- (c) Emergency medical or dental care.

(4) You must not use medication in an amount or frequency other than that prescribed by a physician or psychiatrist.

(5) You must not use medications for a youth that have been prescribed for someone else.

(6) You must not physically lock doors or windows in a way that prohibits a youth from exiting.

PHYSICAL RESTRAINT

NEW SECTION

WAC 388-160-0635 What types of physical restraint are acceptable for youth in overnight youth shelters? (1) You must use other efforts to redirect or de-escalate the situation before using a physical restraint unless the youth's behavior poses an immediate risk to physical safety.

(2) You may use physical restraint that is reasonable and necessary to:

- (a) Protect youth on the premises from harming themselves or others;
- (b) Prevent a youth from carrying out a believable threat to seriously injure self or others;
- (c) Safely remove a youth to a less risky location;
- (d) Take a weapon or another dangerous object; or

(e) Protect property from serious damage.

NEW SECTION

WAC 388-160-0645 What types of physical restraint are not acceptable for youth in overnight youth shelters?

(1) You must not use physical restraint as a form of punishment.

(2) You must not use mechanical restraints, such as handcuffs and belt restraints.

(3) You must not use locked time-out rooms.

(4) You must not use physical restraint techniques that restrict breathing, inflict pain as a strategy for behavior control or might injure a youth. These include, but are not limited to:

- (a) An adult sitting on or straddling a youth;
- (b) Sleeper holds, which are holds used by law enforcement officers to subdue a person;
- (c) Arm twisting;
- (d) Hair holds;
- (e) Youth being thrown against walls, furniture, or other large immobile objects;
- (f) Choking or putting arms around a throat;
- (g) Restriction of body movement by placing pressure on joints, chest, heart, or vital organs; or
- (h) Chemical restraints, except prescribed medication, including but not limited to pepper spray.

(5) Staff and volunteers must be trained in using appropriate restraining techniques if they are employed in overnight youth shelters where restraining youth may be necessary.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-160-010	Authority.
WAC 388-160-020	Definitions.
WAC 388-160-030	Exceptions to rules.
WAC 388-160-040	Effect of local ordinances.
WAC 388-160-050	Fire standards.
WAC 388-160-060	Certification of exempt agency.
WAC 388-160-070	Application or reapplication for license or certification—Investigation.
WAC 388-160-080	Limitations on licenses and dual licensure.
WAC 388-160-090	General qualifications of licensee, applicant, and persons on the premises.
WAC 388-160-100	Age of licensee.
WAC 388-160-110	Posting of license.

PROPOSED

WAC 388-160-120	Licensure—Denial, suspension, or revocation.	WAC 388-160-470	Supervision of youth.
WAC 388-160-130	Licensed capacity.	WAC 388-160-480	Child care workers—Qualifications.
WAC 388-160-140	Discrimination prohibited.	WAC 388-160-490	Program supervision.
WAC 388-160-150	Religious activities.	WAC 388-160-500	Training.
WAC 388-160-160	Discipline.	WAC 388-160-510	Services.
WAC 388-160-170	Corporal punishment.	WAC 388-160-520	Client records and information—Overnight youth shelters.
WAC 388-160-180	Abuse, neglect, or exploitation.	WAC 388-160-530	Personnel policies and records—Overnight youth shelters.
WAC 388-160-190	Site and telephone.	WAC 388-160-540	Reporting of death, injury, illness, epidemic, or child abuse.
WAC 388-160-200	Equipment, safety, and maintenance.	WAC 388-160-550	Reporting runaway youth.
WAC 388-160-210	Firearms and other weapons.	WAC 388-160-560	Reporting circumstantial changes.
WAC 388-160-220	Prohibited substances.		
WAC 388-160-230	Storage.		
WAC 388-160-240	Bedrooms and sleeping areas.		
WAC 388-160-250	Kitchen facilities.		
WAC 388-160-260	Housekeeping sink.		
WAC 388-160-270	Laundry.		
WAC 388-160-280	Toilets, handwashing sinks, and bathing facilities.		
WAC 388-160-290	Lighting.		
WAC 388-160-300	Pest control.		
WAC 388-160-310	Sewage and liquid wastes.		
WAC 388-160-320	Water supply.		
WAC 388-160-340	Health and emergency policies and procedures.		
WAC 388-160-350	First aid.		
WAC 388-160-360	Medication management.		
WAC 388-160-370	Staff health.		
WAC 388-160-380	HIV/AIDS education and training.		
WAC 388-160-390	Nutrition.		
WAC 388-160-400	Bedding.		
WAC 388-160-410	Overnight youth shelters—Purpose and limitations.		
WAC 388-160-420	Governing body/citizens board for overnight youth shelters.		
WAC 388-160-430	Intake.		
WAC 388-160-440	Groupings.		
WAC 388-160-460	Staffing.		

WSR 00-17-159
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Children's Administration)
 [Filed August 22, 2000, 3:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-07-039.

Title of Rule: Chapter 388-146 WAC, Background checks.

Purpose: Clarify the language of the background check requirements for homes and facilities licensed by Children's Administration (CA), for providers with unsupervised access to clients. This includes care providers to clients of the Division of Developmental Disabilities. The changes incorporate federal legislation, the Adoption and Safe Families Act of 1997 (42 U.S.C. 671(a)) that designated the types of criminal convictions which would preclude an individual from ever having unsupervised access to children.

The Division of Developmental Disabilities will follow the changes in this chapter for their adult clients as well as children.

Statutory Authority for Adoption: Chapter 74.15 RCW.
 Statute Being Implemented: RCW 74.15.030.

Summary: The clear language and format change will lead to overall clarification of the chapter. The addition of the federal law changes brings the chapter current with the practice of the Division of Licensed Resources, Children's Administration (DSHS).

The addition of the FBI fingerprinting requirement for persons who are new to the state within three years. This places state statute and agency policy into WAC for consis-

tent practice for CA licensees needing to meet this requirement. The chapter adds the process for completing the background check with both Children's Administration and the Division of Developmental Disabilities making available to those regulated by the WAC the information needed on how to comply with the rule.

Reasons Supporting Proposal: Overall clarity, efficiency and effectiveness of the background check for those having unsupervised access to children and persons with developmental disabilities. Additionally, the WAC changes support the licensors of the Division of Licensed Resources with clear language about the process of completing background checks on prospective licensees and other providers.

Name of Agency Personnel Responsible for Drafting and Implementation: Jean L. Croisant, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992; and **Enforcement:** Division of Licensed Resources, Children's Administration, DSHS.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of rewriting the chapter in clear question and answer style is to improve understanding of the rules and for consistency of interpretation. This chapter regulates the review of the criminal history and child abuse/neglect history of potential caregivers to children and developmental disabled adults.

The addition of the federal law changes (of specific categories of criminal convictions) brings the chapter current with the policy and practice of the Division of Licensed Resources, Children's Administration (DSHS). The addition of the FBI fingerprinting requirement for persons who are new to the state within the last three years places in WAC a state statute and agency policy that has been in effect since 1995. The chapter adds the process for completing the background check with both Children's Administration and the Division of Developmental Disabilities.

The process of screening caretakers, for children in licensed homes and facilities as well as for developmentally disabled adults, is clearly a very important health and safety issue. It is important to have the rules clear and easy to understand for consistent interpretation and implementation.

Proposal Changes the Following Existing Rules: WAC 388-146-0120, list the criminal convictions that permanently disqualify an individual from having unsupervised access to children and to persons with developmental disabilities. This change in these crimes now clearly defines these as permanent disqualifiers.

WAC 388-146-0130, lists the crimes that would disqualify an individual for at least five years.

WAC 388-146-0140, outlines the criteria for seeking a license or authorization for unsupervised access to children and to persons with developmental disabilities.

All of the changes have been clarified during the review of the chapter.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The substantive changes in the background check chapter were made to align

the WAC with state law and federal law changes with the addition of several crimes to the list of disqualifying convictions. There will be no new costs to businesses.

RCW 34.05.328 applies to this rule adoption. The proposed rule changes for chapter 388-146 WAC, Background checks, are "significant legislative rules" as defined in RCW 34.05.328 and therefore require a cost benefit analysis (CBA). A copy of the CBA may be requested by contacting Jean L. Croisant, at Division of Program and Policy Development, Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992, or loje300@dshs.wa.gov.

Hearing Location: The hearing will be conducted using Washington Interactive Technologies' videoconferencing service. There will be four sites available for a simultaneous hearing: **SPOKANE**, 1101 North Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; **RENTON**, 1107 S.W. Grady Way, Suite 112, Renton, WA 98055, (425) 277-7290; **TRICITIES**, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336, (509) 734-7180; and **LACEY**, DIS Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98504, (360) 407-9487; on October 26, 2000, at 1:30 p.m. Please contact Kelly Cooper, DSHS Rules Coordinator at (360) 664-6094 for directions.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by October 19, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 26, 2000.

Date of Intended Adoption: No sooner than October 27, 2000.

August 18, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-146 WAC

BACKGROUND CHECKS

PURPOSE

NEW SECTION

WAC 388-146-0010 What is the purpose of this chapter? The purpose of this chapter is to establish rules for background checks conducted by children's administration (CA) and the division of developmental disabilities (DDD) at the department of social and health services (DSHS). We do background checks on individuals who are licensed or authorized by the department to care for or have unsupervised access to children and to persons with developmental disabilities. Background checks are conducted to find and evaluate any history of criminal convictions and/or history of abuse or neglect.

DEFINITIONS

NEW SECTION

WAC 388-146-0020 What definitions apply to this chapter? The following definitions are important to understand these rules:

"CA" means children's administration, department of social and health services. Children's administration is the cluster of programs within DSHS responsible for the provision of child welfare, child protective services, and other services to children and their families.

"CAMIS" means case and management information system. This data system is used by children's administration.

"Children" or "youth" means individuals who are under parental or department care including:

- (1) Individuals under eighteen years old; or
- (2) Foster children up to twenty-one years of age and enrolled in high school or a vocational school program; or
- (3) Developmentally disabled individuals up to twenty-one years of age for whom there are no issues of child abuse and neglect; or
- (4) JRA youth up to twenty-one years of age and who are under the jurisdiction of JRA or a youthful offender under the jurisdiction of the department of corrections who is placed in a JRA facility.

"DCFS" means division of children and family services and is a division within children's administration that provides child welfare, child protective services, and support services to children in need of protection and their families.

"DDD" means the division of developmental disabilities.

"Department" means the department of social and health services (DSHS).

"I" and "you" refers to anyone who has unsupervised access to children or to persons with developmental disabilities in a home, facility, or program. This includes, but is not limited to, persons seeking employment, a volunteer opportunity or a license for a home or facility.

"JRA" means the juvenile rehabilitation administration, department of social and health services.

"Licensor" means an employee of DLR or of a child placing agency licensed or certified under chapter 74.15 RCW to approve and monitor licenses for homes or facilities that offer care to children. Licenses require that the homes and facilities meet the department's health and safety standards.

"Persons with developmental disabilities" means individuals who meet eligibility requirements in Title 71A RCW, WAC 388-825-030, for services. A developmental disability is any of the following: Mental retardation, cerebral palsy, epilepsy, autism, or another neurological condition described in WAC 388-825-030; originates before the age of eighteen years; is expected to continue indefinitely; and results in a substantial handicap.

"Unsupervised" means not in the presence of:

(1) Another employee or volunteer from the same business or organization as the applicant; or

(2) Any relative or guardian of any of the children or developmentally disabled persons or vulnerable adults to whom the applicant has access during the course of his or her employment or involvement with the business or organization (RCW 43.43.080(9)).

"Unsupervised access" means that an individual will or may be left alone with a child or vulnerable adult (person with developmental disabilities) at any time for any length of time.

"We" refers to the department, including licensors and social workers.

"WSP" refers to the Washington State Patrol.

GENERAL REQUIREMENTS

NEW SECTION

WAC 388-146-0030 Why do you do background checks? The department does background checks to help safeguard the health, safety and well being of children and of persons with developmental disabilities in licensed homes and facilities and in day programs. By doing criminal history background checks, we can reduce the risk to children and persons with developmental disabilities from caregivers who have been convicted of certain crimes. The department's regulations require us to evaluate your background before we issue a license or authorize you to have unsupervised access to children or to persons with developmental disabilities.

NEW SECTION

WAC 388-146-0040 Who must have background checks? The department must do background checks on individuals who will have unsupervised access to children or to persons with developmental disabilities in homes, facilities, or operations licensed by the department to provide care as required under chapter 74.15 RCW. The department includes the following people in background checks:

- (1) A person licensed or contracted by us to care for children (chapter 74.15 RCW and RCW 43.43.832);
- (2) A prospective or current employee for a licensed care provider;
- (3) A volunteer with regular or unsupervised access to children who is in a home or facility that offers licensed care to children;
- (4) A person who is at least sixteen years old, is residing in a foster home or child care home and is not a foster child;
- (5) A relative other than a parent who may be caring for a child or a person with developmental disabilities;
- (6) A person who regularly has unsupervised access to a person with developmental disabilities; and
- (7) Prospective adoptive parents.

NEW SECTION

WAC 388-146-0045 Does the background check process apply to new and renewal licenses? These regulations

apply to all applications for licensing and license renewals which are processed by the department after the effective date of this chapter.

NEW SECTION

WAC 388-146-0050 Who is not affected by this chapter? This chapter does not apply to:

- (1) Schools, hospitals, or other facilities where the primary focus is not custodial; and
- (2) Situations where the caregiver is not acting in place of the parent; or
- (3) Persons being considered for state employment or volunteer activities with state agencies.

NEW SECTION

WAC 388-146-0060 What happens if I don't comply with the criminal history background check requirement? If you or someone on the premises of your home or facility having unsupervised access to children or to persons with developmental disabilities does not comply with our requirement for a background check, the department will deny, suspend or revoke your license, certification, or authorization to care for children or for persons with developmental disabilities.

PROCESS FOR CRIMINAL HISTORY BACKGROUND CHECKS

NEW SECTION

WAC 388-146-0070 How does the criminal history background check process begin?

For working with children under the responsibility of children's administration:

- (1) If you are applying for a license or authorization to care for children, you must submit the "criminal history and background inquiry" form with your license application to a licenser. Note: This form can also be obtained from a DLR or child-placing agency licenser.
- (2) If you are seeking a license with a child-placing agency or child care agency you must also submit a release of information form to the child-placing agency licenser or DLR licenser.
- (3) If you wish to be employed or volunteer in a licensed child care agency, you must submit a completed "criminal history and background inquiry" form to your employer or the person licensed to provide child care. Your employer or the licensed person must submit this form to DLR.

For working with persons with developmental disabilities:

- (4) The criminal history background check begins with you submitting a background check form to:
 - (a) Your employer; or
 - (b) A division of developmental disabilities regional office. Note: Your employer or the division's regional office will have this form.

(5) Your employer or regional office submits the completed form to the criminal history unit with the division of developmental disabilities at DSHS.

NEW SECTION

WAC 388-146-0080 How often do you require a background check? The department requires a background check every three years, unless we have a reason to do a background check more frequently.

NEW SECTION

WAC 388-146-0090 May I have access to those under care before my criminal history background check is complete? (1) If you are a relative of a child or of a person with developmental disabilities, you may not need a background check completed before you have unsupervised access, if you meet the criteria in subsection (2) of this section. However, your background check must be submitted immediately upon placement.

(2) If you are waiting for the Washington state background check results, you may have access to children or to persons with developmental disabilities on a conditional basis, at the discretion of the department, if you meet the following criteria:

- (a) You are in the presence of another person who has cleared a background check in the home, facility, or program; or
- (b) You are a relative of the child or the person with developmental disabilities.

NEW SECTION

WAC 388-146-0100 What does the background check cover? The background check includes, at a minimum, a review of convictions and pending charges.

(1) The department must review the following records:

- (a) Criminal convictions and pending charges listed by the Washington state patrol (chapter 43.43 RCW, RCW 9.9A.030 and 9A.44.130);
- (b) Child protective service case file information (CAMIS) for founded reports of child abuse or neglect; and
- (c) Administrative hearing decisions related to any license that has been revoked, suspended or denied.

(2) The department may also review any civil judgment, determination or disciplinary board final decisions of child abuse or neglect.

(3) We may review law enforcement records of convictions and pending charges in other states or locations if:

- (a) You have lived in another state; and
- (b) Reports from credible community sources indicate a need to investigate another state's records.

(4) If you have lived in Washington state less than three years immediately prior to your application to have unsupervised access to children or to persons with developmental disabilities, the department will require that you be fingerprinted for a background check through the Washington State Patrol (WSP) and the Federal Bureau of Investigation (FBI).

NEW SECTION**WAC 388-146-0110 Who pays for the background check? Children's administration:**

(1) Pays for general administrative expenses related to the criminal history background check.

(2) May pay for fingerprinting expenses for those foster care applicants and relatives who require fingerprinting to be done.

(3) Does not pay for fingerprinting for employees or volunteers associated with any other type of home or facility.

Division of developmental disabilities:

(4) Pays for background checks, including the processing expenses for those requiring fingerprinting.

SIGNIFICANCE OF CRIMINAL HISTORIESNEW SECTION

WAC 388-146-0120 Will a criminal conviction permanently prohibit me from working with children or persons with developmental disabilities? (1) There are convictions for certain crimes that will prohibit you from licensing or authorization to have unsupervised access to children or to persons with developmental disabilities. If you have ever been convicted of a serious violent crime or violent crime as defined in RCW 9.94A.030 or a crime against children or other persons as defined in RCW 43.43.830 you will be permanently disqualified from unsupervised access to children and persons with developmental disabilities. The list of crimes includes, but is not limited to:

- (a) Aggravated murder;
- (b) Arson in the first and second degree;
- (c) Assault in the first and second degree;
- (d) Assault in the first and second degree for domestic violence;
- (e) Assault of a child in the first, second, and third degree;
- (f) Assault of a child in the first, second, and third degree for domestic violence;
- (g) Burglary in the first degree;
- (h) Child abuse or neglect (RCW 26.44.020);
- (i) Child molestation in the first, second, and third degree;
- (j) Child selling and child buying;
- (k) Coercion;
- (l) Controlled substance homicide;
- (m) Communication with a minor for immoral purposes;
- (n) Criminal abandonment;
- (o) Criminal mistreatment in the first and second degree;
- (p) Custodial assault;
- (q) Custodial sexual misconduct in the first and second degree;
- (r) Custodial interference in the first and second degree;
- (s) Drive-by shooting;
- (t) Extortion in the first degree;
- (u) Failure to register or failure to notify of address change, transient status, or name change (if original conviction was a felony sex offense);

(v) Felony violation of a protection order, "no contact" order, or child abuse restraining order;

(w) Homicide by abuse;

(x) Incest in the first and second degree;

(y) Indecent exposure felony;

(z) Indecent liberties;

(aa) Kidnaping in the first and second degree;

(bb) Luring;

(cc) Malicious harassment;

(dd) Manslaughter in the first degree;

(ee) Murder in the first and second degree;

(ff) Patronizing a juvenile prostitute;

(gg) Possession of material or dealing in depictions of a minor engaged in sexually explicit conduct;

(hh) Promoting a suicide attempt;

(ii) Promoting prostitution in the first degree;

(jj) Public indecency, if toward a person under fourteen years of age;

(kk) Rape in the first, second and third degree (including the rape of a child);

(ll) Reckless endangerment;

(mm) Robbery in the first and second degree;

(nn) Selling or distributing erotic material to a minor;

(oo) Sexual exploitation of a minor;

(pp) Sexual misconduct with a minor in the first and second degree;

(qq) Sexual offender failure to register or failure to notify of address change, transient status or name change (if the original conviction was a nonfelony sex offense) when the victim was in the custody or jurisdiction of JRA);

(rr) Sexually violating human remains;

(ss) Unlawful imprisonment;

(tt) Vehicular assault;

(uu) Vehicular homicide, while under influence of drugs, or alcohol, or by the operation of a vehicle in a reckless manner;

(vv) Voyeurism; or

(ww) Any class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony.

(2) Any federal or out-of-state convictions for an offense having the same elements as these Washington state crimes that would disqualify you from having unsupervised access to children or persons with developmental disabilities. If you are convicted of one of these crimes, we will not approve you to have unsupervised access to children or to persons with developmental disabilities in any home or facility. You will not be able to:

(a) Receive a license to provide care for children;

(b) Be employed by a licensed agency or contractor of child care, if you will have unsupervised access to children or to persons with developmental disabilities;

(c) Volunteer in a home or facility that offers care to children or to persons with developmental disabilities; or

(d) Provide any type of care to children or to persons with developmental disabilities, if the care is state funded.

NEW SECTION

WAC 388-146-0130 Are there other criminal convictions that will prohibit me from working with children or

persons with developmental disabilities? (1) The department must disqualify you from licensing or from having unsupervised access to children or to persons with developmental disabilities if you have been convicted of the following crimes within the last five years:

- (a) Assault in the third degree for domestic violence;
 - (b) Assault in the third or fourth degree;
 - (c) Assault or reckless endangerment that violates a "no contact" or protection order;
 - (d) Extortion in the second degree;
 - (e) Felonies violating the Imitation Controlled Substances Act (for substances that are falsely represented as controlled substances (see chapter 69.52 RCW));
 - (f) Felonies violating the Legend Drug Act (prescription drugs (see chapter 69-41 RCW));
 - (g) Felonies violating the Precursor Drug Act (substances used in making controlled substances (see chapter 69.43 RCW));
 - (h) Felonies violating the Uniform Controlled Substances Act (illegal drugs or substances (see chapter 69.50 RCW));
 - (i) Promoting pornography;
 - (j) Promoting prostitution in the second degree;
 - (k) Prostitution;
 - (l) Assault in the fourth degree, if the assault involves physical harm to another person; or
 - (m) Unlawfully manufacturing, delivering or possessing a controlled substance with intent to deliver, or unlawfully using a building for drug purposes.
- (2) Any federal or out-of-state convictions for a crime having the same elements as these Washington state crimes will disqualify you from having unsupervised access to children or persons with developmental disabilities.
- (3) If your conviction occurred more than five years ago, the department will review your background, use the information to determine your character, suitability and competence to have unsupervised access to children or to persons with developmental disabilities. The department also consider the following factors:
- (a) The amount of time that has passed since you were convicted;
 - (b) The seriousness and circumstances that led to the conviction;
 - (c) The number and types of other convictions in your background;
 - (d) The amount of time that has passed since you were convicted;
 - (e) Your age at the time of conviction;
 - (f) Documentation indicating you have successfully completed all court-ordered programs and restitution;
 - (g) Your behavior since the conviction; and
 - (h) The vulnerability of those that would be under your care.

NEW SECTION

WAC 388-146-0140 Are there other convictions for crimes that will disqualify me for approval or a license? (1) The department will use conviction information involving

other crimes when the conviction is directly related to providing unsupervised access to children or to persons with developmental disabilities.

(2) If the conviction is not directly related to providing care to children or to persons with developmental disabilities, the department will consider the factors listed in WAC 388-146-0130(3).

NEW SECTION

WAC 388-146-0150 Will I be disqualified if there are pending criminal charges on my background check? (1) The department will not license or authorize a person to have unsupervised access to children or to persons with developmental disabilities who has a criminal charge pending for crimes listed in WAC 388-146-0120 or 388-146-0130.

(2) If there are pending charges, the department will contact the court of jurisdiction to determine and clarify the status of the court process related to your pending charges.

(3) You may reapply for a license or approval to have unsupervised access to children or to persons with developmental disabilities upon proof to the department that the charge against you has been dismissed or that you were acquitted.

NEW SECTION

WAC 388-146-0160 Will you license or authorize me if my conviction has been expunged, or vacated from my record or I have been pardoned for a crime? If you receive a pardon or a court of law acts to expunge or vacate a conviction on your record, the crime will not be considered the same as a conviction for the purposes of licensing and authorization for unsupervised access to children or to persons with developmental disabilities.

NEW SECTION

WAC 388-146-0170 If I have gone through rehabilitation, may I receive a license or authorization to provide care to children or to persons with developmentally disabilities? (1) If you have a conviction for a crime other than one list in WAC 388-146-0120, or 388-146-0130 within the last five years, the department may, at its discretion, accept a certificate of rehabilitation.

(2) A superior court judge must issue the certificate of rehabilitation.

(3) The certificate of rehabilitation must address your fitness to provide a specific type of care considering each of the factors listed in WAC 388-146-0130(3).

RESULTS OF BACKGROUND CHECKS

NEW SECTION

WAC 388-146-0180 How will I know if I cleared the criminal background check? (1) If you cleared the background check and are applying for a license, the department

will not directly notify you. Instead, the department continues the process for approving your application.

(2) If you have requested approval for unsupervised access to children or to persons with developmental disabilities, the department will notify you, your prospective employer, or your supervisor that you cleared the background check.

NEW SECTION

WAC 388-146-0190 How will I know if I do not clear the background check? (1) The department will notify you, and the care provider, the employer, or the DLR regional office if you do not clear the background check. The notice will be in writing and will include the following information:

- (a) The specific disqualification related to unsupervised access;
 - (b) The reason for the disqualification; and
 - (c) Any laws or regulations that require disqualification.
- (2) If the department sends you a notice of disqualification, you will not receive a license or be authorized to have unsupervised access to children or to persons with developmental disabilities.

(3) The employer or prospective employer cannot contest the department's decision on your behalf.

NEW SECTION

WAC 38-146-0200 What may I do if I disagree with the department's decision to deny me a license or authorization? (1) If you are seeking employment or a license, you may request an administrative hearing to disagree with the department's decision process to deny authorization for unsupervised access to children or to persons with developmental disabilities. You cannot contest the conviction in the administrative hearing.

(2) Prospective volunteers do not have the right to appeal the department's decision to deny authorization for unsupervised access to children and to persons with developmental disabilities.

(3) The administrative hearing will take place before an impartial administrative law judge.

Reviser's note: The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 38-146-0200 is probably intended to be WAC 388-146-0200.

NEW SECTION

WAC 388-146-0210 Is the background check information released to my employer or prospective employer? (1) The department makes the decision about releasing background information based on whether we have a signed release of information from you.

(2) If you do not sign a specific release of information to disclose the results of your background check, the department will share with employers or approved care providers only that:

- (a) You cleared the background check; or

(b) You are disqualified from having unsupervised access to children or to persons with developmental disabilities.

For the release of criminal history information from WSP:

(3) If you sign a specific release of information allowing the department to disclose information about your background check, we can share this information with your prospective employer. You may get this release of information form from your licensor or the employer.

(4) A signed "criminal history and background inquiry" form is not sufficient for disclosing information to your prospective employer.

For the release of child abuse/neglect information from the department files:

(5) If the department has a signed release of information from you and we find you have a history of abusing and/or neglecting children, we will tell a provider or employer only that the results of the background check disqualifies you.

(6) The department will not disclose identifying information about the victim of the abuse and/or neglect.

NEW SECTION

WAC 388-146-0220 May I receive a copy of my criminal history results from the department? The department will provide you a copy of your WSP criminal history results if you:

- (1) Make the request in writing to the department; and
- (2) Offer proof of identity, such as picture identification.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-330-010	Purpose and authority.
WAC 388-330-020	Scope.
WAC 388-330-030	Application of inquiry findings.
WAC 388-330-035	Appeal of disqualification.
WAC 388-330-040	Inquiry form to be submitted—Time requirements.
WAC 388-330-050	Release of information.
WAC 388-330-060	Sanctions for noncompliance.

WSR 00-17-160
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Children's Administration)
 [Filed August 22, 2000, 3:27 p.m.]

Original Notice.

PROPOSED

Preproposal statement of inquiry was filed as WSR 99-17-058.

Title of Rule: Repealing chapter 248-554 WAC, Shelters for victims of domestic violence; and new chapter 388-61A WAC, Shelters for victims of domestic violence.

Purpose: Chapter 248-554 WAC, Shelters for victims of domestic violence, is being repealed and replaced by chapter 388-61A WAC, Shelters for victims of domestic violence. The proposed rule is the result of DSHS/CA reviewing and updating rules according to Executive Order 97-02. The rules have been rewritten using a question and answer format. The rules establish the minimum standards for agencies that receive funding from DSHS to provide domestic violence shelter and services.

Statutory Authority for Adoption: Chapter 70.123 RCW.

Statute Being Implemented: Chapter 70.123 RCW.

Summary: Chapter 248-554 WAC, Shelters for victims of domestic violence, is being repealed and replaced by chapter 388-61A WAC. The proposed rules establish clear requirements for agencies that contract with DSHS to provide domestic violence shelter and services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Susan Hannibal, c/o P.O. Box 47986, Seattle, WA 98146, (206) 923-4910.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Updates rules in accordance with Executive Order 97-02. The purpose of the rule is to establish minimum standards for agencies that receive funding from DSHS to provide domestic violence shelter and services. The anticipated effect of the rule will be to increase the effectiveness of those agencies that must comply with the standards which should, in turn, enhance the provision of services to victims of domestic violence being served by the agencies.

Proposal Changes the Following Existing Rules: Chapter 248-554 WAC, Shelters for victims of domestic violence, is being repealed. The proposed rule:

- Clarifies ambiguities between the statutory authority and current rule.
- Updates fire safety rules for domestic violence shelter and safe home facilities.
- Adds language regarding safety measures for firearms and dangerous weapons.
- Clarifies that shelter residents are not required to participate in supportive services as a condition of residing in the shelter.
- Changes the experiential requirements for staff supervision.
- Clarifies the continuing education requirements for shelter staff.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not have economic impact on small business.

RCW 34.05.328 applies to this rule adoption. Children's Administration has determined that these are significant

rules. A copy of the CBA can be obtained by contacting Susan Hannibal, P.O. Box 47986, Seattle, WA 98146, (206) 923-4910.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopkd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: Not sooner than October 11, 2000.

August 22, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

PROPOSED

Chapter 388-61A WAC

SHELTERS FOR VICTIMS OF DOMESTIC VIOLENCE

PURPOSE

NEW SECTION

WAC 388-61A-0005 What is the legal basis for the domestic violence shelter program? Chapter 70.123 RCW authorizes us to establish minimum standards for agencies that receive funding from the department of social and health services (DSHS) to provide domestic violence shelter and services.

NEW SECTION

WAC 388-61A-0010 What is the purpose of having minimum standards for domestic violence shelters and services? The purpose of these rules is to have uniform state-wide standards for domestic violence shelters and services funded by us. Minimum standards are necessary to provide rules for agencies that contract with us to provide shelter and services for domestic violence victims. These standards address issues such as adequate food, clothing, housing, safety, security, advocacy, and counseling for victims.

NEW SECTION

WAC 388-61-0015 Is DSHS required to provide funding to any domestic violence service that requests funding? We are not obligated to disburse funds to all domestic violence services that may comply with the minimum standards set forth in this chapter. The goal of this program is to provide funding and support for the state-wide development, stability, and expansion of shelter and services for victims of domestic violence. In support of that goal, if an

agency applies to receive funding we will consider such things as:

- (1) Geographic location;
- (2) Population ratios;
- (3) Population need for services;
- (4) An agency's ability to provide services that comply with these minimum standards;
- (5) The availability of other domestic violence services in a community; and
- (6) The amount of funding we have available to support domestic violence services.

Reviser's note: The above new section was filed by the agency as WAC 388-61-0015. This section is placed among sections forming new chapter 388-61A WAC, and therefore should be numbered WAC 388-61A-0015. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

WAC 388-61A-0020 What are the facility and service requirements for shelters? In order for us to contract with an agency for domestic violence services, the agency must provide shelter and supportive services to victims of domestic violence. The agency must comply with the:

- (1) General facility requirements for shelters; and
- (2) Specific additional requirements for safe homes; or
- (3) Specific additional requirements for shelter homes; and
- (4) Requirements for supportive services and agency administration.

NEW SECTION

WAC 388-61A-0025 What definitions apply to domestic violence shelters and services? "**Advocacy-based counseling**" means that the client is involved with an advocate counselor in individual, family, or group sessions with the primary focus on safety planning, empowerment, and education of the client through reinforcing the client's autonomy and self-determination.

"**Advocate counselor**" means a trained staff person who works in a domestic violence service and provides advocacy-based counseling, counseling, and supportive temporary shelter services to clients.

"**Client**" means a victim of domestic violence or dependent child of the victim.

"**Cohabitant**" means a person who is married or is living with a person as a husband or wife at the present time or at some time in the past. Any person who has one or more children in common with another person, regardless of whether they have been married or have lived together at any time, is considered a cohabitant.

"**Department**" means the department of social and health services (DSHS).

"**Domestic violence**" includes, but is not limited to, the criminal offenses defined in RCW 10.99.020 when committed by one cohabitant against another.

"**Domestic violence service**" means an agency that provides shelter, advocacy, and counseling for domestic violence clients in a safe, supportive environment.

"**Lodging unit**" means one or more rooms used for a victim of domestic violence including rooms used for sleeping or sitting.

"**Program**" means the DSHS domestic violence program.

"**Safe home**" means a shelter that has two or less lodging units and has a written working agreement with a domestic violence service.

"**Secretary**" means the DSHS secretary or the secretary's designee.

"**Shelter**" means a safe home or shelter home that provides temporary refuge and adequate food and clothing offered on a twenty-four-hour, seven-day-per-week basis to victims of domestic violence and their children.

"**Shelter home**" means a shelter that has three or more lodging units and either is a component of or has a written working agreement with a domestic violence service.

"**Staff**" means persons who are paid or who volunteer services and are a part of a domestic violence service.

"**Victim**" means a cohabitant who has been subjected to domestic violence.

"**We, us and our**" refers to the department of social and health services and its employees.

"**You, I and your**" refers to the domestic violence service or shelter.

GENERAL FACILITY REQUIREMENTS

NEW SECTION

WAC 388-61A-0030 What safety requirements is the shelter required to meet? You must keep your equipment and the physical structures in the shelter safe and clean for the clients you serve. You must:

- (1) Maintain the shelter, premises, equipment, and supplies in a clean, safe and sanitary condition, free of hazards, and in good repair;
- (2) Provide guard or handrails, as necessary, for stairways, porches and balconies used by clients;
- (3) Maintain swimming pools, wading pools, bathtubs, hot tubs, spas, and bathing beaches in a safe manner and in such a way that does not present a health hazard, safety problem, or nuisance;
- (4) Have a method for securing all windows, doors, and other building accesses to prevent the entry of intruders;
- (5) Provide a way for staff to enter any area occupied by clients should there be an emergency; and
- (6) Secure all unused refrigerators and freezers accessible to children in such a way that prevents them from climbing in and becoming trapped.

NEW SECTION

WAC 388-61A-0035 What are the general requirements for bedrooms? Shelters must meet the following requirements for bedrooms:

- (1) You must provide a bed in good condition, with a clean and comfortable mattress to shelter residents.

(2) If the shelter provides cribs or bassinets for infants, the shelter must follow each of these requirements:

- (a) Cribs and bassinets must have clean, firm mattresses covered with waterproof material that is easily sanitized;
- (b) Crib mattresses must fit snugly to prevent the infant from being caught between the mattress and crib side rails;
- (c) Cribs must be made of wood, metal, or approved plastic with secure latching devices;
- (d) Cribs must have no more than two and three-eighths inches space between vertical slats when used for infants under six months of age; and
- (e) Bumper pad ties must be no longer than twelve inches in length.

NEW SECTION

WAC 388-61A-0040 What kind of diaper changing area must I provide? You must provide a sanitary diaper changing area. In addition, you must develop and provide to clients, hygiene procedures for handling and storing diapers and sanitizing the changing area.

NEW SECTION

WAC 388-61A-0045 What are the kitchen requirements? The following are the minimum general requirements for kitchen facilities:

- (1) A sink for dishwashing;
- (2) A refrigerator or other storage equipment capable of maintaining a temperature of forty-five degrees Fahrenheit or lower;
- (3) A range, stove, or hot plate;
- (4) Covered garbage container;
- (5) Eating and cooking utensils that are clean and in good repair; and
- (6) Counter surfaces that are clean and resistant to moisture.

NEW SECTION

WAC 388-61A-0050 Are there any restrictions on food preparation? Food and beverages prepared by and for clients must be prepared, served and stored safely and in a sanitary manner. You must not serve home-canned, low-acid foods (e.g., meats and vegetables) to clients residing in a shelter.

NEW SECTION

WAC 388-61A-0055 What are the requirements for providing food and clothing to shelter residents? (1) The domestic violence service must provide appropriate food and beverages for the basic sustenance of shelter residents, unless other resources are immediately available.

(2) You should store appropriate food, including infant formula, at the shelter to provide to residents when other resources are not immediately available.

(3) Whenever possible, the shelter should provide food that is culturally appropriate.

(4) You must provide shelter residents with access to clean, adequate clothing. Clothing that you provide must be clean and have been stored in a sanitary manner.

NEW SECTION

WAC 388-61A-0060 What are the requirements for toilets, sinks, and bathing facilities? You must meet these requirements for toilets, sinks, and bathing facilities.

(1) You must provide at least one indoor flush-type toilet, one nearby hand-washing sink with hot and cold running water, and a bathtub or shower facility. These facilities must be located within the shelter building premises.

(2) You must comply with all of the following requirements for toilet and bathing facilities:

(a) Toilet and bathing facilities must allow for privacy of shelter residents.

(b) Toilets, urinals, and hand-washing sinks must be the appropriate height for the children served, or have a safe and easily cleaned step stool or platform that is water resistant.

(c) Hand-washing and bathing facilities must be provided with hot and cold running water; the hot water must not exceed one hundred twenty degrees.

(d) Potty chairs and toilet training equipment for toddlers must be regularly maintained and kept in a sanitary condition. You must put potty chairs, when in use, on washable, water resistant surfaces.

(e) You must provide soap and clean washcloths and towels, disposable towels or other approved hand-drying devices to residents.

NEW SECTION

WAC 388-61A-0065 What types of linen do I need to provide to clients? (1) You must provide the following to clients residing in shelter:

(a) Bed linen, towels and washcloths that are clean and in good repair. After use by a client, bed linen, towels and washcloths must be laundered prior to use by another client.

(b) A clean liner for a sleeping bag unless the bag is cleaned between use by different clients.

(2) Clients residing in shelter must be provided with changes of clean bed linen, towels and washcloths upon their request.

NEW SECTION

WAC 388-61A-0070 What are the requirements for laundry facilities? We have specific requirements for laundry facilities at your shelter.

(1) You must provide adequate laundry and drying equipment, or make other arrangements for getting laundry done on a regular basis.

(2) You must handle and store laundry in a sanitary manner.

NEW SECTION

WAC 388-61A-0075 Are there requirements for drinking water? Water supplies to be used for human con-

sumption must be from an approved public water system. If it is an individual system, the local health department must approve it as safe for human consumption.

NEW SECTION

WAC 388-61A-0080 What are the requirements for sewage and liquid wastes? You must discharge sewage and liquid wastes into a public sewer system or into a functioning septic system, approved by the local health authority or department.

NEW SECTION

WAC 388-61A-0085 What kind of heating system is required? (1) Rooms used by clients in a shelter must be equipped with a safe and adequate source of heat that can keep the room at a healthful temperature during the time the room is occupied.

(2) Gas-fired or oil-fired space heaters and water heaters must be safely vented to the outside.

NEW SECTION

WAC 388-61A-0090 How must I ventilate the shelter? (1) You must ensure that your shelter is ventilated for the health and comfort of the shelter residents. A mechanical exhaust to the outside must ventilate toilets and bathrooms that do not have windows opening to the outside.

(2) Bedrooms and communal living areas must have a window or opening to the outdoors that can be locked or secured from the inside.

NEW SECTION

WAC 388-61A-0095 How much lighting is required in the shelter? You must locate light fixtures and provide lighting that promotes good visibility and comfort for shelter residents.

NEW SECTION

WAC 388-61A-0100 Are there any requirements about pets in the shelter? Pets are prohibited from the kitchen during food preparation.

NEW SECTION

WAC 388-61A-0105 What first-aid supplies must I provide? You must keep first-aid supplies on hand for immediate use, including unexpired syrup of ipecac that is to be used only when advised by the poison control center. First-aid supplies must include at least the following: First aid manual, band-aids, gauze, and adhesive tape.

NEW SECTION

WAC 388-61A-0110 What are the requirements for storing medications? (1) All medications, including pet

medications and herbal remedies, must be stored in a way that is inaccessible to children.

(2) Pet and human medications must be stored separately.

NEW SECTION

WAC 388-61A-0115 What measures must I take for pest control? You must make reasonable attempts to keep the shelter free from pests, such as rodents, flies, cockroaches, fleas and other insects.

NEW SECTION

WAC 388-61A-0120 What are the requirements for labeling and storing chemicals and toxic materials? (1) Containers of chemical cleaning agents and other toxic materials must:

(a) Be clearly labeled with the contents; and
(b) Bear the manufacturer's instructions and precautions for use.

(2) You must store the following items in a place that is not accessible to children:

(a) Chemical cleaning supplies;
(b) Toxic substances;
(c) Poisons;
(d) Aerosols; and
(e) Items with warning labels.

(3) You must store chemical cleaning supplies and toxic substances separately from food items, clothing, and bedding in order to prevent contamination.

NEW SECTION

WAC 388-61A-0125 Where do I keep firearms and other dangerous weapons? (1) You must keep firearms and other dangerous weapons in a locked storage container, gun safe, or another storage area made of strong, unbreakable material.

(2) If the storage cabinet has a glass or another breakable front, you must secure the firearms with a locked cable or chain placed through the trigger guards.

(3) You must store ammunition in a place that is separate from the firearms or locked in a gun safe.

(4) You must allow access to firearms, weapons and ammunition only to authorized persons.

ADDITIONAL REQUIREMENTS FOR SAFE HOMES

NEW SECTION

WAC 388-61A-0130 What are the additional requirements for a safe home? Safe homes must meet the following additional requirements in order for a domestic violence service to contract with us:

(1) A safe home must complete a written application to a domestic violence service. The domestic violence service must approve the application and give training to the safe home staff before the home may receive clients.

(2) The domestic violence service must maintain a written record of all safe homes. The record must include:

(a) The name and address of the person operating the safe home or an identification code for the safe home;

(b) A written safe home application;

(c) Documentation that the safe home complies with the general facility and additional requirements for safe homes; and

(d) Verification that safe home staff received initial basic training as outlined in this WAC by the domestic violence service.

(3) You must have at least one telephone at the safe home for incoming and outgoing calls. You must provide the following information to residents:

(a) Emergency telephone numbers; and

(b) Instructions on how residents can access domestic violence service staff.

(4) When clients are residing in a safe home at least one domestic violence service staff member must be on-call to go to the safe home twenty-four-hours a day, seven-days-per-week.

(5) Safe homes must comply with the fire safety requirements in WAC 388-73-310.

ADDITIONAL REQUIREMENTS FOR SHELTER HOMES

NEW SECTION

WAC 388-61A-0135 What are the additional requirements for a shelter home? Shelter homes must meet the following additional requirements in order for a domestic violence service to contract with us:

(1) When a shelter home is not a component of a domestic violence service, the shelter home and domestic violence service must have a written working agreement before the shelter home receives clients. The written working agreement must include:

(a) Confirmation that the domestic violence service has inspected the shelter home and that the shelter home complies with the general facility and additional requirements for shelter homes;

(b) How the domestic violence service will provide supportive services to shelter home residents; and

(c) Verification that shelter home staff received initial basic training as outlined in this rule by the domestic violence service.

(2) Shelter homes must provide at least one toilet, sink, and bathing facility for each fifteen clients or fraction of this number. The floors of all toilet and bathing facilities must be resistant to moisture.

(3) You must have at least one telephone at the shelter for incoming and outgoing calls. Next to the telephone in shelter homes you must post:

(a) Emergency telephone numbers; and

(b) Instructions on how residents can access domestic violence service staff.

(4) In shelter homes all bathrooms, toilet rooms, laundry rooms, and janitor closets containing wet mops and brushes

must have natural or mechanical ventilation in order to prevent objectionable odors and condensation.

(5) When staff serves food to clients in shelter homes, the staff must prepare the food in compliance with WAC 246-215-190, Temporary food service establishment.

(6) Shelter homes must develop and post hygiene procedures for handling and storing diapers and sanitizing the changing area.

(7) Shelter homes must comply with the fire and life safety requirements outlined in chapter 51-40 WAC.

(8) Shelter homes must meet the following requirements for bedrooms:

(a) Bedrooms must have a minimum ceiling height of seven and half feet;

(b) Bedrooms must provide at least fifty square feet of usable floor area per bed; and

(c) Floor area where the ceiling height is less than five feet cannot be considered as usable floor area.

(9) When clients are residing in a shelter home at least one domestic violence service staff member must be present or on-call to go to the shelter home twenty-four-hours a day, seven-days-per-week.

SUPPORTIVE SERVICES

NEW SECTION

WAC 388-61A-0140 What supportive services am I required to provide to clients? You must give clients an opportunity to receive supportive services and assistance during their stay in the shelter. Clients are not required to participate in these services as a condition of residing in the shelter. Supportive services must include:

(1) Twenty-four-hour, seven-day-per-week access to advocacy-based counseling;

(2) A safe, supportive environment that offers clients the opportunity to examine the events that led to the need for domestic violence services;

(3) A private area for counseling;

(4) Advocacy-based counseling with, and on behalf of, the client;

(5) Safety planning, problem solving and crisis intervention;

(6) Assistance with child care during individual and group counseling sessions;

(7) A minimum ratio of one group facilitator to eight group participants;

(8) Planned activities for children who are residents of the shelter;

(9) A day program or drop-in center to assist victims of domestic violence who have found other shelter but who have a need for supportive services; and

(10) Referrals to other appropriate services or domestic violence services when:

(a) Shelter homes or safe homes are full;

(b) A client must be transferred to another domestic violence service for reasons of safety of the client; or

(c) An inappropriate referral has been made to a domestic violence service; or

PROPOSED

(d) The client has problems that require services of another agency or agencies before receiving domestic violence services.

NEW SECTION

WAC 388-61A-0145 What is advocacy-based counseling? Advocacy-based counseling means the involvement of a client with an advocate counselor in an individual, family, or group session with the primary focus on safety planning and on empowerment of the client through reinforcing the client's autonomy and self-determination. Advocacy-based counseling uses nonvictim blaming problem-solving methods that include:

- (1) Identifying the barriers to safety;
- (2) Developing safety checking and planning skills;
- (3) Clarifying issues;
- (4) Providing options;
- (5) Solving problems;
- (6) Increasing self-esteem and self-awareness; and
- (7) Improving and implementing skills in decision making, parenting, self-help, and self-care.

NEW SECTION

WAC 388-61A-0150 What type of training is required for staff of the domestic violence service? All staff providing direct services to domestic violence clients, and supervisors of direct service staff, must meet the following minimum training requirements.

(1) A minimum of twenty hours of initial basic training that covers at least the following topics:

- (a) Theory and implementation of advocacy-based counseling;
- (b) The history of domestic violence;
- (c) Legal, medical, social service, and systems advocacy;
- (d) Confidentiality and ethics;
- (e) Client safety assessment;
- (f) Planning, problem-solving, and crisis intervention;
- (g) Providing services and advocacy to individuals from diverse communities;
- (h) Policies and procedures of the domestic violence service; and
- (i) Referrals and shelter resident transfers.

(2) In the year following the year in which they received their initial basic training, and every year thereafter, staff providing direct services, and supervisors of direct service staff, must attend a minimum of thirty hours of continuing education as follows:

(a) At least fifteen hours of continuing education must be training on advocacy-based counseling directly related to serving victims of domestic violence and their children.

(b) At least five hours of continuing education must be training on services and advocacy to individuals from diverse communities.

(c) Staff must devote not more than ten hours to video, audiotapes, or self-study as part of the overall thirty hours continuing education requirement.

NEW SECTION

WAC 388-61A-0155 Must supervisors of domestic violence service staff have specific experience and training? Supervisors of staff providing direct services to victims of domestic violence must meet the following minimum experience and training requirements.

- (1) At least two years' counseling experience with a domestic violence service; and
- (2) Fifty hours of training on domestic violence issues and advocacy-based counseling within three years prior to providing staff supervision.

NEW SECTION

WAC 388-61A-0160 What written policies and procedures do you need to have? The domestic violence service must have written policies and procedures that cover the following issues:

- (1) Clients in immediate danger or at risk will receive first priority for shelter;
- (2) Confidentiality of client records and communication;
- (3) Nondiscrimination relating to staff, clients, and provision of services;
- (4) The provision of bilingual and interpreter services to clients;
- (5) Recruitment, hiring, periodic performance evaluation, promotion and termination of staff. Agencies must recruit, to the extent feasible, persons who are former victims of domestic violence to work as paid or volunteer staff;
- (6) Job descriptions for all staff positions including volunteers;
- (7) Reporting of child abuse as legally mandated;
- (8) Clients access to their files;
- (9) Grievance procedures for staff and clients;
- (10) Procedures for making referrals to other community resources such as medical, community service offices, pastoral care, legal representation, and client transfers to another domestic violence service for reasons of safety of the client;
- (11) Emergency procedures for fire, disaster, first aid, medical and police intervention;
- (12) Appropriate documentation of domestic violence services and client files;
- (13) Protection of agency and client records;
- (14) Records retention;
- (15) Appropriate accounting procedures;
- (16) Personnel policies and procedures; and
- (17) Administrative policies and procedures.

COMPLIANCE WITH STANDARDS

NEW SECTION

WAC 388-61A-0165 Will DSHS do an evaluation of the domestic violence service? (1) To measure compliance with our requirements we will conduct a biennial evaluation of each agency under contract with us to provide domestic violence service.

(2) We will inspect a random number of safe homes during biennial evaluations of domestic violence services to measure compliance with our requirements.

(3) If a lodging unit is occupied at the time of an evaluation, the domestic violence service must give the client an opportunity to leave the unit.

NEW SECTION

WAC 388-61A-0170 What will happen if I am out of compliance with my contract? (1) If we find that the domestic violence service, safe home, or shelter home is out of compliance with the standards specified in this chapter or the contract, we will give you written notice of the deficiencies. You must correct the deficiencies according to a plan of correction we approve.

(2) We may suspend or revoke the funding of a domestic violence service where a safe home, shelter home, or the domestic violence service itself is out of compliance with this chapter or the DSHS contract.

NEW SECTION

WAC 388-61A-0175 What will happen if there is a complaint to DSHS about the domestic violence service?

(1) If we receive a complaint that your domestic violence service is out of compliance with this chapter or the DSHS contract, we will notify you and we will initiate an investigation.

(2) If the investigation requires that we be on-site at your domestic violence service, you must give clients residing in lodging units an opportunity to leave the unit during the inspection.

(3) If we find that the domestic violence service, safe home, or shelter home has not complied with the standards specified in this chapter or the terms of the DSHS contract, we will give you written notice of the deficiencies. You must correct the deficiencies according to a plan of correction we approve.

(4) We may suspend or revoke the funding of a domestic violence service where a safe home, shelter home, or the service itself is out of compliance with this chapter or the DSHS contract.

NEW SECTION

WAC 388-61A-0180 Can DSHS waive any of the minimum standards of this chapter? Under certain conditions we may waive some of the rules contained in this chapter if you submit a written request that satisfactorily demonstrates that:

(1) The waiver will not place the client's safety or health in jeopardy and that:

(a) The domestic violence service is unable to meet the requirements of this chapter without the waiver; or

(b) The absence of the waiver will have a detrimental effect on the provision of services.

(2) Any substitutions of procedures, materials, or equipment from those specified in this chapter are at least equivalent to those required.

APPEAL PROCESS

NEW SECTION

WAC 388-61A-0185 What are my rights if DSHS suspends, revokes, or denies funding? If we suspend, revoke or deny funding you may request an agency hearing.

NEW SECTION

WAC 388-61A-0190 Will I be notified if I funding has been suspended, revoked, or denied? We will notify you in writing if:

(1) Your funding has been suspended or revoked and we will state our reasons for making that decision; or

(2) Your request for funding has been denied and we will state our reasons for making that decision.

NEW SECTION

WAC 388-61A-0195 How do I request an agency hearing? In order to request an agency hearing you must:

(1) Notify the office of administrative hearings within twenty-eight days from the date of the letter that notified you of our decision;

(2) Include in your letter a statement of your reasons why you disagree with our decision; and

(3) Attach a copy of our letter to your request for an agency hearing.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 248-554-001	Purpose.
WAC 248-554-005	Definitions.
WAC 248-554-010	Shelter homes.
WAC 248-554-015	Safe homes.
WAC 248-554-018	Shelter homes and safe homes—General.
WAC 248-554-020	Domestic violence services—General.
WAC 248-554-030	Exemptions, separability, and notice and appeal.

**WSR 00-17-188
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Children's Administration)
[Filed August 23, 2000, 11:38 a.m.]

Original Notice.

PROPOSED

Preproposal statement of inquiry was filed as WSR 99-01-164 and 99-17-054.

Title of Rule: Chapter 388-15 WAC, Child protective services.

Purpose: To rewrite current rules in a clear writing format an to comply with Executive Order 97-02 and repeal outdated rules.

Statutory Authority for Adoption: RCW 74.13.031.

Statute Being Implemented: Chapters 26.44 and 74.13 RCW.

Summary: Rewrite rules in clear format, to update requirements, to include client right of review, and repeal outdated rules.

Reasons Supporting Proposal: The rules are updated to reflect current federal and state law and regulation and comply with Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Patis, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7990.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules recodify existing rules in new sections, restate the rule in clear-writing format and update existing rules to reflect current state and federal law and regulation. The adopted rules will provide clear, concise answers to persons seeking information regarding child protective services.

Proposal Changes the Following Existing Rules: New rules outline the child protective services (CPS) notification process for alleged perpetrators of child abuse or neglect investigative findings. New rules will also outline the procedures, review process, and administrative hearing process regarding the appeal of substantiated CPS investigative findings of child abuse or neglect.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Children's Administration has analyzed the proposed WAC changes and concludes that no new costs will be imposed on the small businesses impacted by these WACs. Preparation of a small business economic impact statement is not required.

RCW 34.05.328 does not apply to this rule adoption. The proposal clarifies language of existing rules without changing effect.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopkd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: Not sooner than October 25, 2000.

August 23, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-15 WAC

~~((SOCIAL))~~ CHILD PROTECTIVE SERVICES ~~((FOR FAMILIES, CHILDREN AND ADULTS))~~

PART A—PROGRAM DESCRIPTION

NEW SECTION

WAC 388-15-001 What is the child protective services program? (1) Child protective services (CPS) means those services provided by the department of social and health services to protect children from child abuse and neglect (see RCW 26.44.020 (12) and (16)).

(2) CPS may include the following:

(a) Investigation of reports of alleged child abuse or neglect.

(b) Assessment of risk of abuse or neglect to children.

(c) Provision of and/or referral to services to remedy conditions that endanger the health, safety, and welfare of children.

(d) Referral to law enforcement when there are allegations that a crime against a child (RCW 26.44.030(4) and 74.13.031(3)) might have been committed.

(e) Out of home placement and petitions to courts when necessary to ensure the safety of children.

NEW SECTION

WAC 388-15-005 What definitions apply to these rules? The following definitions apply to this chapter.

"**Abuse or neglect**" means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child as defined in RCW 26.44.020 and this chapter.

"**Administrative hearing**" means a hearing held before an administrative law judge and conducted according to chapter 34.05 RCW and chapter 388-02 WAC.

"**Administrative law judge (ALJ)**" is an attorney and an impartial decision-maker who presides at an administrative hearing. The office of administrative hearings, which is a state agency, employs the ALJs.

"**Alleged perpetrator**" means the person identified in a CPS referral as being responsible for the alleged child abuse or neglect.

"**Alternate response system**" means a contracted provider in a local community that responds to accepted CPS referrals that are rated low or moderately low risk at the time of intake.

"**Appellant**" means a person who requests an administrative hearing to appeal a CPS finding.

"**Child protection team (CPT)**" means a multi-disciplinary group of persons with at least four persons from pro-

fessions that provide services to abused or neglected children and/or parents of such children. The CPT provides confidential case staffing and consultation to children's administration.

"Child protective services (CPS)" means the section of the children's administration responsible for responding to allegations of child abuse or neglect.

"Children's administration (CA)" means the cluster of programs within DSHS that is responsible for the provision of child protective, child welfare, foster care licensing, child care licensing, and other services to children and their families.

"Department" or **"DSHS"** means the Washington state department of social and health services.

"Division of children and family services (DCFS)" means the division of children's administration that provides child protective, child welfare, and support services to children and their families.

"Division of licensed resources (DLR)" means the division of children's administration responsible for licensing child care, group care, and foster care facilities, and responding to allegations of abuse or neglect in such facilities.

"Finding" means the final decision made by a CPS social worker after an investigation regarding alleged child abuse or neglect.

"Founded" means the decision following an investigation by CPS that child abuse or neglect did occur. The decision is made on a more likely than not basis.

"Inconclusive" means based on the information available to CPS, a decision cannot be made that more likely than not, child abuse or neglect did or did not occur.

"Mandated reporter" means a person required to report alleged child abuse or neglect as defined in RCW 26.44.030.

"Preponderance of evidence" means the evidence presented in a hearing indicates more likely than not child abuse or neglect did occur.

"Unfounded" means the decision following an investigation by CPS that child abuse or neglect did not occur. This decision is made on a more likely than not basis.

NEW SECTION

WAC 388-15-009 What is child abuse or neglect?

Child abuse or neglect means the injury, sexual abuse, sexual exploitation, abandonment, negligent treatment, or maltreatment of a child under circumstances indicating that the child's health, welfare, and safety is harmed.

The physical discipline of a child is not considered abuse when it is reasonable and moderate and is inflicted by a parent, or guardian for purposes of restraining or correcting the child.

(1) Physical abuse means the infliction of physical injury on a child such as:

- (a) Throwing, kicking, burning, or cutting a child;
- (b) Striking a child with a closed fist;
- (c) Shaking a child under age three;
- (d) Interfering with a child's breathing;
- (e) Threatening a child with a deadly weapon;

(f) Doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks.

(2) Sexual abuse means:

Committing or allowing to be committed any sexual offense against a child as defined in the criminal code or intentionally touching, either directly or through the clothing, the genitals, anus, or breasts of a child for other than hygiene or child care purposes.

(3) Sexual exploitation means:

(a) Allowing, permitting, or encouraging a child to engage in prostitution; or

(b) Allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child.

(4) Negligent treatment or maltreatment means:

An act or omission that constitutes a clear and present danger to the child's health, welfare, and safety. These acts or omissions may include but are not limited to:

(a) Failure to provide adequate food, shelter, clothing, supervision, or health care. Poverty and/or homelessness in and of themselves do not constitute negligent treatment or maltreatment.

(b) Actions or omissions or engaging in a pattern of behavior that results in injury to or creates a substantial risk to the physical, emotional, and/or cognitive development of a child.

(5) Abandonment means:

A statement or conduct by a child's parent, guardian, or custodian of an intent to forego, for an extended period, parental rights or parental responsibilities despite an ability to exercise those parental rights and responsibilities.

NEW SECTION

WAC 388-15-013 Who may receive child protective services? Children and families may receive CPS when there is an allegation that a child has been abused or neglected:

(1) By a parent, legal custodian, or caretaker of the child; or

(2) In a DSHS licensed, certified, or state-operated facility; or

(3) By persons or agencies subject to licensing under chapter 74.15 RCW, including individuals employed by or volunteers of such facilities.

NEW SECTION

WAC 388-15-017 What is the responsibility of CPS regarding reports of abuse or neglect? (1) CPS must record a report from any source alleging child abuse or neglect.

(2) CPS must determine whether alleged incidents or conditions meet the definitions of child abuse or neglect in this chapter or in RCW 26.44.

(3) CPS must conduct an investigation or assessment of all reports of alleged child abuse or neglect that meet the definitions of child abuse or neglect contained in this chapter or in RCW 26.44.

(4) CPS must investigate anonymous reports only as provided in RCW 26.44.030(15).

(5) CPS must maintain a record of reports received that are not investigated because they do not meet the definitions of child abuse or neglect as defined in RCW or this chapter.

(6) CPS must report to law enforcement per RCW 26.44.030(4) and 74.13.031.

NEW SECTION

WAC 388-15-021 How does CPS respond to reports of alleged child abuse or neglect? (1) CPS must assess all reports that meet the definition of child abuse or neglect using a risk assessment process to determine level of risk and response time.

(2) CPS must begin an investigation within twenty-four hours of receipt of a report alleging child abuse or neglect in which a child is alleged to be at risk of imminent harm. The CA intake worker based upon information contained in the report and any collateral contacts makes the assessment of risk of imminent harm.

(3) CPS must provide an in-person response to alleged victims and perpetrators of child abuse and neglect in referrals assessed at moderate to high risk.

(4) CPS may refer reports assessed at low to moderately low risk to an alternative response system.

(5) CPS may interview a child without prior parental notification or consent and outside the presence of the parent (see RCW 26.44.030).

(6) Unless the child objects, CPS must make reasonable efforts to have a third party present at the interview so long as the third party does not jeopardize the investigation (see RCW 26.44.030).

(7) CPS may photograph the alleged child victim to document the physical condition of the child (see RCW 26.44.050).

(8) CPS must establish in procedure, timelines for the completion of investigations and standards for written findings.

NEW SECTION

WAC 388-15-025 What information may CPS share with mandated reporters? (1) CPS may conduct ongoing case planning and consultation with those persons or agencies required to report alleged child abuse or neglect under RCW 26.44.030 and with consultants designated by CPS if the client information exchanged is pertinent to cases currently receiving child protective services.

(2) When CPS receives a report of alleged child abuse or neglect and requests information, mandated reporters, as identified in RCW 26.44.030, and their employees must provide upon request by CPS, all relevant records in their possession related to the child (see RCW 26.44.030).

NEW SECTION

WAC 388-15-029 When will CPS involve local community resources? (1) CPS may use local community resources to respond to reports of abuse or neglect when the department's assessment of risk determines that a community response is in the best interest of the child and family.

(2) CPS may involve local community resources in the planning and provision of services to help remedy conditions that contribute to the abuse or neglect of children.

(3) CPS must have community based child protective teams (CPT) available for staffing and consultation regarding cases of child abuse or neglect. CPS must present cases for staffing with the CPT in accordance with executive order 95-04 and department procedures.

NEW SECTION

WAC 388-15-033 Under what circumstances may CPS place a child in out-of-home care? (1) When CPS determines that a child is at risk of serious harm in the care of the parent or legal custodian, CPS may seek an out-of-home placement for the child. Before placing a child in out-of-home care one of the following must be in place:

(a) A court order directing that the child be placed in out-of-home care; or

(b) A law enforcement officer placing the child in protective custody; or

(c) A physician or hospital administrator detaining a child and CPS assuming custody until a court hearing is held; or

(d) A voluntary placement agreement signed by the child's parent or legal custodian.

(2) CPS must attempt to place the child with a relative willing and available to care for the child, unless there is reasonable cause to believe that the health, safety or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered (see RCW 13.34.060). The department must conduct background checks and home studies. If a relative appears suitable and competent to provide adequate care, the background check of a relative may be completed as soon as possible after the child is placed (see RCW 74.15.030).

NEW SECTION

WAC 388-15-037 When will CPS involve the juvenile court? CPS may file a dependency petition with the juvenile court when CPS determines that court intervention is necessary for protection of the child.

(1) CPS must file a dependency petition with the juvenile court when a child is to remain in out of home placement beyond seventy-two hours (excluding weekends and holidays) unless the child's parent or legal custodian signs a voluntary placement agreement.

(2) CPS must notify both parents and any legal custodian(s) that a dependency petition has been filed. The notice must inform these parties of the date, time, and location of the initial shelter care hearing and of the parent(s) and any legal custodian's legal rights.

(3) Whenever CPS assumes custody of a child from law enforcement, a physician, or a hospital administrator and places the child in out of home care, a court hearing must be held within seventy-two hours from the time CPS assumes custody of the child, excluding Saturdays, Sundays and holidays.

NEW SECTION

WAC 388-15-041 What are the department's responsibilities regarding notification of the parent or legal custodian in child protective services cases? CPS must notify the parent, guardian, or caretaker of a child at the earliest possible point that will not jeopardize the investigation or the safety or protection of the child when:

- (1) CPS is investigating a report alleging an act or acts of child abuse or neglect, and:
 - (a) The child is alleged to be the victim; and/or
 - (b) CPS interviews a child in relation to an alleged act of child abuse or neglect.
- (2) CPS takes a child into custody pursuant to a court order issued under RCW 13.34.050.
- (3) CPS receives custody of a child from law enforcement pursuant to RCW 26.44.050.
- (4) CPS files a dependency petition.

NEW SECTION

WAC 388-15-045 When must the department provide notification to the parent without physical custody regarding the parent's child? CPS must notify the parent without physical custody when:

- (1) A child is taken into custody pursuant to RCW 26.44.050 or 13.34.050 and placed into the department's custody; and
- (2) When CPS files a dependency petition.

NEW SECTION

WAC 388-15-049 When must the department notify the alleged perpetrator of allegations of child abuse or neglect? CPS must notify the alleged perpetrator of the allegations of child abuse or neglect at the earliest point in the investigation that will not jeopardize the safety and protection of the child or the investigation process.

NEW SECTION

WAC 388-15-053 What steps must the department take to provide an opportunity for the parent(s) or legal custodian(s) to review case information? To provide an opportunity for the parent(s) or legal custodian(s) to review case information, CPS must:

- (1) Notify the person or persons legally responsible for the child of the address of the office where the case record information will be on file; and
- (2) Give the person or persons legally responsible for the child the opportunity to read or obtain relevant parts of the case record, provided the person or persons have requested access to the information and the law does not otherwise prohibit such access.

NEW SECTION

WAC 388-15-057 What limitations does the department have on the disclosure of case information? The department must not disclose case record information except

as permitted under provisions of chapter 388-01 WAC and applicable statutes.

PART B—NOTIFICATION AND APPEAL OF FINDINGS

NEW SECTION

WAC 388-15-061 What is the purpose of these rules?

The purpose of these rules is to describe:

- (1) The procedures for notifying the alleged perpetrator of any findings made by a CPS social worker in an investigation of suspected child abuse or neglect; and
- (2) The process for challenging a founded CPS finding of child abuse or neglect (see RCW 26.44.100 and 26.44.125).

NEW SECTION

WAC 388-15-065 Does CPS have to notify the alleged perpetrator of the results of CPS investigation? CPS must make a reasonable and good faith effort to notify the alleged perpetrator in writing of any finding made by CPS in any investigation of suspected child abuse and/or neglect.

NEW SECTION

WAC 388-15-069 How does CPS notify the alleged perpetrator of the finding? (1) CPS notifies the alleged perpetrator of the finding by sending the CPS finding notice via certified mail, return receipt requested, to the last known address. CPS must make a reasonable, good faith effort to determine the last known address or location of the alleged perpetrator.

- (2) In cases where certified mailing may not be either possible or advisable, the CPS social worker may personally deliver the CPS finding notice to the alleged perpetrator.

NEW SECTION

WAC 388-15-073 What information must be in the CPS finding notice? The CPS finding notice must inform the alleged perpetrator of the following:

- (1) The alleged perpetrator may submit to CPS a written response regarding the CPS finding. If a response is submitted, CPS must file this response in the department's records.
- (2) Information in the department's records may be considered in later investigations or proceedings relating to child protection or child custody.
- (3) Founded CPS findings may be considered in determining:
 - (a) If an alleged perpetrator is qualified to be licensed to care for children or vulnerable adults;
 - (b) If an alleged perpetrator is qualified to be employed by a child care agency;
 - (c) If an alleged perpetrator may be authorized or funded by the department to provide care or services to children or vulnerable adults.

PROPOSED

(4) The alleged perpetrator's right to challenge a founded CPS finding.

NEW SECTION

WAC 388-15-077 What happens to unfounded CPS findings? (1) According to RCW 74.15.130 (2)(b), no unfounded CPS finding of child abuse or neglect may be used to deny employment in a child care facility or to deny a license to care for children.

(2) According to RCW 26.44.020(19) no unfounded allegation of child abuse or neglect may be disclosed to a child placing agency, private adoption agency, or any other provider licensed under chapter 74.15 RCW.

(3) According to RCW 26.44.031, at the end of six years from the date of the report, the department must remove the unfounded finding from the department's records unless an additional child abuse and/or neglect report has been received regarding the same perpetrator or same family during those six years.

NEW SECTION

WAC 388-15-081 Can an alleged perpetrator challenge a CPS finding of child abuse or neglect? A person named as an alleged perpetrator in a founded CPS report made on or after October 1, 1998, may challenge that finding.

NEW SECTION

WAC 388-15-085 How does an alleged perpetrator challenge a founded CPS finding? (1) In order to challenge a founded CPS finding, the alleged perpetrator must make a written request for CPS to review the founded CPS finding of child abuse or neglect. The CPS finding notice must provide the information regarding all steps necessary to request a review.

(2) The request must be provided to the same CPS office that sent the CPS finding notice within twenty calendar days from the date the alleged perpetrator receives the CPS finding notice.

NEW SECTION

WAC 388-15-089 What happens if the alleged perpetrator does not request CPS to review the founded CPS finding within twenty days? (1) If the alleged perpetrator does not submit a written request within twenty days for CPS to review the founded CPS finding, no further review or challenge of the finding may occur.

(2) If an alleged perpetrator is unavailable to receive notice of the CPS finding when CPS sends the notice by certified mail to the alleged perpetrator's last known address, the alleged perpetrator shall not have further opportunity to request a review of the finding beyond thirty days from the time the notice is sent.

NEW SECTION

WAC 388-15-093 What happens after the alleged perpetrator requests CPS to review the founded CPS finding of child abuse or neglect? (1) CPS management level staff or their designees who were not involved in the decision making process will review the founded CPS finding of child abuse or neglect. The management staff will consider the following information:

- (a) CPS records;
- (b) CPS summary reports; and

(c) Any written information the alleged perpetrator may have submitted regarding the founded CPS finding of abuse and/or neglect.

(2) Management staff may also meet with the CPS social worker and/or CPS supervisor to discuss the investigation/finding. After review of all this information, management staff decides if the founded CPS finding is correct or if it should be changed.

(3) Management staff must complete their review of the founded CPS finding within sixty calendar days from the date CPS received the written request for review.

NEW SECTION

WAC 388-15-097 How does CPS notify the alleged perpetrator of the results of the CPS management review? CPS will notify the alleged perpetrator in writing of the results of the CPS management review. CPS will send this notice to the last known address of the alleged perpetrator by certified mail, return receipt requested.

NEW SECTION

WAC 388-15-101 What happens if CPS management staff changes the founded CPS finding? If CPS management staff changes the founded CPS finding, CPS notifies the alleged perpetrator that the department has changed the finding to either inconclusive or unfounded. CPS management staff or their designee must correct the department's records to show the changed finding.

NEW SECTION

WAC 388-15-105 What happens if CPS management staff does not change the founded CPS finding? (1) If CPS management staff does not change the founded CPS finding, the alleged perpetrator has the right to further challenge that finding by requesting an administrative hearing.

(2) The request for a hearing must be in writing and sent to the following address:

Office of Administrative Hearings
P.O. Box 2465
Olympia, WA 98504

(3) The office of administrative hearings must receive the written request for a hearing within thirty days from the date that the person requesting the hearing receives the CPS management review decision. The notice of the CPS management review decision will also contain information regarding how to request a hearing.

NEW SECTION

WAC 388-15-109 What laws and rules will control the administrative hearings held regarding the founded CPS findings? Chapter 34.05 RCW, RCW 26.44.100 and 26.44.125, chapter 388-02 WAC, and the provisions of this chapter govern any administrative hearing regarding a founded CPS finding. In the event of a conflict between the provisions of this chapter and chapter 388-02 WAC, the provisions of this chapter must prevail.

NEW SECTION

WAC 388-15-113 What effect does a petition for dependency have on an administrative hearing? (1) If a dependency petition, based on chapter 13.34 RCW, regarding the alleged abuse or neglect has been filed, the administrative hearing must be stayed (postponed) until the superior court has entered an order and findings regarding the dependency petition.

(2) The ALJ must consider any superior court dependency findings and order relating to the alleged abuse or neglect.

(3) If the superior court has entered findings that the alleged perpetrator was the person responsible for the alleged child abuse or neglect, the ALJ must uphold the CPS finding. The ALJ must reiterate the court ruling and incorporate that ruling in the decision issued by the ALJ.

NEW SECTION

WAC 388-15-117 What factors must the ALJ consider in order for the alleged abused and/or neglected child to testify at the administrative hearing? (1) The ALJ must give special consideration to any request by a party for the alleged abused or neglected child to testify in order to protect the physical and emotional well being of the child. For the protection of the child, the ALJ must determine:

(a) If compelling reasons exist to have the child testify. If compelling reasons do exist, the ALJ must consider alternative methods to in-person testimony by the child. Such methods may include, but are not limited to, having the child testify by telephone or videotape; or

(b) If the rights of a party (either the appellant or DSHS) would be prejudiced by not having the child testify in person. If a party's rights would be prejudiced, the ALJ must consider other methods to hear the child's testimony without having the child directly confront the alleged perpetrator.

(2) If the child does testify at the hearing, the ALJ must include a written finding in the administrative hearing decision regarding the compelling reasons for the child's testimony and what alternative methods to in-person testimony the ALJ considered.

NEW SECTION

WAC 388-15-121 Are there issues that the ALJ may not consider during your administrative hearing regarding a founded CPS finding? In any administrative hearing

regarding a founded CPS finding, an ALJ may not consider the following:

(1) Decisions regarding the placement of the alleged abused or neglected child;

(2) Risk assessments in making placement decisions regarding the alleged abused and/or neglected child; or

(3) Service plans for the alleged perpetrator and/or alleged abused or neglected child.

NEW SECTION

WAC 388-15-125 Are the administrative hearings open to the public? Based on RCW 26.44.125, any administrative hearing regarding founded CPS findings is confidential and must not be open to the public.

NEW SECTION

WAC 388-15-129 How does the ALJ make a decision regarding the founded CPS finding? (1) The ALJ must determine if a preponderance of all the relevant information supports the determination by CPS that the alleged perpetrator is the person responsible for the alleged child abuse or neglect.

(2) If the ALJ determines that a preponderance of all the relevant information supports the founded CPS finding, the ALJ must uphold the finding.

(3) If the ALJ determines that the founded CPS finding is not supported by a preponderance of all the relevant information, the ALJ must remand the matter to the department for a change of the finding consistent with the ruling of the ALJ.

NEW SECTION

WAC 388-15-133 How will the appellant be notified of the ALJ's decision? After the administrative hearing, the ALJ will send a written decision to the appellant and the department.

NEW SECTION

WAC 388-15-135 What if the appellant disagrees with the decision? If the appellant disagrees with the ALJ's decision, the appellant may challenge this decision according to the procedures contained in chapter 34.05 RCW and chapter 388-02 WAC.

NEW SECTION

WAC 388-15-141 What happens if the ALJ does not uphold the founded CPS finding? If the ALJ does not uphold the founded CPS finding, the department may challenge the ALJ's decision as provided in chapter 34.05 RCW and chapter 388-02 WAC. If the department does challenge the ALJ's decision, the department will not change the finding in the department's records and the finding will remain in effect pending the final decision from the department's challenge. If the department does not challenge the ALJ's decision, the department will correct the finding in the department's records.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-15-130	Child protective services— Authority.
WAC 388-15-131	Child protective services— Special requirements for Indian children.
WAC 388-15-132	Child protective services— Acceptance of reports—Eli- gibility for services and lim- its to authority.
WAC 388-15-134	Child protective services— Notification.

WSR 00-18-007**PROPOSED RULES****DEPARTMENT OF REVENUE**

[Filed August 24, 2000, 11:23 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-115.

Title of Rule: WAC 458-20-238 Sales of watercraft to nonresidents.

Purpose: The purpose of the rule is to explain the retail sales and use tax exemptions provided for nonresidents relating to watercraft.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: RCW 82.08.0266, 82.08.02665, and 82.12.0251 (in part).

Summary: This rule explains the retail sales tax exemptions provided by RCW 82.08.0266 and 82.08.02665 for sales of watercraft to nonresidents. It also explains the use tax exemptions provided to nonresidents using watercraft in Washington by RCW 82.12.0251.

Reasons Supporting Proposal: The department has adopted the vessel registration requirements standards administered by the Department of Licensing for the purpose of determining the eligibility of nonresidents to claim the use tax exemption available for the "temporary" use of vessels within Washington. This amendment is necessary to incorporate chapter 83, Laws of 1997 (as modified by chapter 198, Laws of 1998) which extended the length of time nonresident individuals can use a vessel in Washington without having to register the vessel.

Name of Agency Personnel Responsible for Drafting: D. Douglas Titus, 1025 Union Avenue, Room 400, Olympia, WA, (360) 570-6112; **Implementation:** Claire Hesselholt, 1025 Union Avenue, Room 400, Olympia, WA, (360) 570-6124; and **Enforcement:** Russell Brubaker, 1025 Union Avenue, Room 400, Olympia, WA, (360) 570-6131.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule advises nonresidents, vessel dealers, and Department of Revenue personnel about the various taxes and tax exemptions which may apply to the purchase or use of watercraft in the state. The rule explains the retail sales exemptions provided for sales of watercraft to out-of-state residents and residents of foreign countries. It also discusses use tax exemptions for certain nonresidents bringing watercraft into Washington for use or enjoyment and/or repair. The rule explains the documentation requirements that must be satisfied to support a claim for the sales and/or use tax exemptions.

WAC 458-20-238 includes an explanation of the use tax exemption provided to nonresidents "temporarily" using vessels within Washington by RCW 82.12.0251. The Department of Revenue has traditionally followed the registration statutes administered by the Department of Licensing for the purposes of administering this use tax exemption. Chapter 83, Laws of 1997, as modified by chapter 198, Laws of 1998, revised the registration statutes to extend the period of time a nonresident individual may use a vessel within Washington without being required to register the vessel. WAC 458-20-238 is being amended to incorporate this change.

The proposed amendment of this rule also recognizes that the exempt nature of a sale of watercraft can be documented using the department's "Buyers' Retail Sales Tax Exemption Certificate." The proposed rule explains how a copy of this exemption certificate can be obtained.

Proposal Changes the Following Existing Rules: This is a revision to an existing rule. The changes are described above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rule and the proposed amendments do not impose any requirements or burdens upon small businesses that are not already specifically required by statute.

RCW 34.05.328 does not apply to this rule adoption. The proposed rule is an interpretive rule as defined in RCW 34.05.328.

Hearing Location: Capitol Plaza Building, 4th Floor, Large Conference Room, 1025 Union Avenue, Olympia, WA, on October 10, 2000, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6176.

Submit Written Comments to: Doug Titus, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail dougt@dor.wa.gov, by October 10, 2000.

Date of Intended Adoption: October 17, 2000.

August 24, 2000

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 95-24-103, filed 12/6/95, effective 1/6/96)

WAC 458-20-238 Sales of watercraft to nonresidents.

(1) **Introduction.** This ~~((section))~~ rule explains the retail sales tax exemption provided by RCW 82.08.0266 for sales to nonresidents of watercraft requiring United States Coast Guard ~~((registration or))~~ documentation or state registration. It also explains the retail sales tax exemption provided by RCW 82.08.02665 for sales of watercraft to residents of foreign countries ~~((, which became effective July 25, 1993. (See chapter 119, Laws of 1993.))~~. These statutes provide the exclusive authority for granting a retail sales tax exemption for sales of such watercraft when delivery is made within Washington. This ~~((section))~~ rule explains the requirements ~~((which must))~~ to be met, and the documents which must be preserved, to substantiate a claim of exemption. It also discusses use tax exemptions for nonresidents bringing watercraft into Washington for enjoyment and/or repair.

This ~~((section))~~ rule primarily deals with the retail sales and use taxes where delivery takes place in Washington. ~~((Purchasers of watercraft should also be aware that there is a watercraft excise tax which may apply to the purchase or use of watercraft in Washington. (See chapter 82.49 RCW.))~~ Sellers should refer to WAC 458-20-193 if they deliver the vessel to the purchaser at an out-of-state location. Purchasers also should be aware that there is a watercraft excise tax which may apply to the purchase or use of watercraft in Washington. (See chapter 82.49 RCW.) In addition, purchasers of commercial vessels may have annual liability for personal property tax. (See RCW 84.08.065.)

(2) **Business and occupation tax.** Retailing B&O tax is due on all sales of watercraft to consumers if delivery is made within the state of Washington, ~~((notwithstanding))~~ even though the sale may qualify for an exemption from the retail sales tax. If the seller is also the manufacturer of the vessel, the seller must ~~((generally))~~ report under both the ~~(("production" (extracting and/or) manufacturing((3)) and ("selling" (4))wholesaling or retailing((3))~~ classifications of the B&O tax, and claim a ~~((tax credit under the))~~ multiple activities tax credit ~~((system))~~ (MATC). Manufacturers should also refer to WAC 458-20-136 (Manufacturing, processing for hire, fabricating) and WAC 458-20-19301 (Multiple activities tax credits).

(3) **Retail sales tax.** The retail sales tax generally applies to the sale of watercraft to consumers when delivery is made within the state of Washington. ~~((However,))~~ Under certain conditions, however, retail sales tax exemptions are available for sales of watercraft to nonresidents of Washington, even when delivery is made within Washington.

(a) ~~((Sales to residents of other states.))~~ **Exemptions.** RCW 82.08.0266 provides an exemption from the retail sales tax for sales of watercraft to residents of states other than Washington for use outside this state, even when delivery is made within Washington. ~~((This specific exemption does not apply to sales of watercraft to Canadian or other foreign country residents. The retail sales tax exemption which is available for sales of watercraft to Canadian or other foreign country residents is explained in (b) of this subsection.~~

~~((i))~~ The exemption provided by RCW 82.08.0266 is limited to ~~((the following:~~

~~((A) Sales of watercraft which are required to obtain United States Coast Guard documentation; and~~

~~((B))~~ sales of watercraft requiring ~~((registration by the))~~ United States Coast Guard documentation or registration with the state in which the vessel will be principally used, but only when that state has assumed the registration and numbering function under the Federal Boating Act of 1958.

~~((iii))~~ The following requirements must be met to perfect any claim for exemption:

~~((A) The watercraft must leave Washington waters within forty-five days of delivery;~~

~~((B) The seller must examine acceptable proof that the buyer is a resident of a state other than the state of Washington; and~~

~~((C) The seller, at the time of the sale, must retain as a part of its records a completed exemption certificate. (See subsection (4) of this section.)~~

~~((b) Sales to residents of foreign countries.))~~ RCW 82.08.02665 provides a retail sales tax exemption for sales of vessels to residents of foreign countries for use outside this state, even when delivery is made in Washington. This exemption ~~((became effective July 25, 1993. (See chapter 119, Laws of 1993.))~~

~~((i))~~ is not limited to the types of watercraft qualifying for the exemption provided by RCW 82.08.0266. The term "vessel," for the purposes of ~~((this subsection))~~ RCW 82.08.02665, means every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane. ~~((This exemption is not limited to the types of watercraft qualifying for the exemption discussed in (a) of this subsection.~~

~~((ii))~~ **Exemption requirements.** The following requirements must be met to perfect any claim for exemption under RCW 82.08.0266 and 82.08.02665:

~~((A))~~ ~~((i))~~ The watercraft must leave Washington waters within forty-five days of delivery;

~~((B))~~ ~~((ii))~~ The seller must examine acceptable proof that the buyer is a resident of another state or a foreign country; and

~~((C))~~ ~~((iii))~~ The seller, at the time of the sale, must retain as a part of its records a completed exemption certificate ~~((-~~ to document the exempt nature of the sale. This requirement may be satisfied by using the department's "buyer's retail sales tax exemption certificate," or another certificate with substantially the information as it relates to the exemption provided by RCW 82.08.0266 and 82.08.02665. The certificate must be completed in its entirety, and retained by the seller. A blank certificate can be obtained via the Internet at <http://dor.wa.gov>, by facsimile by calling Fast Fax at (360) 786-6116 or (800) 647-7706 (using menu options), or by writing to: Taxpayer Services, Washington State Department of Revenue, P.O. Box 47478, Olympia, Washington 98504-7478. The seller should not accept an exemption certificate if the seller becomes aware of any information prior to the completion of the sale which is inconsistent with the purchaser's claim of residency, such as a Washington address on a credit application.

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(c) ~~((Watercraft qualifying for exemption under RCW 82.08.0266 and 82.08.02665.))~~ **Component parts and repairs.** The exemptions provided by RCW 82.08.0266 and 82.08.02665 apply only to sales of watercraft. For the purposes of these exemptions, the term "watercraft" includes component parts which are installed in or on the watercraft prior to ~~((the watercraft being delivered to and accepted))~~ delivery to and acceptance by the buyer, but only when these parts are sold by the seller of the watercraft. "Component part" means tangible personal property which is attached to ~~((the watercraft))~~ and used as an integral part of the operation of the watercraft, even if the item is not required mechanically for the operation of the watercraft. Component parts include, but are not necessarily limited to, ~~((boat))~~ motors, navigational equipment, radios, depth~~((-))~~finders, and winches, whether themselves permanently attached to the watercraft or held by brackets which are permanently attached. If held by brackets, the brackets must be permanently attached to the watercraft in a definite and secure manner.

These exemptions do not extend to the sale of boat trailers, repair parts, or repair labor~~((,-ete))~~. ~~((Nor do they))~~ These exemptions also do not extend to a separate seller of unattached component parts, even though these parts may be manufactured specifically for the watercraft and/or permanently installed in or on the watercraft prior to the watercraft being delivered to and accepted by the buyer.

(4) ~~((Exemption certificate.))~~ The exemption certificate must be completed in its entirety, and retained by the seller at the time of sale. The seller is required to review one piece of identification substantiating the nonresident status of the customer, and to indicate on the certificate the type of identification examined. This one piece of identification must either be a valid driver's license from the jurisdiction in which out-of-state residency is claimed, or a valid identification document which has a photograph of the holder and is issued by the out-of-state jurisdiction. If the customer is a partnership, corporation, limited liability company, association, or any other person who is not a natural person, the seller should refer to subsection (5) of this section for an explanation of what constitutes acceptable proof of the customer's nonresident status.

The seller should not accept an exemption certificate if the seller becomes aware of any information prior to completion of the sale which is inconsistent with the purchaser's claim of residency, such as a Washington address on a credit application. The exemption certificate must be substantially in the following form:

EXCEPTION CERTIFICATE

Seller's Name

Buyer's Name

Address of Buyer

State or Foreign Country of Residence

Date of Sale

Make and Model of Vessel

Serial Number of Vessel

I certify that (a) the vessel described above will be registered or documented with the United States Coast Guard or the state of principal use; or (b) I am a resident of a foreign country and the vessel has been purchased for use outside the state of Washington. I further certify that this vessel will leave Washington state waters within forty five days of delivery, and the purchase of this vessel is exempt from Washington state retail sales tax under the provisions of either RCW 82.08.0266 or 82.08.02665. This certificate is given with full knowledge of, and subject to, the legally prescribed penalties for fraud and tax evasion.

Signature of buyer or buyer's representative

CERTIFICATION BY SELLER

I hereby certify that I have personally examined one of the following items of documentary evidence submitted by the above purchaser to establish residency in the state or country of

... Driver's License (list license number and date of expiration)

... Identification Card (list card number and date of expiration)

Signature of seller or agent of seller

~~((5) Sales to residents of other states or countries who are not natural persons.))~~ The types of identification described in subsection (4) of this section are not applicable for establishing the residency of partnerships, corporations, limited liability companies, or other persons who are not natural persons. Because many of the types of documentation which would establish the nonresident status of these persons contain confidential information (e.g., federal income tax returns), the seller may satisfy its requirement to examine and record documentary evidence by retaining at the time of sale a completed affidavit substantially in the following form:

AFFIDAVIT OF OUT-OF-STATE RESIDENCY

(This affidavit for use only by purchasers who are not natural persons, such as corporations.)

Name of buyer

Address

State or foreign country of residency

Registration #

Type of entity (e.g., corporation, partnership, etc.)

I certify that ... (buyer's name) ... is a resident of ... (state or foreign country) ...

Name of buyer's representative (printed)

Signature of buyer's representative

The affidavit of out-of-state residency may only be accepted and used for establishing the nonresident status of persons who are not natural persons. It may not be used as documentary evidence for sales to natural persons. The seller

must at the time of sale retain this affidavit as well as the exemption certificate described in subsection (4) of this section. A partnership, corporation, limited liability company, or other person who is not a natural person is a "nonresident" for the purposes of exemption under RCW 82.08.0266 or 82.08.02665 if that person's principal place of business is not in Washington, and that person is not incorporated in Washington.

~~(6))~~ **Deferred retail sales or use tax.** If Washington retail sales tax has not been paid, persons using watercraft on Washington waters are (generally subject to the) required to report and remit to the department such sales tax (commonly referred to as deferred retail sales tax) or use tax (if Washington retail sales tax has not been paid), unless (such) the use is specifically (exempted) exempt by law (from the use tax). A credit against Washington's use tax is allowed for retail sales or use tax previously paid by the user or the user's bailor or donor with respect to the property to any other state of the United States, any political subdivision thereof, the District of Columbia, and any foreign country or political subdivision thereof, prior to the use of the property in Washington. RCW 82.12.035. See also WAC 458-20-178.

(a) ~~((The deferred retail sales tax or use))~~ Tax is due on the use by any nonresident of watercraft purchased from a Washington vendor and first used within this state for more than forty-five days if retail sales or use tax has not been paid by the user. Tax is due notwithstanding the watercraft qualified for retail sales tax exemption at the time of purchase.

(b) Use tax does not apply to the temporary use or enjoyment of watercraft brought into this state by nonresidents ((for their use and enjoyment)) while temporarily within this state ((are exempt from the use tax)). ((However)) Except as otherwise provided in this rule, it will be presumed that ((usage)) use within Washington ((which exceeds more than)) exceeding sixty days in any twelve-month period is more than temporary ((usage)) use and use tax is due.

Effective January 1, 1998, nonresident individuals (whether residents of other states or foreign countries) may temporarily bring watercraft into this state for their use or enjoyment without incurring liability for the use tax if such use does not exceed a total of six months in any twelve-month period. To qualify for this six-month exemption period, the watercraft must be issued a valid number under federal law or by an approved authority of the state of principal operation, be documented under the laws of a foreign country, or have a valid United States customs service cruising license. The watercraft must also satisfy all identification requirements under RCW 88.02.030 for any period after the first sixty days. Failure to meet the applicable documentation and identification requirements will result in a loss of the exemption. Prior to January 1, 1998, the temporary use exemption period was limited to sixty days for all nonresident users of watercraft.

(c) Watercraft temporarily brought into this state by nonresidents exclusively for repair, alteration, or reconstruction are exempt from the use tax if removed from this state within sixty days. If repair, alteration, or reconstruction cannot be ~~((made))~~ completed within this period, the exemption may be extended by ~~((completing and))~~ filing with ~~((this))~~ the depart-

ment of revenue compliance division an affidavit as required by RCW 88.02.030 verifying the vessel is located upon the waters of this state exclusively for repair, alteration, reconstruction, or testing. This ((affidavit) document, titled "Non-resident Out-of-State Vessel Repair Affidavit," is effective for sixty days. If additional extensions of the exemption period are needed, additional affidavits ((may)) must be ((completed. The affidavit should be)) sent to the department ((of revenue compliance division)). ((This affidavit is the affidavit which is required under RCW 88.02.030, and)) Failure to ((complete)) file this affidavit can also result in requiring that the vessel be registered in Washington and subject to the use tax.

~~((7))~~ (5) **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 tax results of other situations must be determined after a review of all ((of the)) facts and circumstances. In all examples, retailing B&O tax is due from the seller for all sales of watercraft and parts, and all charges for repair parts and labor.

(a) ~~((Company A sells a vessel to Jane Smith, a Canadian resident. Company A examines Jane Smith's driver's license to verify Jane to be a resident of Canada, and retains the proper exemption certificate at the time of sale. Delivery is made in Washington and Jane removes the vessel from Washington waters within forty-five days of delivery. The sale of the vessel is not subject to the retail sales tax because all requirements for exemption under RCW 82.08.02665 have been satisfied.))~~ Mr. Kelley, a resident of California, pilots his cabin cruiser which is registered in that state into Puget Sound for his enjoyment. On the sixtieth day of his stay, Mr. Kelley obtains an identification document for the cabin cruiser under RCW 88.02.030 for the boat from the department of licensing. To further extend his stay in Washington waters, he applies for a second identification document within the prescribed period. In the middle of his fifth month on Puget Sound, Mr. Kelley departs and returns the craft to its home port in California. The stay would not subject Mr. Kelley to use tax. On the other hand, if Mr. Kelley were a resident of Vancouver, British Columbia, bringing a vessel registered in Canada, he would also have to timely obtain and display the appropriate identification document required by RCW 88.02.030 to allow his temporary use of the watercraft in Washington.

(b) Company A sells a yacht to John Doe, an Oregon resident, who takes delivery in Washington. The yacht is required to be registered by the state of Oregon ~~((, which has assumed the registration and numbering function under the Federal Boating Act of 1958)).~~ The vessel is removed from Washington waters within forty-five days of delivery. Company A examines a driver's license confirming John Doe to be an Oregon resident, and records this information in the sales file. Company A does not complete and retain the required exemption certificate.

The sale of the yacht is subject to the retail sales tax. The exclusive authority for granting a retail sales tax exemption for this sale is provided by RCW 82.08.0266. Completion of an exemption certificate is a statutorily imposed condition for obtaining this exemption. Company A has not satisfied the

conditions and requirements necessary to grant an exemption under this statute. The exemption provisions under RCW 82.08.0273 for sales to nonresidents of states having less than three percent retail sales tax can not be used for purchases of vessels which require United States Coast Guard (~~registration or~~) documentation, or registration in the state of principal use. If the exemption certificate had been properly completed at the time of sale, this sale would have qualified for retail sales tax exemption.

(c) Mr. Jones, a California resident, contracts Company B to manufacture a pleasure yacht. Mr. Jones purchases a boat motor from Company Y with instructions that delivery be made to Company B for installation on the yacht. The yacht is required to be registered with the state of California, which has assumed the registration and numbering function under the Federal Boating Act of 1958. Company B examines Mr. Jones' driver's license to verify Mr. Jones is a nonresident of Washington, and retains the proper exemption certificate at the time of sale. Delivery is made in Washington, and Mr. Jones removes the vessel from Washington waters within forty-five days of delivery.

The sale of the yacht by Company B to Mr. Jones is not subject to the retail sales tax, as the requirements and conditions for exemption have been satisfied. Retail sales tax does, however, apply to the sale of the motor by Company Y to Mr. Jones. The exemption provided by RCW 82.08.0266 does not extend to a separate seller of unattached component parts, even though the parts are installed in the watercraft prior to delivery.

(d) Mr. Smith, a resident of ~~((California))~~ British Columbia, Canada, brings his yacht into Washington ~~((for))~~ with the intention of temporarily using the yacht for personal enjoyment. The yacht experiences mechanical difficulty requiring repair. Extensive repairs and testing require the yacht to remain in Washington waters for ~~((ninety))~~ two hundred seventy days. Mr. Smith obtains the required identification issued by the department of licensing entitling him to use the yacht within Washington for six months in a twelve-month period. Mr. Smith then extends the exemption period by filing a "Nonresident Out-of-State Vessel Repair Affidavit" with the department of revenue prior to end of the initial ~~((sixty-day))~~ six-month exemption period. An employee of the repair facility is on board the yacht during all testing, and there is no personal use by Mr. Smith during this period. Upon completion of the repairs and testing, Mr. Smith takes delivery at the repair facility and promptly removes the yacht from Washington waters.

Mr. Smith has not incurred a use tax liability on his yacht. The conditions and requirements exempting the yacht from use tax during the period of repair and testing have been met. ~~((However,))~~ Retail sales tax is due, and must be paid, however, on all charges for repair parts and labor. The exemption from sales tax for purchases of vessels does not extend to repairs.

WSR 00-18-010

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed August 25, 2000, 8:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-006.

Title of Rule: Chapter 16-674 WAC, Sealing, marking, retesting devices.

Purpose: Repeal WAC 16-674-092 Service agent registration.

Statutory Authority for Adoption: RCW 19.94.010, 19.94.190.

Statute Being Implemented: Chapter 19.94 RCW.

Summary: This action repeals WAC 16-674-092. This section has been written into chapter 16-663 WAC, Service agents—Reporting, test procedures, standards and calibration of weighing and measuring devices.

Reasons Supporting Proposal: This new rule accomplishes the intent of EO 97-02, regulatory improvement by making the rule clear and readable.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jerry Buendel, 1111 Washington Street, Olympia, WA, (360) 902-1856.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This action repeals WAC 16-674-092. This section has been written into chapter 16-663 WAC, Service agents—Reporting, test procedures, standards and calibration of weighing and measuring devices. The repeal of WAC 16-674-092 and the addition to chapter 16-663 WAC will place all of the information on service agent registration in a single administrative rule.

Proposal Changes the Following Existing Rules: This action repeals WAC 16-674-092.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This repeal does not increase fees or add record-keeping requirements to businesses affected by the administrative rule.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State Department of Agriculture, 21 North First Avenue, Conference Room 238, Yakima, WA 98902, on October 12, 2000, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Jodie Truitt by October 10, 2000, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Jerry Buendel, Program Manager, P.O. Box 42560 or 1111 Washington Street, Olympia, WA 98504-2560, e-mail jbuendel@agr.wa.gov, fax (360) 902-2086, by October 10, 2000.

Date of Intended Adoption: October 24, 2000.

August 24, 2000

Candace A. Jacobs, DVM
Assistant Director

PROPOSED

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-674-092 Service agent registration.

WSR 00-18-016
PROPOSED RULES
BUILDING CODE COUNCIL

[Filed August 28, 2000, 8:39 a.m.]

Supplemental Notice to WSR 00-16-133.

Preproposal statement of inquiry was filed as WSR 00-03-017.

Title of Rule: Amendment of chapter 51-13 WAC, Washington State Ventilation and Indoor Air Quality Code.

Purpose: To consider whether to amend the 1997 Edition of the Washington State Ventilation and Indoor Air Quality Code, chapter 51-13 WAC.

Statutory Authority for Adoption: RCW 19.27.190 and 19.27.020.

Statute Being Implemented: Chapters 19.27 and 34.05 RCW.

Summary: The proposed rules include adoption of amendments to the 1997 Washington State Ventilation and Indoor Air Quality Code, including editorial corrections, a rewrite of Chapter 3 - Ventilation Systems for clarity, amendments to specific ventilation requirements, allowance of alternate systems for nonresidential applications and amendments to the radon resistive construction requirements.

Reasons Supporting Proposal: RCW 19.27.190 and 19.27.020.

Name of Agency Personnel Responsible for Drafting and Implementation: Judith Darst, P.O. Box 48300, Olympia, WA 98504, (360) 586-2251; and Enforcement: Local jurisdictions.

Name of Proponent: Washington State Building Code Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The council is seeking comments on the issues proposed in the rules shown below.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule amends chapter 51-13 WAC, Washington State Ventilation and Indoor Air Quality Code. The purpose is to amend the 1997 Washington State Ventilation and Indoor Air Quality Code, including editorial corrections, a rewrite of Chapter 3 - Ventilation Systems for clarity, amendments to specific ventilation requirements, allowance of alternate systems for nonresidential applications and amendments to the radon resistive construction requirements. The proposed amendments will provide greater clarity, consistency, and ease of use than the published version for application in Washington state.

Regulatory Review: In compliance with Executive Order 97-02, regulatory improvement, the following criteria for regulatory review will be considered at the time of final adoption of the rule.

1. **Need.** This rule is in conformance with RCW 19.27.190 Indoor air quality. The council regularly reviews existing state-wide building codes. The purpose and objective of this review, as given in RCW 19.27.020, is to promote the health, safety and welfare of the occupants or users of buildings; to require minimum construction standards for the state of Washington; to permit the use of modern technical methods; to eliminate restrictive, obsolete, conflicting, duplicating and unnecessary regulations; and to provide standards to make buildings accessible to and usable by persons with physical disabilities. The technical advisory groups appointed by the council have identified rules that are obsolete, duplicative or ambiguous, and have proposed amendments and revisions.

2. **Effectiveness and Efficiency.** The mission of the council is to adopt building codes for uniform application throughout the state. In the course of the regular rule review, the council examined regulatory alternatives and new technologies. The council has identified where alternatives can be used effectively and efficiently. The council efficiently achieves uniform state building codes by serving as the central administrative agency for state-wide adoption of building codes.

3. **Clarity.** The council revised their filing procedure for state amendments to the national uniform codes. To enhance clarity, only those subsections with a state amendment will be filed under the main section number. The balance of the main section will remain as written in the national uniform code, as adopted by reference, unless otherwise noted. This reformatting change reorganizes and shortens the WACs.

4. **Intent and Statutory Authority.** The proposed rule is consistent with the legislative intent of the statute chapter 19.27 RCW. The statute gives the council sufficient authority to maintain the state building code, and to amend and adopt state-wide codes as deemed appropriate.

5. **Coordination.** The council rule-making process has included participation by national, state, and local building, fire, mechanical and plumbing officials, as well as state agency representatives for the Departments of Social and Health Services, Health, Labor and Industries, and the State Fire Marshal. The council actively seeks participation from other state agencies to assure that duplication and inconsistency is eliminated.

6. **Cost.** The council appointed technical advisory groups and an Economic and Regulatory Assessment Committee to examine the costs and benefits associated with the revisions to the building codes.

7. **Fairness.** The state amendments to the Ventilation and Indoor Air Quality Code proposed by the council are intended to mitigate disproportionate impact on the regulated community. The council is made up of representatives from the regulated community, as well as public and regulatory officials. In addition, the council enlisted the assistance of technical advisory groups, made up of the individuals, orga-

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nizations and businesses impacted by the building codes, to review code changes and proposals.

Proposal Changes the Following Existing Rules: 1. **Sections 101.4, 302.3.2, 303.4.1.3, 303.4.2.2, 303.4.3.4, and 303.4.4.2 (two options):** This proposed amendment requires an affixed label for the whole house ventilation control. The second option also provides a reference to operating instructions and inserts a new section 101.4 Operating Instructions that requires installers to provide information consistent with the present Uniform Mechanical Code requirements for installed mechanical equipment.

2. **Chapter 3 reformat:** This proposed amendment reorganizes Chapter 3 to help clarify the parameters of the requirements by system type. The other listed changes to Sections 302 and 303 are duplicated in multiple sections as they apply to each different system type.

3. **Sections 302.2.1 and 303.3.1:** This proposed amendment adds a room with an unvented decorative gas log or decorative gas fireplace to the list of rooms requiring source specific ventilation.

4. **Sections 302.3.3, 303.3.2, 303.4.1.1, 303.4.1.2, and 303.4.1.5:** This proposed amendment is editorial (updating referenced Home Ventilating Institute (HVI) testing standards to more current versions).

5. **Section 303.4.1.5:** This proposed amendment adds a new exception that does not require outdoor air inlets for exhaust only ventilation systems if the home has a ducted forced air heating system that communicates with all habitable rooms and the interior doors are undercut.

6. **Section 303.4.2.1:** This proposed amendment clarifies that flow rates for all three integrated whole house ventilation system options (motorized damper, manual damper, or automatic flow regulated device) must be field measured. This amendment also clarifies compliance requires [requirements] meeting the "minimum" flow rates as specified in Table 3-2.

7. **Section 304.2:** This proposed amendment allows alternate nonresidential systems designed in accordance with ASHRAE Standard 62.1.1999.

8. **Section 503.2.3:** This proposed amendment changes the aggregate requirement for radon resistive construction from a specialized "radon rock" to a more common "pea gravel."

9. **Section 503.2.4:** This proposed amendment relocates the soil-gas retarder membrane, required in radon resistive construction, from "directly under the concrete slab" to "directly on top of the aggregate and under a two inch layer of sand gravel."

10. **Section 503.2.6 and new section 503.4 (two options):** This proposed amendment clarifies requirements for the "T" within the aggregate area, required in radon resistive construction, by specifying that the five foot perforated drain pipe shall extend in each direction from the tee. This amendment also increases the minimum pipe diameter required for slabs over 750 square feet and requires approval for slabs over 3,000 square feet. The second option removes the exception that defines a subslab depressurization system and relocates the information by adding a new section 503.4.

11. **Section 503.2.8:** This code section requires a separate vent pipe for each isolated aggregate area in radon resistive construction. This proposal amends the exception which allows separate aggregate areas to be considered as a single area. The amendment increases the required area of connection from a "three inch diameter" to an "area of twelve square inches." The frequency of joining the area is also increased from every "30 feet" to every "10 linear feet or fraction thereof." The amendment further defines the connection by requiring that it "allow air flow" and that it "remain free from obstruction."

12. **Section 503.3:** This proposed amendment is a new section requiring a radon vent for crawlspace ventilation in radon resistive construction. The size of the required vent pipe is dependent on the area of the crawlspace and is consistent with the vent pipe sizing requirements for slabs.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

The State Building Code Council is proposing to adopt amendments to chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code. The council appoints Technical Advisory Groups (TAGs) to conduct a comprehensive review of proposed code amendments. The participants on the Mechanical and Ventilation Codes TAG represent architects, mechanical engineers, mechanical contractors, building officials, building operators, manufacturers, model code organizations, homebuilders, utilities, state agencies, and radon specialists. The Economic and Regulatory Assessment Committee consists of council members as specified in SBCC bylaws.

Proposed amendments to the following sections have been identified by the Mechanical and Ventilation Codes TAG and the Economic and Regulatory Assessment Committee as having a cost impact on businesses required to comply with the rule. The costs would be minor by the definition of the Economic Committee, at less than 1/4 of 1% of total construction cost.

WAC 51-13-302.3.2 Labels for whole house fans in residences. Requires a label reading "Whole House Ventilation" be affixed to the automatic control timer specified in this section. The rule would impose a minor cost impact on homebuilders and mechanical contractors.

WAC 51-13-502 Crawlspace radon vent pipe. Adds a requirement in 6 counties for a 3 inch to 4 inch diameter radon vent pipe in all new homes with a crawlspace. The cost is estimated to be about \$120 for 4 inch pipe, \$87 for 3 inch pipe, in a typical two story residence.

WAC 51-13-503.2.4 Soil Gas retarder membrane. Adds a requirement for 2 inches of fine sand or pea gravel between membrane material and slab. Cost of material is estimated to be \$15 to \$30.

WAC 51-13-503.2.6 Radon Vent. Adds to the required length of subslab vent pipe, and increases diameter of pipe from 3 inches to 4 inches for slabs over 750 square feet. The added material cost would be between \$25 to \$30 dollars.

WAC 51-13-503.2.8 Separate Aggregate Areas, Radon Resistive Construction. Increases area opening, from 7

square inches to 48 square inches, to join separate aggregate areas. Additional cost would be minimal.

A copy of the statement may be obtained by writing to Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, phone (360) 586-0486, fax (360) 586-5880.

RCW 34.05.328 does not apply to this rule adoption. The State Building Code Council is not listed in this section as one of the agencies required to comply with this regulation.

Hearing Location: Radisson Hotel, 17101 International Boulevard, SeaTac, WA, on October 13, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sue Mathers by September 25, 2000, TDD (360) 753-2200, or (360) 753-1184.

Submit Written Comments to: Judy Wilson, Chairman, State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, fax (360) 586-5880, by October 13, 2000.

Date of Intended Adoption: November 17, 2000.

August 23, 2000

Judy Wilson

Council Chairman

AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-101 Scope and general requirements.

101.1 Title: This Code shall be known as the Washington State Ventilation and Indoor Air Quality Code. It is herein referred to as "this Code".

101.2 Intent: The purpose of this Code is to provide minimum standards for the design and installation of mechanical ventilation systems, the selection of structural materials used within the conditioned space, and the construction of radon mitigation systems for new construction.

It is intended that these provisions provide flexibility to permit the use of innovative approaches and techniques. These provisions are structured to permit compliance with the intent of this Code by demonstration of performance through on site testing or through engineered design. This Code is not intended to abridge any safety or health requirements required under any other applicable codes or ordinances.

101.3 Scope: This Code sets forth minimum requirements for ventilation in all occupancies, including the design of new construction.

101.3.1 Application to Existing Buildings

101.3.1.1 Additions to Existing Buildings: Additions to existing buildings or structures may be made without making the entire building comply, provided that the new addition shall conform to the provisions of this Code.

EXCEPTIONS

1. Additions with less than 500 square feet of conditioned floor area are exempt from the requirements in this code for Whole House Ventilation Systems, Section 302.2.2.

2. Additions or alterations to existing buildings which do not require the construction of foundations, crawlspaces, slabs, or basements shall not be required to meet the requirements for radon protection.

101.3.1.2 Alterations and Repairs: All alterations and repairs may be made to existing or moved buildings built or permitted prior to the enforcement of this Code without making the entire building comply with the provisions of this Code, provided the alterations or repairs comply with this Code.

EXCEPTION: Air handling/conditioning equipment, which is being replaced without alteration or repair of the associated air distribution system is exempt from the requirements of this Code.

101.3.1.3 Historic Buildings: Historic buildings are exempt from this Code only to the extent necessary to preserve those features essential to their historical appearance or function.

Option 1: No change

Option 2: If Option 2 to Sections 302.3.2 and 303.4.1.3 is approved, add a NEW SECTION 101.4

101.4 Operating Instructions: Installers shall provide the manufacturer's installation, operating instructions, and a whole house ventilation system operation description.

AMENDATORY SECTION (Amending WSR 91-01-102, filed 12/18/90, effective 7/1/91)

WAC 51-13-301 (~~Design criteria~~) Compliance with this chapter.

301.1 General: The criteria of this chapter establish the design conditions upon which the minimum ventilation systems are to be based for all occupancies. Group R occupancies four (4) stories and less as defined by the Washington State Building Code shall comply with either Section 302 or 303. Section 304 applies to all other occupancies.

301.2 Testing: At the discretion of the building official, flow testing may be required to verify that the mechanical system(s) satisfies the requirements of this section. Flow testing may be performed using flow hoods measuring at the intake or exhaust points of the system, in-line pitot tube, or pitot-traverse type measurement systems in the duct, short term tracer gas measurements, or other means approved by the building official.

AMENDATORY SECTION (Amending WSR 95-01-128, filed 12/21/94, effective 6/30/95)

WAC 51-13-302 (~~Minimum ventilation criteria for all~~) Mechanical ventilation criteria using performance or design methods for Group R occupancies four stories and less.

~~302.1 ((General: This section shall apply to all Group R occupancies four (4) stories and less as defined by the Washington State Building Code. Residential structures greater than four (4) stories in height shall comply with Section 304, for outdoor air supply requirements. For source specific ven-~~

tilation requirements, see Section 302.2.1. Compliance with this section shall be demonstrated through engineering calculations or performance testing. Documentation of calculations shall be submitted to the building official where required. Performance testing shall be conducted in accordance with recognized test methods.

~~302.1.2 Testing: At the discretion of the building official, flow testing may be required to verify that the mechanical system(s) satisfies the requirements of this section. Flow testing may be performed using flow hoods measuring at the intake or exhaust points of the system, in-line pitot tube, or pitot traverse type measurement systems in the duct, short term tracer gas measurements, or other means approved by the building official.)~~ Applicability: Group R occupancies four (4) stories and less as defined by the Washington State Building Code shall comply with either this section or Section 303.

302.1.1 Compliance by Calculations or Testing: Compliance with this section shall be demonstrated through engineering calculation or performance testing. Documentation of calculations or performance test results shall be submitted to the building official. Performance testing shall be conducted in accordance with recognized test methods.

~~((302.2))~~ 302.1.2 Minimum Ventilation Performance: Each dwelling unit or guest room shall be equipped with source specific and whole house ventilation systems designed and installed to satisfy the ventilation requirements of this ((chapter)) section.

~~((EXCEPTION:))~~ All public corridors shall meet the ventilation requirements in section 1203.3 of the Uniform Building Code.

302.2 Source Specific Ventilation Requirements.

302.2.1 Source Specific Ventilation: Source specific exhaust ventilation ((shall be)) is required in each kitchen, bathroom, water closet, laundry room, indoor swimming pool, spa, room with an unvented decorative gas log or decorative gas fireplace, and other rooms where excess water vapor or cooking odor is produced.

The minimum source specific ventilation effective exhaust capacity shall be not less than levels specified in Table 3-1.

302.2.2 Source Specific Ventilation Controls: Source specific ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means. Source specific ventilation system controls shall be readily accessible.

302.2.3 Source Specific Ventilation Ducts: Source specific ventilation ducts shall terminate outside the building. Exhaust ducts in systems which are designed to operate intermittently shall be equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4. Terminal elements shall have at least the equivalent net free area of the duct work. Terminal elements for exhaust fan duct systems shall be screened or otherwise protected from entry by leaves or other material.

302.3 Requirements for Whole House Ventilation Systems.

~~((302.2.2))~~ 302.3.1 Whole House Ventilation Systems: Each dwelling unit shall be equipped with a whole house ventilation system which shall be capable of providing ((at least 0.35 air changes per hour, but not less than fifteen cubic feet per minute per bedroom plus an additional fifteen cubic feet per minute. Whole house ventilation systems shall be designed to limit ventilation to a level no greater than 0.5 air changes per hour)) the volume of outdoor air specified in Table 3-2 under normal ((operation)) operating conditions. ((Whole house ventilation systems shall supply outdoor air to all habitable rooms through individual outdoor air inlets, forced-air heating system, ducting or equivalent means. Doors and operable lites in windows are deemed not to meet the outdoor air supply intake requirements.))

EXCEPTION: ((For dwelling units of no more than 1,400 square feet, the maximum ventilation rate shall be 0.65 air changes per hour.)) Maximum flow rates listed in Table 3-2 do not apply to heat recovery ventilation systems.

OPTION 1

~~((302.3))~~ 302.3.2 Whole House Ventilation System Controls: All ventilation system controls shall be readily accessible. Controls for whole house ventilation systems shall be capable of operating the ventilation system without energizing other energy-consuming appliances.

~~((EXCEPTION:))~~ Continuously operated whole house ventilation systems switch shall not be readily accessible by the occupant.

~~302.3.1 Source Specific Ventilation Systems: Source specific ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means.~~

~~302.3.2 Intermittently Operated Whole House Ventilation Systems: The))~~ Intermittently operated whole house ventilation systems shall be constructed to have the capability for continuous operation, and shall have a manual control and an automatic control, such as a clock timer. At the time of final inspection, the automatic control timer shall be set to operate the whole house fan for ((a minimum of)) at least eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation."

~~((302.4))~~ 302.3.3 Fan Noise: Whole house fans located four feet or less from the interior grille shall have a sone rating of 1.5 or less measured at 0.1 inches water gauge. Manufacturer's noise ratings shall be determined as per HVI 915 (October 1995). Remotely mounted fans shall be acoustically isolated from the structural elements of the building and from attached duct work using insulated flexible duct or other approved material.

EXCEPTION: Whole house ventilation systems which are integrated with forced-air heating systems or heat-recovery ventilation systems are exempt from the sone rating requirements of this section.

~~((302.5))~~ 302.3.4 Whole House Ventilation Ducts: All ducts shall terminate outside the building. Exhaust ducts in systems which are designed to operate intermittently shall be

equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4. All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

302.3.5 Outdoor Air.

~~((302-6))~~ 302.3.5.1 Outdoor Air Supply: A mechanical system shall supply outdoor air as required in Section ~~((302-2.2))~~ 302.3.1. The mechanical system may consist of exhaust fans, supply fans, or both.

~~((302-6.1))~~ 302.3.5.2 Outdoor Air Inlets: Inlets shall be screened or otherwise protected from entry by ~~((insects;))~~ leaves~~((;))~~ or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

- a) Closer than ten feet from an appliance vent outlet, unless such vent outlet is three feet above the outdoor air inlet.
- b) Where it will pick up objectionable odors, fumes, or flammable vapors.
- c) A hazardous or unsanitary location.
- d) A room or space having any fuel-burning appliances therein.
- e) Closer than ten feet from a vent opening of a plumbing drainage system unless the vent opening is at least three feet above the air inlet.
- f) Attic, crawl spaces, garages.

302.3.5.3 Outdoor Air Distribution: Outdoor air shall be distributed to each habitable room by means such as individual inlets, separate duct systems, or a forced-air system. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Uniform Building Code. Doors shall be undercut to a minimum of one-half inch above the surface of the finish floor covering.

302.3.5.4 Doors and operable lites in windows are deemed not to meet the outdoor air supply intake requirements.

~~((302-6.2))~~ 302.3.5.5 Individual Room Outdoor Air Inlets: Where provided, individual room outdoor air inlets shall:

- a) have controllable and secure openings;
- b) be sleeved or otherwise designed so as not to compromise the thermal properties of the wall or window in which they are placed~~((;~~
- ~~e) provide not less than four square inches of net free area of opening for each habitable space. Any inlet or combination of inlets which provide 10 cfm at 10 Pascals as determined by the Home Ventilating Institute Air Flow Test Standard are deemed equivalent to four square inches net free area)).~~

~~((302-6.3))~~ 302.3.5.6 Ventilation Integrated with Forced-Air Systems: Where outdoor air is provided by a forced-air system, the outdoor air connection to the return air stream

shall be located upstream of the forced-air system blower and shall not be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger.

~~((302.6.4 Distribution: Outdoor air shall be distributed to each habitable room by individual inlets, separate duct systems, or a forced-air system. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Uniform Building Code. Doors shall be undercut to a minimum of one-half inch above the surface of the finish floor covering.))~~

AMENDATORY SECTION (Amending WSR 95-01-128, filed 12/21/94, effective 6/30/95)

WAC 51-13-302 ~~((Minimum ventilation criteria for all))~~ Mechanical ventilation criteria using performance or design methods for Group R occupancies four stories and less.

302.1 ~~((General: This section shall apply to all Group R occupancies four (4) stories and less as defined by the Washington State Building Code. Residential structures greater than four (4) stories in height shall comply with Section 304, for outdoor air supply requirements. For source specific ventilation requirements, see Section 302.2.1. Compliance with this section shall be demonstrated through engineering calculations or performance testing. Documentation of calculations shall be submitted to the building official where required. Performance testing shall be conducted in accordance with recognized test methods.~~

302.1.2 Testing: At the discretion of the building official, flow testing may be required to verify that the mechanical system(s) satisfies the requirements of this section. Flow testing may be performed using flow hoods measuring at the intake or exhaust points of the system, in-line pitot tube, or pitot-traverse type measurement systems in the duct, short term tracer gas measurements, or other means approved by the building official.) Applicability: Group R occupancies four (4) stories and less as defined by the Washington State Building Code shall comply with either this section or Section 303.

302.1.1 Compliance by Calculations or Testing: Compliance with this section shall be demonstrated through engineering calculation or performance testing. Documentation of calculations or performance test results shall be submitted to the building official. Performance testing shall be conducted in accordance with recognized test methods.

~~((302-2))~~ 302.1.2 Minimum Ventilation Performance: Each dwelling unit or guest room shall be equipped with source specific and whole house ventilation systems designed and installed to satisfy the ventilation requirements of this ~~((chapter))~~ section.

~~((EXCEPTION:))~~ All public corridors shall meet the ventilation requirements in section 1203.3 of the Uniform Building Code.

302.2 Source Specific Ventilation Requirements.

302.2.1 Source Specific Ventilation: Source specific exhaust ventilation ~~((shall be))~~ is required in each kitchen, bathroom, water closet, laundry room, indoor swimming pool, spa, room with an unvented decorative gas log or decorative gas fireplace, and other rooms where excess water vapor or cooking odor is produced.

The minimum source specific ventilation effective exhaust capacity shall be not less than levels specified in Table 3-1.

302.2.2 Source Specific Ventilation Controls: Source specific ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means. Source specific ventilation system controls shall be readily accessible.

302.2.3 Source Specific Ventilation Ducts: Source specific ventilation ducts shall terminate outside the building. Exhaust ducts in systems which are designed to operate intermittently shall be equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4. Terminal elements shall have at least the equivalent net free area of the duct work. Terminal elements for exhaust fan duct systems shall be screened or otherwise protected from entry by leaves or other material.

302.3 Requirements for Whole House Ventilation Systems.

~~((302.2.2))~~ 302.3.1 Whole House Ventilation Systems: Each dwelling unit shall be equipped with a whole house ventilation system which shall be capable of providing ~~((at least 0.35 air changes per hour, but not less than fifteen cubic feet per minute per bedroom plus an additional fifteen cubic feet per minute. Whole house ventilation systems shall be designed to limit ventilation to a level no greater than 0.5 air changes per hour))~~ the volume of outdoor air specified in Table 3-2 under normal ((operation)) operating conditions. ((Whole house ventilation systems shall supply outdoor air to all habitable rooms through individual outdoor air inlets, forced air heating system, ducting or equivalent means. Doors and operable lites in windows are deemed not to meet the outdoor air supply intake requirements.))

EXCEPTION: ~~((For dwelling units of no more than 1,400 square feet, the maximum ventilation rate shall be 0.65 air changes per hour.))~~ Maximum flow rates listed in Table 3-2 do not apply to heat recovery ventilation systems.

OPTION 2

~~((302.3))~~ 302.3.2 Whole House Ventilation System Controls: All ventilation system controls shall be readily accessible. Controls for whole house ventilation systems shall be capable of operating the ventilation system without energizing other energy-consuming appliances.

~~((EXCEPTION: Continuously operated whole house ventilation systems shall not be readily accessible by the occupant.~~

~~302.3.1 Source Specific Ventilation Systems: Source specific ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means.~~

~~302.3.2 Intermittently Operated Whole House Ventilation Systems: The))~~ Intermittently operated whole house ventilation systems shall be constructed to have the capability for continuous operation, and shall have a manual control and an automatic control, such as a clock timer. At the time of final inspection, the automatic control timer shall be set to operate the whole house fan for ((a minimum of)) at least eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation (see operating instructions)."

~~((302.4))~~ 302.3.3 Fan Noise: Whole house fans located four feet or less from the interior grille shall have a sone rating of 1.5 or less measured at 0.1 inches water gauge. Manufacturer's noise ratings shall be determined as per HVI 915 (October 1995). Remotely mounted fans shall be acoustically isolated from the structural elements of the building and from attached duct work using insulated flexible duct or other approved material.

EXCEPTION: Whole house ventilation systems which are integrated with forced-air heating systems or heat-recovery ventilation systems are exempt from the sone rating requirements of this section.

~~((302.5))~~ 302.3.4 Whole House Ventilation Ducts: All ducts shall terminate outside the building. Exhaust ducts in systems which are designed to operate intermittently shall be equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4. All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

302.3.5 Outdoor Air.

~~((302.6))~~ 302.3.5.1 Outdoor Air Supply: A mechanical system shall supply outdoor air as required in Section ((302.2.2)) 302.3.1. The mechanical system may consist of exhaust fans, supply fans, or both.

~~((302.6.1))~~ 302.3.5.2 Outdoor Air Inlets: Inlets shall be screened or otherwise protected from entry by ~~((insects,))~~ leaves~~((;))~~ or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

- Closer than ten feet from an appliance vent outlet, unless such vent outlet is three feet above the outdoor air inlet.
- Where it will pick up objectionable odors, fumes, or flammable vapors.
- A hazardous or unsanitary location.
- A room or space having any fuel-burning appliances therein.
- Closer than ten feet from a vent opening of a plumbing drainage system unless the vent opening is at least three feet above the air inlet.
- Attic, crawl spaces, garages.

302.3.5.3 Outdoor Air Distribution: Outdoor air shall be distributed to each habitable room by means such as individual inlets, separate duct systems, or a forced-air system. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Uniform Building Code. Doors shall be undercut to a minimum of one-half inch above the surface of the finish floor covering.

302.3.5.4 Doors and operable lites in windows are deemed not to meet the outdoor air supply intake requirements.

~~((302.6.2))~~ 302.3.5.5 Individual Room Outdoor Air Inlets: Where provided, individual room outdoor air inlets shall:

- a) have controllable and secure openings;
- b) be sleeved or otherwise designed so as not to compromise the thermal properties of the wall or window in which they are placed(;
- e) provide not less than four square inches of net free area of opening for each habitable space. Any inlet or combination of inlets which provide 10 cfm at 10 Pascals as determined by the Home Ventilating Institute Air Flow Test Standard are deemed equivalent to four square inches net free area)).

~~((302.6.3))~~ 302.3.5.6 Ventilation Integrated with Forced-Air Systems: Where outdoor air is provided by a forced-air system, the outdoor air connection to the return air stream shall be located upstream of the forced-air system blower and shall not be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger.

~~((302.6.4 Distribution: Outdoor air shall be distributed to each habitable room by individual inlets, separate duct systems, or a forced-air system. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Uniform Building Code. Doors shall be undercut to a minimum of one-half inch above the surface of the finish floor covering.))~~

AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-303 Mechanical ventilation criteria ~~((and minimum ventilation prescriptive requirements))~~ using prescriptive methods for ((all)) Group R occupancies four stories and less.

~~303.1 ((General:))~~ Applicability: Group R Occupancies 4 stories or less shall comply with this section or Section 302. This section establishes minimum prescriptive design requirements for intermittently operated systems. Continuously operated systems shall comply with section 302. ~~((System characteristics not addressed in the following sections shall comply with section 302.))~~ A system which meets the

requirements of this section shall be deemed to satisfy the requirements of this chapter.

~~((303.1.1 Source Specific: Exhaust fans providing source specific ventilation shall have a minimum fan flow rating not less than fifty cfm at 0.25 inches water gauge for bathrooms, laundries, or similar rooms and one hundred cfm at 0.25 inches water gauge for kitchens. Manufacturers' fan flow ratings shall be determined as per HVI 916 (July 1989) or AMCA 210.~~

EXCEPTION: Where a range hood or down draft exhaust fan is used to satisfy the source specific ventilation requirements for kitchens, the range hood or down draft exhaust shall not be less than 100 CFM at 0.10 inches water gauge.

~~303.1.2 Whole House: Whole house ventilation systems may consist of whole house exhaust, integration with forced-air systems or dedicated heat recovery ventilation systems. Whole house ventilation systems shall provide ventilation capacity as specified in Table 3-2 and meet the following requirements:~~

~~a) Exhaust fans providing whole house ventilation shall have a flow rating at 0.25 inches water gauge as specified in Table 3-2. Manufacturer's fan flow ratings shall be determined as per HVI 916 (July 1989) or AMCA 210. Table 3-2 shall not be used for dwelling units with more than five bedrooms.~~

~~b) Integrated forced air ventilation systems shall have an outdoor air inlet duct connecting a terminal element on the outside of the building to the return air plenum of the forced-air system, at a point within 4 feet upstream of the air handler, and be equipped with one of the following:~~

~~1) A motorized damper connected to the automatic ventilation control as specified in Section 302.3.2; or~~

~~2) A damper installed and set to meet measured flow rates as specified in Table 3-2, by either field testing or following manufacturer's installation instructions based on site conditions; or~~

~~3) An automatic flow regulated device with field measured or field calculated minimum negative pressure differential of 0.07 inches water gauge at the point where the outside air duct is connected to the return air plenum.~~

~~e) Heat recovery ventilation systems: All duct work in heat recovery ventilation systems shall be not less than six inch diameter. Balancing dampers shall be installed on the inlet and exhaust side. Flow measurement grids shall be installed on the supply and return. System minimum flow rating shall be not less than that specified in Table 3-2. Maximum flow rates in Table 3-2 do not apply to heat recovery ventilation systems.))~~

~~303.2 ((Source specific and whole house ventilation ducts: Exhaust ducts shall meet all requirements of section 302.5. Duct diameter, length, and number of elbows for exhaust fans shall be as specified in Table 3-3. Terminal elements for exhaust fan duct systems shall have at least the equivalent net free area of the duct work. Duct diameter, length, and number of elbows for integrated forced air sys-~~

tems shall be as specified in Table 3-5. Terminal elements for integrated systems shall be the same size as the connecting ductwork or 8 inches in diameter whichever is greater.) Minimum Ventilation Performance: Each dwelling unit or guest room shall be equipped with source specific and whole house ventilation systems designed and installed to satisfy the ventilation requirements of this section. All public corridors shall meet the ventilation requirements in Section 1203.3 of the Uniform Building Code.

303.3 Source Specific Exhaust Ventilation Requirements.

303.3.1 Source Specific Ventilation: Source specific exhaust ventilation is required in each kitchen, bathroom, water closet, laundry room, indoor swimming pool, spa, room with an unvented decorative gas log or decorative gas fireplace and other rooms where excess water vapor or cooking odor is produced. The minimum source specific ventilation effective exhaust capacity shall be not less than levels specified in Table 3-1.

303.3.2 Source Specific Exhaust Fans: Exhaust fans providing source specific ventilation shall have a minimum fan flow rating not less than 50 cfm at 0.25 inches water gauge for bathrooms, laundries, or similar rooms and 100 cfm at 0.25 inches water gauge for kitchens. Manufacturers' fan flow ratings shall be determined as per HVI 916 (April 1995) or AMCA 210.

EXCEPTION: Where a range hood or down draft exhaust fan is used to satisfy the source specific ventilation requirements for kitchens, the range hood or down draft exhaust shall not be less than 100 cfm at 0.10 inches water gauge.

303.3.3 Source Specific Ventilation Controls: Source specific ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means. Source specific ventilation system controls shall be readily accessible.

303.3.4 Source Specific Ventilation Ducts: Source specific ventilation ducts shall terminate outside the building. Exhaust ducts shall be equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4. Terminal elements shall have at least the equivalent net free area of the duct work. Terminal elements for exhaust fan duct systems shall be screened or otherwise protected from entry by leaves or other material.

303.4 Prescriptive Whole House Ventilation Systems: Whole house ventilation shall be provided by a system that meets the requirements of either Section 303.3.1, 303.3.2, 303.3.3, or 303.3.4. A system which meets all of the requirements of one of these sections shall be deemed to satisfy the requirements for a whole house ventilation system.

303.4.1 Intermittent Whole House Ventilation Using Exhaust Fans: This section establishes minimum prescriptive requirements for intermittent whole house ventilation systems using exhaust fans. A system which meets all the requirements of this section shall be deemed to satisfy the requirements for a whole house ventilation system.

303.4.1.1 Whole House Ventilation Fans: Exhaust fans providing whole house ventilation shall have a flow rating at 0.25 inches water gauge as specified in Table 3-2. Manufacturers' fan flow ratings shall be determined according to HVI 916 (April 1995) or AMCA 210.

303.4.1.2 Fan Noise: Whole house fans located four feet or less from the interior grille shall have a sone rating of 1.5 or less measured at 0.1 inches water gauge. Manufacturer's noise ratings shall be determined as per HVI 915 (October 1995). Remotely mounted fans shall be acoustically isolated from the structural elements of the building and from attached duct work using insulated flexible duct or other approved material.

OPTION 1:

303.4.1.3 Fan Controls: The whole house ventilation fan shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation fan without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house fan for at least eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation."

OPTION 2:

303.4.1.3 Fan Controls: The whole house ventilation fan shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation fan without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house fan for at least eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation (see operating instructions)."

303.4.1.4 Exhaust Ducts: All exhaust ducts shall terminate outside the building. Exhaust ducts shall be equipped with back-draft dampers. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4.

303.4.1.5 Outdoor Air Inlets: Outdoor air shall be distributed to each habitable room by individual outdoor air inlets. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Uniform Building Code. Doors shall be undercut to a minimum of one-half inch above the surface of the finish floor covering.

Individual room outdoor air inlets shall:

- a. Have controllable and secure openings;
- b. Be sleeved or otherwise designed so as not to compromise the thermal properties of the wall or window in which they are placed;

c. Provide not less than four square inches of net free area of opening for each habitable space. Any inlet or combination of inlets which provide 10 cfm at 10 Pascals as determined by the Home Ventilating Institute Air Flow Test Standard (HVI 901 (November 1996)) are deemed equivalent to four square inches net free area.

Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

a. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.

b. Where it will pick up objectionable odors, fumes or flammable vapors.

c. A hazardous or unsanitary location.

d. A room or space having any fuel-burning appliances therein.

e. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.

f. Attic, crawl spaces, or garages.

EXCEPTION:

Exhaust only ventilation systems do not require outdoor air inlets if the home has a ducted forced air heating system that communicates with all habitable rooms and the interior doors are undercut to a minimum of one-half inch above the surface of the finish floor covering.

303.4.2 Prescriptive Requirements for Intermittent Whole House Ventilation Integrated with a Forced-Air System: This section establishes minimum prescriptive requirements for intermittent whole house ventilation systems integrated with forced-air ventilation systems. A system which meets all the requirements of this section shall be deemed to satisfy the requirements for a whole house ventilation system.

303.4.2.1 Integrated Whole House Ventilation Systems: Integrated Whole House Ventilation Systems shall provide outdoor air at the rates specified in Table 3-2. Integrated Forced-Air Ventilation Systems shall distribute outdoor air to each habitable room through the forced-air system ducts. Integrated Forced-Air Ventilation Systems shall have an outdoor air inlet duct connecting a terminal element on the outside of the building to the return air plenum of the forced-air system, at a point within four (4) feet upstream of the air handler. The outdoor air inlet duct connection to the return air stream shall be located upstream of the forced-air system blower and shall not be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger. The outdoor air inlet duct shall be prescriptively sized in accordance with Table 3-5. The system will be equipped with one of the following:

1. A motorized damper connected to the automatic ventilation control as specified in Section 303.3.2.2, field measured and set to meet minimum flow rates as specified in Table 3-2; or

2. A damper installed, field measured and set to meet minimum flow rates as specified in Table 3-2; or

3. An automatic flow regulated device with field measured minimum negative pressure of 0.07 inches water gauge at the point where the outside air duct is connected to the return air plenum.

OPTION 1:

303.4.2.2 Ventilation Controls: The whole house ventilation system shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. This control will control the forced air system blower and if applicable the automatic damper. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation system without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house system for at least eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation."

OPTION 2:

303.4.2.2 Ventilation Controls: The whole house ventilation system shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. This control will control the forced air system blower and if applicable the automatic damper. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation system without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house system for at least eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation (see operating instructions)."

303.4.2.3 Ventilation Duct Insulation: All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

303.4.2.4 Outdoor Air Inlets: Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

a. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.

b. Where it will pick up objectionable odors, fumes or flammable vapors.

c. A hazardous or unsanitary location.

d. A room or space having any fuel-burning appliances therein.

e. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.

f. Attic, crawl spaces, or garages.

303.4.3 Prescriptive Requirements for Intermittent Whole House Ventilation Using a Supply Fan: This section establishes minimum prescriptive requirements for intermittent whole house ventilation systems using an inline supply fan. A system which meets all the requirements of this section shall be deemed to satisfy the requirements for a whole house ventilation system.

303.4.3.1 Outdoor Air: Supply Fan Ventilation Systems shall distribute outdoor air to each habitable room through the forced-air system ducts or through dedicated ducts to each habitable room. Supply fans shall have the capacity to

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provide the amount of outdoor air specified in Table 3-2 at 0.4 inches water gauge as per HVI 916 (April 1995). The outdoor air must be filtered before it is delivered to habitable rooms. The filter may be located at the intake device, inline with the fan, or, in the case of a connection to the return plenum of the airhandler, using the furnace filter. An outdoor air inlet shall be connected to either the supply or return air stream.

303.4.3.2 Ducts: An outdoor air inlet duct connection to the supply air stream shall be located downstream of the forced-air system blower. An outdoor air inlet duct connection to the return air stream shall be located at least four feet upstream of the forced-air system blower and its filter. Neither type of duct shall be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger. The outdoor air inlet duct shall be prescriptively sized in accordance with Table 3-6. The terminal element on the outside of the building shall be sized two inches in diameter larger than the outdoor air inlet duct.

303.4.3.3 Dampers: The system shall be equipped with a back-draft damper and one of the following:

1. A calibrated manual volume damper installed and set to meet the measured flow rates specified in Table 3-2 by field testing with a pressure gauge and/or following manufacturer's installation instructions, or
2. A manual volume damper installed and set to meet the measured flow rates specified in Table 3-2 by field testing with a flow hood or a flow measuring station; or
3. An automatic flow-regulating device sized to the specified flow rates in Table 3-2 which provides constant flow over a pressure range of 0.2 to 0.6 inches water gauge.

OPTION 1:

303.4.3.4 Ventilation Controls: The whole house ventilation system shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. This control will control the inline supply fan. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation system without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house system for a minimum of eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation."

OPTION 2:

303.4.3.4 Ventilation Controls: The whole house ventilation system shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. This control will control the inline supply fan. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation system without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house system for a minimum of eight hours a day. A label shall be affixed

to the control that reads "Whole House Ventilation (see operating instructions)."

303.4.3.5 Ventilation Duct Insulation: All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

303.4.3.6 Outdoor Air Inlets: Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

- a. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.
- b. Where it will pick up objectionable odors, fumes or flammable vapors.
- c. A hazardous or unsanitary location.
- d. A room or space having any fuel-burning appliances therein.
- e. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.
- f. Attic, crawl spaces, or garages.

303.4.4 Prescriptive Requirements for Intermittent Whole House Ventilation Using a Heat Recovery Ventilation System: This section establishes minimum prescriptive requirements for intermittent whole house ventilation using a heat recovery ventilation system.

303.4.4.1 Heat Recovery Ventilation Systems: All duct work in heat recovery ventilation systems shall be not less than six inch diameter. Balancing dampers shall be installed on the inlet and exhaust side. Flow measurement grids shall be installed on the supply and return. System minimum flow rating shall be not less than that specified in Table 3-2. Maximum flow rates in Table 3-2 do not apply to heat recovery ventilation systems.

OPTION 1:

303.4.4.2 Ventilation Controls: The whole house ventilation system shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. This control will control the inline supply fan. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation system without energizing other energy-consuming appliances. At the time of final inspection, the automatic control timer shall be set to operate the whole house system for a minimum of eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation."

OPTION 2:

303.4.4.2 Ventilation Controls: The whole house ventilation system shall be controlled by a 24 hour clock timer with the capability of continuous operation, manual and automatic control. This control will control the inline supply fan. The 24-hour timer shall be readily accessible. The 24 hour timer shall be capable of operating the whole house ventilation system without energizing other energy-consuming appliances. At the time of final inspection, the automatic

control timer shall be set to operate the whole house system for a minimum of eight hours a day. A label shall be affixed to the control that reads "Whole House Ventilation (see operating instructions)."

303.4.4.3 Ventilation Duct Insulation: All supply ducts in the conditioned space installed upstream of the heat exchanger shall be insulated to a minimum of R-4.

303.4.4.4 Outdoor Air Inlets: Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

- a. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.
- b. Where it will pick up objectionable odors, fumes or flammable vapors.
- c. A hazardous or unsanitary location.
- d. A room or space having any fuel-burning appliances therein.
- e. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.
- f. Attic, crawl spaces, or garages.

AMENDATORY SECTION (Amending WSR 95-01-128, filed 12/21/94, effective 6/30/95)

WAC 51-13-304 Mechanical ventilation criteria and minimum ventilation performance for all other occupancies not covered in sections 302 and 303.

304.1 Ventilation: The minimum requirements for operable area to provide natural ventilation are specified in the Uniform Building Code (UBC) as adopted by the state of Washington.

Where a mechanical ventilation system is installed, the mechanical ventilation system shall be capable of supplying ventilation air to each zone with the minimum outdoor air quantities specified in Table 3-4.

EXCEPTION: Where occupancy density is known and documented in the plans, the outside air rate may be based on the design occupant density. Under no circumstance shall the occupancies used result in outside air less than one-half that resulting from application of Table 3-4 estimated maximum occupancy values.

The outdoor air shall be ducted in a fully enclosed path directly to every air handling unit in each zone not provided with sufficient operable area for natural ventilation.

EXCEPTION: Ducts may terminate within 12 inches of the intake to an HVAC unit provided they are physically fastened so that the outside air duct is directed into the unit intake.

In all parking garages, other than open parking garages as defined in UBC 311.9, used for storing or handling of automobiles operating under their own power and on all loading platforms in bus terminals, ventilation shall be provided at 1.5 cfm per square foot of gross floor area. The building official may approve an alternate ventilation system designed to exhaust a minimum fourteen thousand cfm for each oper-

ating vehicle. Such system shall be based on the anticipated instantaneous movement rate of vehicles but not less than 2.5 percent (or one vehicle) of the garage capacity. Automatic carbon monoxide sensing systems may be submitted for approval.

In all buildings used for the repair of automobiles, each repair stall shall be equipped with an exhaust extension duct, extending to the outside of the building, which if over ten feet in length, shall mechanically exhaust three hundred cfm. Connecting offices and waiting rooms shall be supplied with conditioned air under positive pressure.

Combustion air requirements shall conform to the requirements of Chapter 7 of the UMC.

Mechanical refrigerating equipment and rooms storing refrigerants shall conform to the requirements of Chapter 11 of the UMC.

304.2 Alternate Systems: Alternate systems designed in accordance with ASHRAE Standard 62.1.1999 shall be permitted.

TABLE 3-1
Minimum Source Specific Ventilation Capacity Requirements

	Bathrooms	Kitchens
Intermittently operating	50 cfm	100 cfm
Continuous operation	20 cfm	25 cfm

(TABLE 3-2
Whole-House Ventilation Flow Requirements[†])

Bedrooms	CFM	
	Minimum	Maximum
2 or less	50	75
3	80	120
4	100	150
5	120	180

[†] This table shall not be used for dwelling units containing more than 5 bedrooms.)

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TABLE 3-2
Ventilation Rates For All Group R occupancies four (4) stories and less*
 Minimum and Maximum Ventilation Rates: Cubic Feet Per Minute (CFM)

Floor Area, ft ²	Bedrooms													
	2 or less		3		4		5		6		7		8	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
<500	50	75	65	98	80	120	95	143	110	165	125	188	140	210
501-1000	55	83	70	105	85	128	100	150	115	173	130	195	145	218
1001-1500	60	90	75	113	90	135	105	158	120	180	135	203	150	225
1501-2000	65	98	80	120	95	143	110	165	125	188	140	210	155	233
2001-2500	70	105	85	128	100	150	115	173	130	195	145	218	160	240
2501-3000	75	113	90	135	105	158	120	180	135	203	150	225	165	248
3001-3500	80	120	95	143	110	165	125	188	140	210	155	233	170	255
3501-4000	85	128	100	150	115	173	130	195	145	218	160	240	175	263
4001-5000	95	143	110	165	125	188	140	210	155	233	170	255	185	278
5001-6000	105	158	120	180	135	203	150	225	165	248	180	270	195	293
6001-7000	115	173	130	195	145	218	160	240	175	263	190	285	205	308
7001-8000	125	188	140	210	155	233	170	255	185	278	200	300	215	323
8001-9000	135	203	150	225	165	248	180	270	195	293	210	315	225	338
>9000	145	218	160	240	175	263	190	285	205	308	220	330	235	353

*For residences that exceed 8 bedrooms, increase the minimum requirement listed for 8 bedrooms by an additional 15 CFM per bedroom. The maximum CFM is equal to 1.5 times the minimum.

TABLE 3-3
 Prescriptive Exhaust Duct Sizing

Fan Tested CFM @ 0.25 W.G.	Minimum Flex Diameter	Maximum Length Feet	Minimum Smooth Diameter	Maximum Length Feet	Maximum Elbows ¹
50	4 inch	25	4 inch	70	3
50	5 inch	90	5 inch	100	3
50	6 inch	No Limit	6 inch	No Limit	3
80	4 inch ²	NA	4 inch	20	3
80	5 inch	15	5 inch	100	3
80	6 inch	90	6 inch	No Limit	3
100	5 inch ²	NA	5 inch	50	3
100	6 inch	45	6 inch	No Limit	3
125	6 inch	15	6 inch	No Limit	3
125	7 inch	70	7 inch	No Limit	3

- For each additional elbow subtract 10 feet from length.
- Flex ducts of this diameter are not permitted with fans of this size.

[TABLE 3-4

OUTDOOR AIR REQUIREMENTS FOR VENTILATION¹
OCCUPANCIES NOT SUBJECT TO SECTION 302

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Dry Cleaners, Laundries ³		cfm/person
Commercial laundry	10	25
Commercial dry cleaner	30	30

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Storage, pick up	30	35
Coin-operated laundries	20	15
Coin-operated dry cleaner	20	15
Dwelling Units In Buildings Greater Than Four Stories or Attached to I-Occupancy Facilities		
Bedrooms & living areas ²⁴		15
Food and Beverage Service		
Dining rooms	70	20
Cafeteria, fast food	100	20
Bars, cocktail lounges ⁴	100	30
Kitchens (cooking) ²³	20	15
Garages, Repair, Service Stations		
Enclosed parking garage ⁵		1.50 cfm/ft.sq.
Auto repair rooms		1.50 cfm/ft.sq.
Hotels, Motels, Resorts, Congregate Residences with More Than Four Stories⁶		
Bedrooms		30 cfm/room
Living Rooms		30 cfm/room
Bath ⁷		35 cfm/room
Lobbies	30	15
Conference rooms	50	20
Assembly rooms	120	15
Gambling casinos ⁴	120	30

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<u>Application</u>	<u>Estimated Maximum² Occupancy P/1000 ft² or 100 m²</u>	<u>Outdoor Air Requirements cfm/person</u>
<u>Offices</u>		
Office space ⁹	7	20
Reception area	60	15
Telecommunication centers and data entry areas	60	20
Conference rooms	50	20
<u>Public Spaces</u>		
Corridors and utilities		0.05 cfm/ft.sq.
Public restroom, cfm/wc or urinal ¹⁰		50
Lockers and dressing rooms		0.05 cfm/ft.sq.
Smoking lounge ¹¹	70	60
Elevators ¹²		1.0 cfm/ft.sq.
<u>Retail Stores, Sales Floors, and Show Room Floors</u>		
Basement and street	30	0.30 cfm/ft.sq.
Upper floors	20	0.2 cfm/ft.sq.
Storage rooms	15	0.15 cfm/ft.sq.
Dressing rooms		0.20 cfm/ft.sq.
Malls and arcades	20	0.20 cfm/ft.sq.
Shipping and receiving	10	0.15 cfm/ft.sq.
Warehouses	5	0.05 cfm/ft.sq.
Smoking lounge ¹¹	70	60
<u>Specialty Shops</u>		
Barber	25	15
Beauty	25	25
Reducing salons	20	15
Florists ¹³	8	15
Clothiers, furniture		0.30 cfm/ft.sq.
Hardware, drugs, fabric	8	15
Supermarkets	8	15
Pet shops		1.00 cfm/ft.sq.
<u>Sports and Amusement¹⁴</u>		
Spectator areas	150	15
Game rooms	70	25
Ice arenas (playing areas)		0.50 cfm/ft.sq.
Swimming Pools (pool and deck area) ¹⁵		0.50 cfm/ft.sq.
Playing floor (gymnasium)	30	20
Ballrooms and discos	100	25
Bowling alleys (seating areas)	70	25
<u>Theaters¹⁶</u>		
Ticket booths	60	20
Lobbies	150	20
Auditorium	150	20
Stages, studios	70	15

<u>Application</u>	<u>Estimated Maximum² Occupancy P/1000 ft² or 100 m²</u>	<u>Outdoor Air Requirements cfm/person</u>
<u>Transportation¹⁷</u>		
Waiting rooms	100	15
Platforms	100	15
Vehicles	150	15
<u>Workrooms</u>		
Meat processing ¹⁸	10	15
Photo studios	10	15
Darkrooms	10	0.50 cfm/ft.sq.
Pharmacy	20	15
Bank vaults	5	15
Duplicating, printing ¹⁹		0.50 cfm/ft.sq.
<u>INSTITUTIONAL FACILITIES</u>		
<u>Education</u>		
Classroom	50	15
Laboratories ²⁰	30	20
Training shop	30	20
Music rooms	50	15
Libraries	20	15
Locker rooms		0.50 cfm/ft.sq.
Corridors		0.10 cfm/ft.sq.
Auditoriums	150	15
Smoking lounges ¹¹	70	60
<u>Hospitals, Nursing and Convalescent Homes</u>		
Patient rooms ²¹	10	25
Medical procedure	20	15
Operating rooms	20	30
Recovery and ICU	20	15
Autopsy rooms ²²		0.50 cfm/ft.sq.
Physical Therapy	20	15
<u>Correctional Facilities</u>		
Cells	20	20
Dining halls	100	15
Guard station	40	15

1. Derived from ASHRAE Standard 62-1989.
2. Net occupiable space.
3. Dry-cleaning process may require more air.
4. Supplementary smoke-removal equipment may be required.
5. Distribution among people must consider worker location and concentration of running engine; stands where engines are run must incorporate systems for positive engine exhaust withdrawal. Contaminant sensors may be used to control ventilation.
6. Independent of room size.
7. Installed capacity for intermittent use.
8. See also food and beverage service, merchandising, barber and beauty shops, garages.
9. Some office equipment may require local exhaust.
10. Mechanical exhaust with no recirculation is recommended.
11. Normally supplied by transfer air, local mechanical exhaust; with no recirculation recommended.

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12. Normally supplied by transfer air.
13. Ventilation to optimize plant growth may dictate requirements.
14. When internal combustion engines are operated for maintenance of playing surfaces, increased ventilation rates may be required.
15. Higher values may be required for humidity control.
16. Special ventilation will be needed to eliminate special stage effects.
17. Ventilation within vehicles may require special considerations.
18. Spaces maintained at low temperatures (-10°F. to+ 50°F.) are not covered by these requirements unless the occupancy is continuous. Ventilation from adjoining spaces is permissible. When the occupancy is intermittent, infiltration will normally exceed the ventilation requirements.
19. Installed equipment must incorporate positive exhaust and control of undesirable contaminants.
20. Special contamination control systems may be required for processes or functions including laboratory animal occupancy.
21. Special requirements or codes and pressure relationships may determine minimum ventilation rates and filter efficiency. Procedures generating contaminants may require higher rates.
22. Air shall not be recirculated into other spaces.
23. Makeup air for hood exhaust may require more ventilating air.
24. Occupant loading shall be based on the number of bedrooms as follows: first bedroom, two persons; each additional bedroom, one person. Where higher occupant loadings are known, they shall be used.]

TABLE 3-4

Outdoor air requirements for ventilation¹
Occupancies not subject to sections 302 and 303

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Dry Cleaners, Laundries³		
Commercial laundry	10	25
Commercial dry cleaner	30	30
Storage, pick up	30	35
Coin-operated laundries	20	15
Coin-operated dry cleaner	20	15
Dwelling Units In Buildings Greater Than Four Stories or Attached to I-Occupancy Facilities		
Bedroom & living area ²⁴		15
Food and Beverage Service		
Dining rooms	70	20
Cafeteria, fast food	100	20
Bars, cocktail lounges ⁴	100	30
Kitchens (cooking) ²³	20	15
Garages, Repair, Service Stations		
Enclosed parking garage ⁵		1.50 cfm/ft.sq.
Auto repair rooms		1.50 cfm/ft.sq.
Hotels, Motels, Resorts, Congregate Residences with More Than Four Stories⁶		
Bedrooms		30 cfm/room
Living Rooms		30 cfm/room
Bath ⁷		35 cfm/room
Lobbies	30	15
Conference rooms	50	20
Assembly rooms	120	15

Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Gambling casinos ⁴	120	30
Offices		
Office space ⁹	7	20
Reception area	60	15
Telecommunication centers and data entry areas	60	20
Conference rooms	50	20
Public Spaces		
Corridors and utilities		0.05 cfm/ft.sq.
Public restroom, cfm/wc or urinal ¹⁰		50
Lockers and dressing rooms		0.50 cfm/ft.sq.
Smoking lounge ¹¹	70	60
Elevators ¹²		1.0 cfm/ft.sq.
Retail Stores, Sales Floors, and Show Room Floors		
Basement and street	30	0.30 cfm/ft.sq.
Upper floors	20	0.20 cfm/ft.sq.
Storage rooms	15	0.15 cfm/ft.sq.
Dressing rooms		0.20 cfm/ft.sq.
Malls and arcades	20	0.20 cfm/ft.sq.
Shipping and receiving	10	0.15 cfm/ft.sq.
Smoking lounge ¹¹	70	60
Warehouses	5	0.05 cfm/ft.sq.
Speciality Shops		
Barber	25	15
Beauty	25	25
Reducing salons	20	15
Florists ¹³	8	15
Clothiers, furniture		0.30 cfm/ft.sq.
Hardware, drugs, fabric	8	15
Supermarkets	8	15
Pet shops		1.00 cfm/ft.sq.
Sports and Amusement¹⁴		
Spectator areas	150	15
Game rooms	70	25
Ice arenas (playing areas)		0.50 cfm/ft.sq.
Swimming Pools (pool and deck area) ¹⁵		0.50 cfm/ft.sq.
Playing floor (gymnasium)	30	20
Ballrooms and discos	100	25
Bowling alleys (seating areas)	70	25
Theaters¹⁶		
Ticket booths	60	20
Lobbies	150	20
Auditorium	150	15
Stages, studios	70	15
Transportation¹⁷		
Waiting rooms	100	15
Platforms	100	15
Vehicles	150	15

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Application	Estimated Maximum ² Occupancy P/1000 ft ² or 100 m ²	Outdoor Air Requirements cfm/person
Workrooms		
Meat processing ¹⁸	10	15
Photo studios	10	15
Darkrooms	10	0.50 cfm/ft.sq.
Pharmacy	20	15
Bank vaults	5	15
Duplicating, printing ¹⁹		0.50 cfm/ft.sq.
INSTITUTIONAL FACILITIES		
Education		
Classroom	50	15
Laboratories ²⁰	30	20
Training shop	30	20
Music rooms	50	15
Libraries	20	15
Locker rooms		0.50 cfm/ft.sq.
Corridors		0.10 cfm/ft.sq.
Auditoriums	150	15
Smoking lounges ¹¹	70	60
Hospitals, Nursing and Convalescent Homes		
Patient rooms ²¹	10	25
Medical procedure	20	15
Operating rooms	20	30
Recovery and ICU	20	15
Autopsy rooms ²²		0.50 cfm/ft.sq.
Physical Therapy	20	15
Correctional Facilities		
Cells	20	20
Dining halls	100	15
Guard station	40	15

- Derived from ASHRAE Standard 62-1989.
- Net occupiable space.
- Dry-cleaning process may require more air.
- Supplementary smoke-removal equipment may be required.
- Distribution among people must consider worker location and concentration of running engine; stands where engines are run must incorporate systems for positive engine exhaust withdrawal. Contaminant sensors may be used to control ventilation.
- Independent of room size.
- Installed capacity for intermittent use.
- See also food and beverage service, merchandising, barber and beauty shops, garages.
- Some office equipment may require local exhaust.
- Mechanical exhaust with no recirculation is recommended.
- Normally supplied by transfer air, local mechanical exhaust; with no recirculation recommended.
- Normally supplied by transfer air.
- Ventilation to optimize plant growth may dictate requirements.
- When internal combustion engines are operated for maintenance of playing surfaces, increased ventilation rates may be required.
- Higher values may be required for humidity control.
- Special ventilation will be needed to eliminate special stage effects.
- Ventilation within vehicles may require special considerations.

- Spaces maintained at low temperatures (-10°F. to+ 50°F.) are not covered by these requirements unless the occupancy is continuous. Ventilation from adjoining spaces is permissible. When the occupancy is intermittent, infiltration will normally exceed the ventilation requirements.
- Installed equipment must incorporate positive exhaust and control of undesirable contaminants.
- Special contamination control systems may be required for processes or functions including laboratory animal occupancy.
- Special requirements or codes and pressure relationships may determine minimum ventilation rates and filter efficiency. Procedures generating contaminants may require higher rates.
- Air shall not be recirculated into other spaces.
- Makeup air for hood exhaust may require more ventilating air.
- Occupant loading shall be based on the number of bedrooms as follows: first bedroom, two persons; each additional bedroom, one person. Where higher occupant loadings are known, they shall be used.

TABLE 3-5
Prescriptive Integrated Forced Air Supply Duct Sizing

((Number of Bedrooms	Minimum Smooth Duct Diameter	Minimum Flexible Duct Diameter	Maximum Length ¹	Maximum Number of Elbows ²
2 or less	6"	7"	20'	3
3	7"	8"	20'	3
4 or more	8"	9"	20'	3))
Required Flow (CFM) Per Table 3-2	Minimum Smooth Duct Diameter	Minimum Flexible Duct Diameter	Maximum Length ¹	Maximum Number of Elbows ²
50-80	6"	7"	20'	3
80-125	7"	8"	20'	3
115-175	8"	10"	20'	3
170-240	9"	11"	20'	3

- For lengths over 20 feet increase duct diameter 1 inch.
- For elbows numbering more than 3 increase duct diameter 1 inch.

TABLE 3-6
Prescriptive Supply Fan Duct Sizing

Supply Fan Tested CFM At 0.4" WG		
Specified volume from Table 3-2	Minimum Smooth Duct Diameter	Minimum Flexible Duct Diameter
50-90 CFM	4 inch	5 inch
90-150 CFM	5 inch	6 inch
150-250 CFM	6 inch	7 inch
250-400 CFM	7 inch	8 inch

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

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AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-503 Radon prescriptive requirements.

503.1 Scope: This section applies to those counties specified in section 501.2.2. This section establishes prescriptive construction requirements for reducing the potential for radon entry into all Group R occupancies, and for preparing the building for future mitigation if desired.

In all crawlspaces, except crawlspace plenums used for providing supply air for an HVAC system, a continuous air barrier shall be installed between the crawlspace area and the occupied area to limit air transport between the areas. If a wood sheet subfloor or other material is utilized as an air barrier, in addition to the requirements of section 502.1.6.2 of the Washington state energy code, all joints between sheets shall be sealed.

503.2 Floors in Contact with the Earth

503.2.1 General: Concrete slabs that are in direct contact with the building envelope shall comply with the requirements of this section.

EXCEPTION: Concrete slabs located under garages or other than Group R occupancies need not comply with this chapter.

503.2.2 Aggregate: A layer of aggregate of four inch minimum thickness shall be placed beneath concrete slabs. The aggregate shall be continuous to the extent practical.

503.2.3 Gradation: Aggregate shall:

a) Comply with ASTM Standard C-33 Standard Specification for Concrete Aggregate and shall be size No. ~~((67))~~ 8 or larger size aggregate as listed in Table 2, Grading Requirements for Coarse Aggregate; or

b) Meet the 1988 Washington State Department of Transportation specification 9-03.1 (3) "Coarse Aggregate for Portland Cement Concrete", or any equivalent successor standards. Aggregate size shall be of Grade ~~((5))~~ 8 or larger as listed in section 9-03.1 (3) C, "Grading"; or

c) Be screened, washed ~~((, and))~~ pea gravel free of deleterious substances in a manner consistent with ASTM Standard C-33 with one hundred percent ~~((of the gravel))~~ (100%) passing a one-half (1/2) inch sieve and less than ~~((two))~~ five percent ~~((5%))~~ (5%) passing a ~~((four-inch))~~ No. 16 sieve. Sieve characteristics shall conform to those acceptable under ASTM Standard C-33.

EXCEPTION: Aggregate shall not be required if a substitute material or system, with sufficient load bearing characteristics, and having approved capability to provide equal or superior air flow, is installed.

503.2.4 Soil-Gas Retarder Membrane: A soil-gas retarder membrane, consisting of at least one layer of virgin polyethylene with a thickness of at least six mil, or equivalent flexible sheet material, shall be placed directly ~~((under all concrete slabs so that the slab is in direct contact with the))~~ on top of the aggregate. Two inches (2") minimum of fine sand or pea gravel shall be installed between the concrete slab and

membrane. The flexible sheet shall extend to the foundation wall or to the outside edge of the monolithic slab. Seams shall overlap at least twelve inches. The membrane shall also be fitted tightly to all pipes, wires, and other penetrations of the membrane and sealed with an approved sealant or tape. All punctures or tears shall be repaired with the same or approved material and similarly lapped and sealed.

~~((EXCEPTION: If the membrane is not in direct contact with the bottom of the concrete slab, all overlapping seams shall be sealed with an approved tape or sealant, and the material shall be sealed to the foundation wall in a permanent manner. The membrane shall also be fitted tightly to all pipes, wires, and other penetrations of the membrane and sealed with an approved sealant or tape. All punctures or tears shall be repaired with the same or approved material and similarly lapped and sealed. In no case shall the membrane be installed below the aggregate.))~~

503.2.5 Sealing of Penetrations and Joints: All penetrations and joints in concrete slabs or other floor systems and walls below grade shall be sealed by an approved sealant to create an air barrier to limit the movement of soil-gas into the indoor air.

Sealants shall be approved by the manufacturer for the intended purpose. Sealant joints shall conform to manufacturer's specifications. The sealant shall be placed and tooled in accordance with manufacturer's specifications. There shall be no gaps or voids after the sealant has cured.

OPTION 1

503.2.6 Radon Vent: One continuous sealed pipe shall run from a point within the aggregate under each concrete slab to a point outside the building. Joints and connections shall be permanently gas tight. The continuous sealed pipe shall interface with the aggregate in the following manner, or by other approved equal method: The pipe shall be permanently connected to a "T" within the aggregate area so that the two end openings of the "T" lie within the aggregate area. A minimum of five feet of flexible or rigid perforated drain pipe ~~((of three inches minimum diameter))~~ shall extend in each direction from the tee. The pipe shall join to and extend from the "T(=)" as follows:

- a. 3" minimum diameter for slabs 750 sq. ft. or less.
- b. 4" minimum diameter for slabs between 750 and 3000 sq. ft., or
- c. Radon removal systems for slabs over 3000 sq. ft. shall require approval.

The perforated pipe shall remain in the aggregate area and shall not be capped at the ends. The "T" and it's perforated pipe extensions shall be located at least five feet horizontally from the exterior perimeter of the aggregate area.

The continuous sealed pipe shall terminate no less than twelve inches above the eave, and more than ten horizontal feet from a woodstove or fireplace chimney, or operable window. The continuous sealed pipe shall be permanently labeled "radon vent(=)" ~~((The))~~ on each floor and attic space. At least one label shall be placed so as to remain visible to an occupant.

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The minimum pipe diameter shall be three inches for a slab with less than 750 sq. ft. and four inches for a slab 750 to 3000 sq. ft. unless otherwise approved. Slabs larger than 3000 sq. ft. shall require approval. Acceptable sealed plastic pipe shall be smooth walled, and may include either PVC schedule 40 or ABS schedule of equivalent wall thickness.

The entire sealed pipe system shall be sloped to drain to the sub-slab aggregate.

The sealed pipe system may pass through an unconditioned attic before exiting the building; but to the extent practicable, the sealed pipe shall be located inside the thermal envelope of the building in order to enhance passive stack venting.

EXCEPTION: A fan forced sub-slab depressurization system includes:

- 1) Soil-gas retarder membrane as specified in section 503.2.4;
- 2) Sealing of penetrations and joints as specified in section 503.2.5;
- 3) A ~~((three-inch))~~ continuous sealed radon pipe shall run from a point within the aggregate under each concrete slab to a point outside the building;
- 4) Joints and connections may be gas tight, and may be of either PVC schedule 40 or ABS schedule of equivalent in wall thickness;
- 5) A label of "radon vent" on each floor and attic space shall be placed on the pipe so ~~((as-to-remain))~~ at least one label remains visible to the occupant;
- 6) Fan circuit and wiring as specified in section 503.2.7 and a fan.

If the sub-slab depressurization system is exhausted through the concrete foundation wall or rim joist, the exhaust terminus shall be a minimum of six feet from operable windows or outdoor air intake vents and shall be directed away from operable windows and outdoor air intake vents to prevent radon re-entrainment.

503.2.7 Fan Circuit and Wiring and Location: An area for location of an in-line fan shall be provided. The location shall be as close as practicable to the radon vent pipe's point of exit from the building, or shall be outside the building shell; and shall be located so that the fan and all downstream piping is isolated from the indoor air.

Provisions shall be made to allow future activation of an in-line fan on the radon vent pipe without the need to place new wiring. A one hundred ten volt power supply shall be provided at a junction box near the fan location.

503.2.8 Separate Aggregate Areas: If the four-inch aggregate area underneath the concrete slab is not continuous, but is separated into distinct isolated aggregate areas by a footing or other barrier, a minimum of one radon vent pipe shall be installed into each separate aggregate area.

EXCEPTION: Separate aggregate areas may be considered a single area if a minimum ~~((three-inch diameter))~~ of a twelve (12) square inch connection joining the separate areas is provided for every ~~((thirty-feet))~~ ten (10) linear feet, or fraction thereof, of barrier separating those areas. The connection shall be constructed to allow air flow and remain free from obstruction.

503.2.9 Concrete Block Walls: Concrete block walls connected to below grade areas shall be considered unsealed surfaces. All openings in concrete block walls that will not

remain accessible upon completion of the building shall be sealed at both vertical and horizontal surfaces, in order to create a continuous air barrier to limit the transport of soil-gas into the indoor air.

503.3 Radon Crawlspace Ventilation: A radon vent shall be installed in crawlspaces originating from a point between the ground cover (see WAC Section 502.1.6.7) and soil. The radon vent shall be installed in accordance with Sections 503.2.6 and 503.2.7. Radon vents shall comply with the following:

- a. Three (3) inch minimum radon vent pipe for crawlspaces 750 square feet or less.
- b. Four (4) inch minimum radon vent pipe for crawlspaces between 750 and 3000 square feet, or
- c. Radon removal systems for crawlspaces over 3000 square feet shall require approval.

AMENDATORY SECTION (Amending WSR 93-02-056, filed 1/6/93, effective 7/1/93)

WAC 51-13-503 Radon prescriptive requirements.

503.1 Scope: This section applies to those counties specified in section 501.2.2. This section establishes prescriptive construction requirements for reducing the potential for radon entry into all Group R occupancies, and for preparing the building for future mitigation if desired.

In all crawlspaces, except crawlspace plenums used for providing supply air for an HVAC system, a continuous air barrier shall be installed between the crawlspace area and the occupied area to limit air transport between the areas. If a wood sheet subfloor or other material is utilized as an air barrier, in addition to the requirements of section 502.1.6.2 of the Washington state energy code, all joints between sheets shall be sealed.

503.2 Floors in Contact with the Earth

503.2.1 General: Concrete slabs that are in direct contact with the building envelope shall comply with the requirements of this section.

EXCEPTION: Concrete slabs located under garages or other than Group R occupancies need not comply with this chapter.

503.2.2 Aggregate: A layer of aggregate of four inch minimum thickness shall be placed beneath concrete slabs. The aggregate shall be continuous to the extent practical.

503.2.3 Gradation: Aggregate shall:

a) Comply with ASTM Standard C-33 Standard Specification for Concrete Aggregate and shall be size No. ~~((67))~~ 8 or larger size aggregate as listed in Table 2, Grading Requirements for Coarse Aggregate; or

b) Meet the 1988 Washington State Department of Transportation specification 9-03.1 (3) "Coarse Aggregate for Portland Cement Concrete", or any equivalent successor standards. Aggregate size shall be of Grade ~~((5))~~ 8 or larger as listed in section 9-03.1 (3) C, "Grading"; or

c) Be screened, washed(~~(-and)~~) pea gravel free of deleterious substances in a manner consistent with ASTM Standard C-33 with one hundred percent (~~(of the gravel)~~) (100%) passing a one-half (1/2) inch sieve and less than (~~(two)~~) five percent (5%) passing a (~~(four-inch)~~) No. 16 sieve. Sieve characteristics shall conform to those acceptable under ASTM Standard C-33.

EXCEPTION: Aggregate shall not be required if a substitute material or system, with sufficient load bearing characteristics, and having approved capability to provide equal or superior air flow, is installed.

503.2.4 Soil-Gas Retarder Membrane: A soil-gas retarder membrane, consisting of at least one layer of virgin polyethylene with a thickness of at least six mil, or equivalent flexible sheet material, shall be placed directly (~~(under all concrete slabs so that the slab is in direct contact with the)~~) on top of the aggregate. Two inches (2") minimum of fine sand or pea gravel shall be installed between the concrete slab and membrane. The flexible sheet shall extend to the foundation wall or to the outside edge of the monolithic slab. Seams shall overlap at least twelve inches. The membrane shall also be fitted tightly to all pipes, wires, and other penetrations of the membrane and sealed with an approved sealant or tape. All punctures or tears shall be repaired with the same or approved material and similarly lapped and sealed.

~~((EXCEPTION: If the membrane is not in direct contact with the bottom of the concrete slab, all overlapping seams shall be sealed with an approved tape or sealant, and the material shall be sealed to the foundation wall in a permanent manner. The membrane shall also be fitted tightly to all pipes, wires, and other penetrations of the membrane and sealed with an approved sealant or tape. All punctures or tears shall be repaired with the same or approved material and similarly lapped and sealed. In no case shall the membrane be installed below the aggregate.))~~

503.2.5 Sealing of Penetrations and Joints: All penetrations and joints in concrete slabs or other floor systems and walls below grade shall be sealed by an approved sealant to create an air barrier to limit the movement of soil-gas into the indoor air.

Sealants shall be approved by the manufacturer for the intended purpose. Sealant joints shall conform to manufacturer's specifications. The sealant shall be placed and tooled in accordance with manufacturer's specifications. There shall be no gaps or voids after the sealant has cured.

OPTION 2

503.2.6 Radon Vent: One continuous sealed pipe shall run from a point within the aggregate under each concrete slab to a point outside the building. Joints and connections shall be permanently gas tight. The continuous sealed pipe shall interface with the aggregate in the following manner, or by other approved equal method: The pipe shall be permanently connected to a "T" within the aggregate area so that the two end openings of the "T" lie within the aggregate area. A minimum of five feet of flexible or rigid perforated drain pipe (~~(of three inches minimum diameter)~~) shall extend in each direction from the tee. The pipe shall join to and extend from the "T(-)" as follows:

- a. 3" minimum diameter for slabs 750 sq. ft. or less,
- b. 4" minimum diameter for slabs between 750 and 3000 sq. ft., or
- c. Radon removal systems for slabs over 3000 sq. ft. shall require approval.

The perforated pipe shall remain in the aggregate area and shall not be capped at the ends. The "T" and its perforated pipe extensions shall be located at least five feet horizontally from the exterior perimeter of the aggregate area.

The continuous sealed pipe shall terminate no less than twelve inches above the eave, and more than ten horizontal feet from a woodstove or fireplace chimney, or operable window. The continuous sealed pipe shall be permanently labeled "radon vent(-)" ~~((The))~~ on each floor and attic space. At least one label shall be placed so as to remain visible to an occupant.

The minimum pipe diameter shall be three inches for a slab with less than 750 sq. ft. and four inches for a slab 750 to 3000 sq. ft. unless otherwise approved. Slabs larger than 3000 sq. ft. shall require approval. Acceptable sealed plastic pipe shall be smooth walled, and may include either PVC schedule 40 or ABS schedule of equivalent wall thickness.

The entire sealed pipe system shall be sloped to drain to the sub-slab aggregate.

The sealed pipe system may pass through an unconditioned attic before exiting the building; but to the extent practicable, the sealed pipe shall be located inside the thermal envelope of the building in order to enhance passive stack venting.

~~((EXCEPTION: A fan forced sub-slab depressurization system includes:~~

- ~~1) Soil gas retarder membrane as specified in section 503.2.4;~~
- ~~2) Sealing of penetrations and joints as specified in section 503.2.5;~~
- ~~3) A three-inch continuous sealed radon pipe shall run from a point within the aggregate under each concrete slab to a point outside the building;~~
- ~~4) Joints and connections may be gas tight, and may be of either PVC schedule 40 or ABS schedule of equivalent in-wall thickness;~~
- ~~5) A label of "radon vent" shall be placed on the pipe so as to remain visible to the occupant;~~
- ~~6) Fan circuit and wiring as specified in section 503.2.7 and a fan.~~

~~If the sub-slab depressurization system is exhausted through the concrete foundation wall or rim joist, the exhaust terminus shall be a minimum of six feet from operable windows or outdoor air intake vents and shall be directed away from operable windows and outdoor air intake vents to prevent radon re-entrainment.))~~

503.2.7 Fan Circuit and Wiring and Location: An area for location of an in-line fan shall be provided. The location shall be as close as practicable to the radon vent pipe's point of exit from the building, or shall be outside the building shell; and shall be located so that the fan and all downstream piping is isolated from the indoor air.

Provisions shall be made to allow future activation of an in-line fan on the radon vent pipe without the need to place

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new wiring. A one hundred ten volt power supply shall be provided at a junction box near the fan location.

503.2.8 Separate Aggregate Areas: If the four-inch aggregate area underneath the concrete slab is not continuous, but is separated into distinct isolated aggregate areas by a footing or other barrier, a minimum of one radon vent pipe shall be installed into each separate aggregate area.

EXCEPTION: Separate aggregate areas may be considered a single area if a minimum (~~three-inch diameter~~) of a twelve (12) square inch connection joining the separate areas is provided for every (~~thirty-feet~~) ten (10) linear feet, or fraction thereof, of barrier separating those areas. The connection shall be constructed to allow air flow and remain free from obstruction.

503.2.9 Concrete Block Walls: Concrete block walls connected to below grade areas shall be considered unsealed surfaces. All openings in concrete block walls that will not remain accessible upon completion of the building shall be sealed at both vertical and horizontal surfaces, in order to create a continuous air barrier to limit the transport of soil-gas into the indoor air.

503.3 Radon Crawlspace Ventilation: A radon vent shall be installed in crawlspaces originating from a point between the ground cover (see WAC Section 502.1.6.7) and soil. The radon vent shall be installed in accordance with Sections 503.2.6 and 503.2.7. Radon vents shall comply with the following:

- a. Three (3) inch minimum radon vent pipe for crawlspaces 750 square feet or less,
- b. Four (4) inch minimum radon vent pipe for crawlspaces between 750 and 3000 square feet, or
- c. Radon removal systems for crawlspaces over 3000 square feet shall require approval.

503.4 Fan-Forced Sub-Slab Depressurization Systems. Fan for sub-slab depressurization system may be installed in buildings with floors in contact with earth in lieu of compliance with Section 503.2. Fan-forced sub-slab depressurization systems shall comply with the following:

- a. Soil-gas retarder membrane as specified in Section 503.2.4;
- b. Sealing of penetrations and joints as specified in Section 503.2.5;
- c. A continuous sealed radon pipe shall run from a point within the aggregate under each concrete slab to a point outside the building;
- d. Joints and connections shall be gas tight, and may be of either PVC schedule 40 or ABS schedule of equivalent in wall thickness;
- e. A label of "radon vent" on each floor and attic space shall be placed on the pipe so at least one label remains visible to an occupant;
- f. Fan circuit and wiring as specified in Section 503.2.7 and a fan.

If the sub-slab depressurization system is exhausted through the concrete foundation wall or rim joist, the exhaust terminus shall be a minimum of six (6) feet from operable windows or outdoor air intake vents and shall be directed

away from operable windows and outdoor air intake vents to prevent radon reentrainment.

WSR 00-18-017
PROPOSED RULES
BUILDING CODE COUNCIL

[Filed August 28, 2000, 8:40 a.m.]

Supplemental Notice to WSR 00-16-131.

Preproposal statement of inquiry was filed as WSR 00-03-017.

Title of Rule: Amendment of chapter 51-11 WAC, Washington State Energy Code.

Purpose: To consider whether to amend the 1997 Edition of the Washington State Energy Code, chapter 51-11 WAC.

Statutory Authority for Adoption: RCW 19.27A.025 and 19.27A.045.

Statute Being Implemented: Chapters 19.27, 19.27A, and 34.05 RCW.

Summary: The proposed rules include adoption of amendments to the 1997 Washington State Energy Code, including editorial corrections, clarifications, corrections, consolidation of auxiliary chapters (2/12, 7/17, and 10/20), and amendments to specific requirements (see Explanation of Rule below for itemized list of proposed changes).

Reasons Supporting Proposal: RCW 19.27A.025 and 19.27A.045.

Name of Agency Personnel Responsible for Drafting and Implementation: Judith Darst, P.O. Box 48300, Olympia, WA 98504, (360) 586-2251; and Enforcement: Local jurisdictions.

Name of Proponent: Washington State Building Code Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The council is seeking comments on the issues proposed in the rules shown below.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule amends chapter 51-11 WAC, Washington State Energy Code. The purpose is to amend the 1997 Washington State Energy Code, including editorial corrections, clarifications, corrections, consolidation of auxiliary chapters (2/12, 7/17, and 10/20), and amendments to specific requirements. The proposed amendments will provide greater clarity, consistency, and ease of use than the published version for application in Washington state.

Regulatory Review: In compliance with Executive Order 97-02, regulatory improvement, the following criteria for regulatory review will be considered at the time of final adoption of the rule.

1. **Need.** This rule is authorized by RCW 19.27A.025 and 19.27A.045. The council regularly reviews state-wide amendment proposals to the Washington State Energy Code, and adopts the amendments as deemed appropriate. The purpose and objective of this review, as given in RCW 19.27-

020, is to promote the health, safety and welfare of the occupants or users of buildings; to require minimum construction standards for the state of Washington; to permit the use of modern technical methods; to eliminate restrictive, obsolete, conflicting, duplicating and unnecessary regulations; and to provide standards to make buildings accessible to and usable by persons with physical disabilities. The technical advisory groups appointed by the council have identified rules that are obsolete, duplicative or ambiguous, and have proposed amendments and revisions.

2. Effectiveness and Efficiency. The mission of the council is to adopt building codes for uniform application throughout the state. In the course of the regular rule review, the council examined regulatory alternatives and new technologies. The council has identified where alternatives can be used effectively and efficiently. The council efficiently achieves uniform state building codes by serving as the central administrative agency for state-wide adoption of building codes.

3. Clarity. The council revised their filing procedure for state amendments to the national uniform codes. To enhance clarity, only those subsections with a state amendment will be filed under the main section number. The balance of the main section will remain as written in the national uniform code, as adopted by reference, unless otherwise noted. This reformatting change reorganizes and shortens the WACs.

4. Intent and Statutory Authority. The proposed rule is consistent with the legislative intent of the statute chapters 19.27 and 19.27A RCW. These statute give the council sufficient authority to maintain the state building code, and to adopt amendments to the Washington State Energy Code.

5. Coordination. The council rule-making process has included participation by national, state, and local building, fire, mechanical and plumbing officials, as well as state agency representatives for the Departments of Social and Health Services, Health, Labor and Industries, and the State Fire Marshal. The council actively seeks participation from other state agencies to assure that duplication and inconsistency is eliminated.

6. Cost. The council appointed technical advisory groups and an Economic and Regulatory Assessment Committee to examine the costs and benefits associated with the revisions to the building codes.

7. Fairness. The state amendments to the Washington State Energy Code proposed by the council are intended to mitigate disproportionate impact on the regulated community. The council is made up of representatives from the regulated community, as well as public and regulatory officials. In addition, the council enlisted the assistance of technical advisory groups, made up of the individuals, organizations and businesses impacted by the building codes, to review code changes and proposals.

Proposal Changes the Following Existing Rules: RESIDENTIAL

1. Section 101.3.2.1: This proposed amendment clarifies the requirements for additions to existing buildings. The term "heat loss" is changed to the more specific term "Target UA." Also, language is added to explain that removed elements are not supposed to be represented in the calculation.

2. Section 101.3.2.8: This proposed amendment requires compliance with the lighting regulations in Section 1132.3 for the communal areas in multi-family occupancies.

3. Chapters 2/12, 7/17, and 10/20: This proposed amendment consolidates the auxiliary chapters Definitions (2/12), Standards (7/17) and Defaults (10/20). This effort will simplify the code by shortening it and providing one place to find the needed information. The most accurate and up to date information is used and applied to both residential and nonresidential, where ever possible. This approach will reduce duplicative and conflicting regulations. Where needed, the specific residential or nonresidential information is identified.

4. Sections 502.1.1 and Table 10-5A (two options): Both options of this proposed amendment provide R-values for air cavities by adding a new row to the table. Option 1 deletes the table from Section 502.1.1 and replaces it with a reference to Table 10-5A. Option 2 maintains the location of the table in Section 502.1.1. However, the table is repeated in Table 10-5A.

5. Section 502.1.4.6: This proposed amendment is editorial. The added word "framed" specifies that the requirement applies to framed structures.

6. Section 502.1.5.1, exception 3: This proposed amendment adds a new exception that allows compliance to be based on the NFRC nonresidential model size provided the average glazing product size meets or exceeds it and a glazing schedule and calculation are provided.

7. Section 503.1, exception: This proposed amendment deletes the exception since it is not applicable to Group R occupancies.

8. Section 503.2.2 (2): This proposed amendment amends the natural gas-fired or oil-fired space heating and space cooling system sizing limits. Equipment 40,000 Btu/h or less is exempt from the sizing limit since equipment is generally not manufactured this small. Larger equipment may be oversized (greater than 200%) if it is 90% efficient. The graduated threshold calculation has been simplified to 90%.

9. Section 503.7, 1423, and 1433: This proposed amendment deletes the present residential economizer requirements and refers to the nonresidential requirements. The change in the nonresidential sections 1423 and 1433 specifies that the equipment serving a Group R occupancy is not included in determining the total capacity of all units without economizer in a building.

10. Section 503.10.2: This proposed amendment revises the sealing requirements for ducts. The new language lists the acceptable means of sealing, discloses the testing standards required, specifies that duct tape is not permitted, and exempts ducts and air distribution cavities that are located entirely within conditioned space.

11. Section 503.10.4: This proposed amendment is a new section referencing Table 5-11 for duct insulation requirements.

12. Section 503.11: This proposed amendment simplifies the section by referring to Table 5-12 for pipe insulation requirements. Exceptions are piping installed within unitary

HVAC equipment and cold water pipes outside the conditioned space.

13. **Section 504.5.2:** This proposed amendment adds a new requirement for an R-12 pool cover for pools heated to more than 90°F.

14. **Section 504.7:** This proposed amendment amends this section for consistency and references Section 503.11.

15. **Section 505, 605, and Table 15-1:** This proposed amendment is new sections (component performance and prescriptive) requiring residential lighting compliance for hotel/motel guest rooms and common areas in Group R-1, as cited in Table 15-1.

16. **Tables 5-1, 6-2, 6-4, and 6-6:** This proposed amendment reduces the window U-factor requirement for homes heated with other fuels from anything above 0.50 to 0.50. Corresponding U-factor requirements in other paths are adjusted accordingly. This change resulted in a number of superfluous paths and footnotes so they are deleted and the prescriptive tables are ultimately simplified.

17. **Section 601.1 and note to Tables 6-1, 6-2, 6-3, and 6-4:** This proposed amendment clarifies that prescriptive packages are for wood framed assemblies. Metal frame assemblies must demonstrate compliance with either the component performance or the systems analysis approach. The exception given is an assembly (regardless of framing) with continuous insulation uninterrupted by framing.

18. **Section 602.5:** This proposed amendment specifies the edge of slab insulation requirements when the floor insulation is installed below a concrete slab. The edge of slab shall either meet the exterior wall insulation requirements in a prescriptive approach or compliance must be shown through component performance or system analysis.

19. **Tables 6-2, 6-4, and 6-6:** This proposed amendment deletes the HVAC Equipment Efficiency requirements including both the column and footnote. The delineation of "Low," "Med," and "High" have been outdated by typical practice and equipment technology. These requirements are no longer needed and so this change simplifies the code requirements.

20. **Tables 10-6C and 10-6D:** This proposed amendment deletes the existing door default tables and replaces them with updated information from the *1997 ASHRAE Handbook of Fundamentals*, Chapter 29, Table 7.

NONRESIDENTIAL

21. **Section 1132.3:** This proposed amendment clarifies the existing requirements by defining what "60% of the fixtures" means. This change will increase the code's ease of use.

22. **Section 1312.1, new exception:** This proposed amendment is a new exception allowing field glazed site built fenestration systems to comply with the U-factor requirement with a simulation alone.

23. **Section 1313.2:** This proposed amendment adds a cross reference for enclosed attics and enclosed rafter spaces to the UBC Section 1505.3, Attic ventilation. This proposed amendment also clarifies that roof/ceiling assemblies without a vented airspace are only allowed when both the structure and deck are not wood.

24. **Section 1322 and note to Tables 13-1 and 13-2:** This proposed amendment specifies the compliance approach required for metal frame assemblies, adds a note for clarity to the tables and deletes footnote 3.

25. **Section 1323, exception 1:** This proposed amendment clarifies the glazing is the "display side" of the street level story, adds the maximum threshold of low-e 0.40 or an area weighted U-factor of 0.60 or less, and explains how to proceed if the designed glazing exceeds 20 feet in height. These clarifications and additions will allow greater design flexibility by allowing calculations and trade-offs so that this exception can be utilized in more situations.

26. **Section 1331:** This proposed amendment deletes reference to RS-9, or later and inserts "ASHRAE/IESNA Standard 90.1-1989."

27. **Section 1411.1:** This proposed amendment requires equipment efficiency ratings to be listed in the certification program, if a certification program exists for the product.

28. **Section 1412.4.1:** This proposed amendment adds the word "motorized" to the damper requirement. It further requires stair and elevator shaft vents equipped with motorized dampers capable of automatically closing during normal building operation and interlocked to open as required by the fire and smoke detection system. This section is also amended with a new exception for gravity dampers, in buildings less than 40 feet.

29. **Section 1412.4.2:** This proposed amendment is a new section requiring optimum start controls for systems exceeding 10,000 cfm design supply air capacities.

30. **Section 1412.8 (RS-29 Section 3.6.5):** This proposed amendment is a new section requiring enclosed parking garage ventilation controls for garage ventilation fan systems. (The change to RS 29 Section 3.6.5 is editorial for consistency with the main change.)

31. **Section 1414.2:** This proposed amendment allows a minimum R-7 insulation for outside air ducts serving individual supply air units with less than 2,800 cfm of total supply air capacity and does not consider them part of the building envelope.

32. **Section 1414.2, exception 3 (two options):** This proposed amendment changes the word "space" to "zone." Option 1 excepts exposed ductwork within a zone as long as it serves that zone (and it may serve others also). Option 2 excepts exposed ductwork within a zone only if it serves that zone exclusively.

33. **Section 1415.1:** This proposed amendment specifies that the water pipes that shall be insulated in accordance with the plumbing code are "cold" water pipes.

34. **Section 1416 (Figure 14A and RS 29 Section 2.1):** This proposed amendment is a new section requiring completion requirements including drawings, manuals, system balancing and systems commissioning. (The changes to Figure 14A and RS 29 Section 2.1 are editorial for consistency with the main change.)

35. **Section 1433 and 1401:** This proposed amendment makes clarifications to the existing exceptions, adds four additional comprehensive exceptions, and deletes the exception to Section 1401. These proposed changes provide for

new technology, give more specific guidance for designed systems, and remove vague language that could result in obsolete and inefficient systems that increase costs for no appreciable gains.

36. **Section 1435:** This proposed amendment deletes the portion that references the VIAQ, adds "reheat for humidity control" to the list of prohibitions, and revises the exceptions so they are more comprehensive and also more in line with the ASHRAE language.

37. **Section 1438 (two options):** This proposed amendment adds system design criteria with performance based thresholds as an alternative compliance choice to the already allowed variable frequency drives. Option 1 amends, but maintains a list of prohibited devices. Option 2 does not.

38. **Section 1439:** This proposed amendment is a new section providing requirements for exhaust hoods. The language is from *ASHRAE/IESNA Standard 90.1-1999*, Section 6.3.7.

39. **Section 1443:** This proposed amendment is a new section referencing Section 1415.1.

40. **Section Tables 14-1, 14-2, and 14-3:** This proposed amendment revises the standard rating conditions and minimum performance for mechanical equipment to the national standards, *ASHRAE/IESNA Standard 90.1-1999*.

41. **Section 1512.1:** This proposed amendment adds house of worship sanctuaries to the list of exempt spaces.

42. **Section 1513:** This proposed amendment adds language to reference sections required for specific devices.

43. **Section 1513.3:** This proposed amendment clarifies daylight zones and explains when contiguous daylight zones can and cannot be controlled by a single switch. This change also proposes a new exception that allows fewer switches for enclosed daylight spaces with two or fewer fixtures.

44. **Section 1513.6:** This proposed amendment reduces the office building square footage threshold from 25,000 to 5,000. This change will require more office buildings to install interior automatic shut-off controls.

45. **Section 1513.7:** This proposed amendment is a new section requiring commissioning requirements for lighting controls, components, equipment, and systems.

46. **Section 1521:** This proposed amendment revises the prescriptive interior lighting requirements. This change reformats the section, making it easier to read. It adds more lamp types, increasing the design flexibility. It also further defines "electronic ballasts," clarifying the requirements. Finally, it adds two new exceptions which provide more allowance for food prep/serving areas, patient care areas, and exit lights.

47. **Section 1530:** This proposed amendment specifies when exit lights shall be and shall not be included in the lighting power allowance calculation.

48. **Section 1531:** This proposed amendment makes small language changes to clarify the requirements.

49. **Section 1532:** This proposed amendment specifies "outdoor areas" are those areas "that are illuminated," changes Group "M" to "U" and Group "R" to "R-3," and adds a new exception for covered parking increasing the w/sf

allowance if the walls and ceilings have a reflectance value of 0.70 or higher.

50. **Section Table 15-1:** This proposed amendment clarifies that school building use is Group E occupancy only and revises footnote #1 to explain that a specific use takes precedence over a general use if both are listed.

51. **Section Table 15-1:** This proposed amendment removes the distinction of Retail A and Retail B. This change proposes one category of retail at 1.5 w/sf. It also revises footnote #10 to give further specific allowances.

52. **Section Table 15-1:** This proposed amendment makes a distinction between regular lobbies and main floor lobbies and increases the lighting power allowance for main floor lobbies from 0.80 w/sf to 1.20 w/sf. Common areas, corridors, toilet facilities, washrooms, and elevator lobbies remain at 0.80 w/sf.

53. **RS-29 Sections 2.4 and 4:** This proposed amendment deletes the list of programs only acceptable for commercial buildings 25,000 sf and less and the exception to Section 2.4 that allows them.

54. **RS-29 Section 3.4.4:** This proposed amendment is editorial, changing terms for more accuracy.

55. **RS-29 Section 3.5:** This proposed amendment is editorial, changing a referenced title to the RS citing.

56. **RS-29 Section 4:** This proposed amendment updates the list of programs that are suggested software for the systems analysis approach.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

The State Building Code Council is proposing to adopt amendments to chapter 51-11 WAC, the Washington State Energy Code. The council appoints Technical Advisory Groups (TAGs) to conduct a comprehensive review of proposed code amendments. The participants on the Energy Code TAG represent architects, mechanical engineers, illumination engineers, building officials, commercial contractors, manufacturers, model code organizations, homebuilders, utilities, mechanical contractors, state agencies, educators and the general public. The Economic and Regulatory Assessment Committee consists of council members as specified in SBCC bylaws.

Proposed amendments to the following sections have been identified by the Energy Code TAG and the Economic and Regulatory Assessment Committee as having a cost impact on businesses required to comply with the rule. According to the definition established by the Economic Committee, these rules would not impose more than a minor cost on businesses required to comply. A cost less than 1/4 of 1% of the total construction cost is considered to be minor.

Chapter 51-11 WAC, Tables 5-1, 6-2, 6-4, 6-6. For Group R (residential) construction, the proposed rule adds vertical glazing (window) U-factor improvements and simplifies the prescriptive path. Homebuilders required to comply with this rule would have less flexibility in the design of homes using gas heat or heat pumps. Current estimates show 18% of homes in this category use tradeoffs to reduce wall insulation. Baseline window U-values would prohibit use of

aluminum framed windows under prescriptive compliance. Purchase of windows in compliance with baseline U-factor is standard practice and does not add cost. Manufacturers of window products would be impacted minimally, with already limited demand for aluminum framed windows.

WAC 51-11-0505 Lighting. Requires master light switches and power allowance for hotel and motel guest rooms.

WAC 51-11-1416 Completion requirements. Requires testing of mechanical and lighting systems prior to occupancy of commercial buildings.

WAC 51-11-1439 Exhaust hoods. Requires unconditioned make-up air for commercial kitchen exhaust hoods.

WAC 51-11-1513 Automatic shut-off controls for lighting. Expands the scope of the automatic shut-off requirement for lighting: Requirement would apply to office buildings 5,000 square feet in area and greater. Current requirement applies to office buildings 25,000 square feet and greater.

A copy of the statement may be obtained by writing to Tim Nogler, Managing Director, Washington State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, phone (360) 586-0486, fax (360) 586-5880.

RCW 34.05.328 does not apply to this rule adoption. The state Building Code Council is not listed in this section as one of the agencies required to comply with this regulation.

Hearing Location: Radisson Hotel, 17101 International Boulevard, SeaTac, WA, on October 13, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sue Mathers by September 25, 2000, TDD (360) 753-2200, or (360) 753-1184.

Submit Written Comments to: Judy Wilson, Chairman, State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, fax (360) 586-5880, by October 13, 2000.

Date of Intended Adoption: November 17, 2000.

August 23, 2000

Judy Wilson
Council Chairman

AMENDATORY SECTION (Amending WSR 98-24-078, filed 12/1/98, effective 7/1/99)

WAC 51-11-0101 Section 101. Scope and general requirements.

101.1 Title: Chapters 1 through 10 of this Code shall be known as the "Washington State Residential Energy Code" and may be cited as such; and will be referred to herein as "this Code."

101.2 Purpose and Intent: The purpose of this Code is to provide minimum standards for new or altered buildings and structures or portions thereof to achieve efficient use and conservation of energy.

The purpose of this Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this Code.

It is intended that these provisions provide flexibility to permit the use of innovative approaches and techniques to achieve efficient use and conservation of energy. These provisions are structured to permit compliance with the intent of this Code by any one of the following three paths of design:

1. A systems analysis approach for the entire building and its energy-using sub-systems which may utilize renewable energy sources, Chapter 4.

2. A component performance approach for various building elements and mechanical systems and components, Chapter 5.

3. A prescriptive requirements approach, Chapter 6.

Compliance with any one of these approaches meets the intent of this Code. This Code is not intended to abridge any safety or health requirements required under any other applicable codes or ordinances.

The provisions of this Code do not consider the efficiency of various energy forms as they are delivered to the building envelope. A determination of delivered energy efficiencies in conjunction with this Code will provide the most efficient use of available energy in new building construction.

101.3 Scope: This Code sets forth minimum requirements for the design of new buildings and structures that provide facilities or shelter for residential occupancies by regulating their exterior envelopes and the selection of their HVAC, service water heating systems and equipment for efficient use and conservation of energy.

Buildings shall be designed to comply with the requirements of either Chapter 4, 5, or 6 of this Code.

101.3.1 Exempt Buildings: Buildings and structures or portions thereof meeting any of the following criteria shall be exempt from the building envelope requirements of sections 502 and 602, but shall comply with all other requirements for building mechanical systems, and service water heating.

101.3.1.1: Buildings and structures or portions thereof whose peak design rate of energy usage is less than three and four tenths (3.4) Btu/h per square foot or one point zero (1.0) watt per square foot of floor area for space conditioning requirements.

101.3.1.2: Buildings and structures or portions thereof which are neither heated according to the definition of heated space in Chapter 2, nor cooled by a nonrenewable energy source, provided that the nonrenewable energy use for space conditioning complies with requirements of section 101.3.1.1.

101.3.1.3: Greenhouses isolated from any conditioned space and not intended for occupancy.

101.3.1.4: The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under chapter 70.114A RCW or chapter 37, Laws of 1998 (SB 6168). "Temporary worker housing" means a place, area, or piece of

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land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes "labor camps" under RCW 70.54.110.

101.3.2 Application to Existing Buildings: Additions, historic buildings, changes of occupancy or use, and alterations or repairs shall comply with the requirements in the subsections below.

EXCEPTION: The building official may approve designs of alterations or repairs which do not fully conform with all of the requirements of this Code where in the opinion of the building official full compliance is physically impossible and/or economically impractical and:

1. The alteration or repair improves the energy efficiency of the building; or
2. The alteration or repair is energy efficient and is necessary for the health, safety, and welfare of the general public.

In no case, shall building envelope requirements or mechanical system requirements be less than those requirements in effect at the time of the initial construction of the building.

101.3.2.1 Additions to Existing Buildings: Additions to existing buildings or structures may be made to such buildings or structures without making the entire building or structure comply, provided that the new additions shall conform to the provisions of this Code.

EXCEPTION: New additions which do not fully comply with the requirements of this Code and which have a floor area which is less than seven hundred fifty square feet shall be approved provided that improvements are made to the existing occupancy to compensate for any deficiencies in the new addition. Compliance shall be demonstrated by either systems analysis or component performance calculations. The nonconforming addition and upgraded, existing occupancy shall have an energy budget or ((heat loss)) Target UA which is less than or equal to the unimproved existing building (minus any elements which are no longer part of the building envelope once the addition is added), with the addition designed to comply with this Code.

101.3.2.2 Historic Buildings: The building official may modify the specific requirements of this Code for historic buildings and require in lieu thereof alternate requirements which will result in a reasonable degree of energy efficiency. This modification may be allowed for those buildings which have been specifically designated as historically significant by the state or local governing body, or listed in The National Register of Historic Places or which have been determined to be eligible for listing.

101.3.2.3 Change of Occupancy or Use:

Any Other than Group R Occupancy which is converted to Group R Occupancy shall be brought into full compliance with this Code.

101.3.2.4 Alterations and Repairs: All alterations and repairs to buildings or portions thereof originally constructed subject to the requirements of this Code shall conform to the provisions of this Code without exception. For all other exist-

ing buildings, initial tenant alterations shall comply with the new construction requirements of this Code. Other alterations and repairs may be made to existing buildings and moved buildings without making the entire building comply with all of the requirements of this Code for new buildings, provided the following requirements are met:

101.3.2.5 Building Envelope: The result of the alterations or repairs both:

1. Improves the energy efficiency of the building, and
2. Complies with the overall average thermal transmittance values of the elements of the exterior building envelope in Table 5-1 of Chapter 5 or the nominal R-values and glazing requirements of the reference case in Tables 6-1 to 6-6.

EXCEPTIONS: 1. Untested storm windows may be installed over existing glazing for an assumed U-factor of 0.90, however, where glass and sash are being replaced in Group R Occupancy, glazing shall comply with the appropriate reference case in Table 6-1 through Table 6-6.

2. Where the structural elements of the altered portions of roof/ceiling, wall or floor are not being replaced, these elements shall be deemed to comply with this Code if all existing framing cavities which are exposed during construction are filled to the full depth with batt insulation or insulation having an equivalent nominal R-value while, for roof/ceilings, maintaining the required space for ventilation. Existing walls and floors without framing cavities need not be insulated. Existing roofs shall be insulated to the requirements of this Code if

- a. The roof is uninsulated or insulation is removed to the level of the sheathing, or
- b. All insulation in the roof/ceiling was previously installed exterior to the sheathing or nonexistent.

101.3.2.6 Building Mechanical Systems: Those parts of systems which are altered or replaced shall comply with section 503 of this Code.

101.3.2.7 Service Water Heating: Those parts of systems which are altered or replaced shall comply with section 504.

101.3.2.8 ((Reserved-)) Lighting: Alterations shall comply with section 1132.3.

EXCEPTION: Group R-3 occupancy and the dwelling unit portions of Group R-1 occupancy.

101.3.3 Mixed Occupancy: When a building houses more than one occupancy, each portion of the building shall conform to the requirements for the occupancy housed therein. Where approved by the building official, where minor accessory uses do not occupy more than ten percent of the area of any floor of a building, the major use may be considered the building occupancy.

101.4 Amendments by Local Government: Except as provided in RCW 19.27A.020(7), this Code shall be the maximum and minimum energy code for Group R Occupancy in each town, city and county, no later than July 1, 1991.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0201 (~~General definitions~~.) **Scope.** The following definitions shall apply to chapters 1 through 20.

201.1 Application of Terms: For the purposes of this Code, certain abbreviations, terms, phrases, words and their derivatives, shall be as set forth in this chapter. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. In the event there is a question about the definition of a term, the definitions for terms in the codes enumerated in RCW 19.27.031 and the edition of Webster's dictionary referenced therein shall be considered as the sources for providing ordinarily accepted meanings.

Addition: See the Washington State Building Code.

Advanced framed ceiling: Advanced framing assumes full and even depth of insulation extending to the outside edge of exterior walls. (See Standard Framing and Section 1007.2 of this Code.)

Advanced framed walls: Studs framed on twenty-four inch centers with double top plate and single bottom plate. Corners use two studs or other means of fully insulating corners, and one stud is used to support each header. Headers consist of double 2X material with R-10 insulation between the header and exterior sheathing. Interior partition wall/exterior wall intersections are fully insulated in the exterior wall. (See Standard Framing and Section 1005.2 of this Code.)

AFUE. Annual fuel utilization efficiency: Unlike steady state conditions, this rating is based on average usage including on and off cycling as set out in the standardized Department of Energy Test Procedures.

Air conditioning, comfort: The process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet requirements of the conditioned space.

ARI: Air-Conditioning and Refrigeration Institute.

ASHRAE: American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc.

ASTM: American Society for Testing and Materials

Automatic: Self-acting, operating by its own mechanism when actuated by some impersonal influence, as for example, a change in current strength, pressure, temperature or mechanical configuration. (See **Manual.**)

Below grade walls: Walls or the portion of walls which are entirely below the finish grade or which extend two feet or less above the finish grade.

~~((Building, existing: See the Washington State Building Code.))~~

Boiler capacity: The rate of heat output in Btu/h measured at the boiler outlet, at the design inlet and outlet conditions and rated fuel/energy input.

Building envelope: For Group R occupancy, the elements of a building which enclose conditioned spaces through which thermal energy may be transferred to or from the exterior or to or from spaces exempted by the provisions of Section 101.3.1. For other than Group R occupancy, the

elements of a building which enclose conditioned spaces through which thermal energy may be transferred to or from the exterior, or to or from unconditioned spaces, or to or from semi-heated spaces, or to or from spaces exempted by the provisions of Section 1301.

Building, existing: See the Washington State Building Code.

Building official: The official authorized to act in behalf of a jurisdiction code enforcement agency or its authorized representative.

Building project: A building or group of buildings, including on-site energy conversion or electric-generating facilities, which utilize a single submittal for a construction permit or are within the boundary of a contiguous area under one ownership.

~~((Comfort envelope: The area on a psychrometric chart enclosing all those conditions described in Standard RS-4, Figure No. 1, as being comfortable.))~~

Conditioned floor area: (See Gross conditioned floor area.)

~~Conditioned space: ((All spaces which are provided with heated and/or cooled air or which are capable of being maintained at temperatures over fifty degrees F during the heating season, including adjacent connected spaces separated by an uninsulated component (e.g., basements, utility rooms, garages, corridors.)) A cooled space, heated space (fully heated), heated space (semi-heated) or indirectly conditioned space.~~

~~Cooled space: ((Space within a building which is provided with a positive cooling supply.)) An enclosed space within a building that is cooled by a cooling system whose sensible capacity~~

~~a. exceeds 5 Btu/(h · ft²), or~~

~~b. is capable of maintaining space dry bulb temperature of 90°F or less at design cooling conditions.~~

COP - Coefficient of performance: The ratio of the rate of net heat output (heating mode) or heat removal (cooling mode) to the rate of total on-site energy input to the heat pump, expressed in consistent units and under designated rating conditions. (See Net Heat Output, Net Heat Removal, Total On-Site Energy Input.)

Daylighted zone:

a. Under overhead glazing: the area under overhead glazing whose horizontal dimension, in each direction, is equal to the overhead glazing dimension in that direction plus either the floor to ceiling height or the dimension to a ceiling height opaque partition, or one-half the distance to adjacent overhead or vertical glazing, whichever is least.

b. At vertical glazing: the area adjacent to vertical glazing which receives daylighting from the glazing. For purposes of this definition and unless more detailed daylighting analysis is provided, the daylighting zone depth is assumed to extend into the space a distance of 15 feet or to the nearest ceiling height opaque partition, whichever is less. The daylighting zone width is assumed to be the width of the window plus either two feet on each side (the distance to an opaque partition) or one-half the distance to adjacent overhead or vertical glazing, whichever is least.

Daylight sensing control (DS): A device that automatically regulates the power input to electric lighting near the glazing to maintain the desired workplace illumination, thus taking advantage of direct or indirect sunlight.

Deadband: The temperature range in which no heating or cooling is used.

~~((Degree day, heating: A unit, based upon temperature difference and time, used in estimating fuel consumption and specifying nominal heating load of a building in winter. For any one day when the mean temperature is less than sixty-five degrees F there exist as many degree days as there are Fahrenheit degrees difference in temperature between the mean temperature for the day and sixty-five degrees F.))~~

Design cooling conditions: The cooling outdoor design temperature from the 0.5% column for summer from the Puget Sound Chapter of ASHRAE publication "Recommended Outdoor Design Temperatures, Washington State, ASHRAE."

Design heating conditions: The heating outdoor design temperature from the 0.6% column for winter from the Puget Sound Chapter of ASHRAE publication "Recommended Outdoor Design Temperatures, Washington State, ASHRAE."

Door: ~~((An operable opening area in the shell of a conditioned space, excluding sliding glass doors, which is designed and used as a means of ingress and egress. A door may also include a double door one of which is fixed and one of which is operable.)) All operable opening areas, which are not glazing, in the building envelope including swinging and roll-up doors, fire doors, smoke vents and access hatches.~~

Door area: Total area of door measured using the rough opening and including the door and frame.

Dwelling unit: See the Washington State Building Code.

EER, Energy efficiency ratio: The ratio of net equipment cooling capacity in Btu/h to total rate of electric input in watts under designated operating conditions.

Economizer, air: A ducting arrangement and automatic control system that allows a cooling supply fan system to supply outside air to reduce or eliminate the need for mechanical refrigeration during mild or cold weather.

Economizer, water: A system by which the supply air of a cooling system is cooled directly, indirectly or both, by evaporation of water or by other appropriate fluid in order to reduce or eliminate the need for mechanical refrigeration.

Efficiency, HVAC system: The ratio of useful energy (at the point of use) to the energy input for a designated time period, expressed in percent.

Emissivity: The ability to absorb infrared radiation. A low emissivity implies a higher reflectance of infrared radiation.

Energy: The capacity for doing work; taking a number of forms which may be transformed from one into another, such as thermal (heat), mechanical (work), electrical and chemical; in customary units, measured in kilowatt-hours (kWh) or British thermal units (Btu). (See **New energy**.)

Energy, recovered: (See **Recovered energy**.)

Exterior envelope: (See **Building envelope**.)

Facade area: Vertical projected area including nonhorizontal roof area, overhangs, cornices, etc. measured in elevation in a vertical plane parallel to the plane of the building face.

Floor over unconditioned space: A floor which separates a conditioned space from an unconditioned space which is buffered from exterior ambient conditions including vented crawl spaces and unconditioned basements or other similar spaces, or exposed to exterior ambient conditions including open parking garages and enclosed garages which are mechanically ventilated.

F-Factor: The perimeter heat loss factor expressed in Btu/hr • ft • °F.

F-Value: (See F-Factor.)

Garden window: A multi-sided glazing product that projects beyond the plane of the wall.

Glazed wall system: A category of site assembled fenestration products used in the NFRC 100 and NFRC 200 rating procedures that include curtainwalls.

Glazing: All areas, including the frames, in the shell of a conditioned space that let in natural light including windows, clerestories, skylights, sliding or swinging glass doors and glass block walls. ~~((The daylight opening area in all other doors shall be considered glazing for the purpose of calculating glazing area. The daylight opening area in all other doors is included in the door U-factor and shall not be considered in calculations of glazing U-factors.))~~

Glazing area: Total area of the glazing measured using the rough opening, and including the glazing, sash, and frame. ~~((For sliding glass doors the glazing area is the rough opening area. For all other doors the glazing area is the daylight opening area.)) For doors where the daylight opening area is less than 50% of the door area, the glazing area is the daylighting area. For all other doors, the glazing area is the door area.~~

Gross conditioned floor area: The horizontal projection of that portion of interior space which is contained within exterior walls and which is conditioned directly or indirectly by an energy-using system, and which has an average height of five feet or greater, measured from the exterior faces.

Gross exterior wall area: The normal projection of the building envelope wall area bounding interior space which is conditioned by an energy-using system and which separates conditioned space from: Unconditioned space, or semi-heated space, or exterior ambient conditions or earth; includes opaque wall, ~~((window))~~ vertical glazing and door areas. The gross area of walls consists of all opaque wall areas, including foundation walls, between floor spandrels, peripheral edges of floors, ~~((window))~~ vertical glazing areas ~~((including sash.))~~ and door areas, where such surfaces are exposed to exterior ambient conditions and enclose a conditioned space including interstitial areas between two such spaces. (See **Below grade wall**.)

Gross floor area: The sum of the areas of the several floors of the building, including basements, cellars, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls or from the center line of walls separating buildings,

but excluding: Covered walkways, open roofed-over areas, porches and similar spaces. Pipe trenches, exterior terraces or steps, chimneys, roof overhangs and similar features.

Gross roof/ceiling area: ~~((The sum of the areas of the roof/ceiling assembly, consisting of the total interior surface area of all elements, including skylights, which enclose a conditioned space.))~~ A roof/ceiling assembly shall be considered as all components of the roof/ceiling envelope through which heat flows, thus creating a building transmission heat loss or gain, where such assembly is exposed to exterior ambient conditions and encloses a conditioned space. The assembly does not include those components that are separated from a heated and/or cooled space by a vented airspace. The gross area of a roof/ceiling assembly consists of the total interior surface of such assembly, including overhead glazing.

Guest room: See the Washington State Building Code.

Heat: The form of energy that is transferred by virtue of a temperature difference.

Heat storage capacity: The physical property of materials (mass) located inside the building envelope to absorb, store, and release heat.

Heated space (Fully heated): ~~((Space within a building which is provided with a positive heating supply. Finished living space within a basement or registers or heating devices designed to supply heat to a basement space shall automatically define that space as heated space. (See Positive Heating Supply.))~~ An enclosed space within a building, including adjacent connected spaces separated by an uninsulated component (e.g., basements, utility rooms, garages, corridors), which is heated by a heating system whose output capacity is

a. Capable of maintaining a space dry-bulb temperature of 45°F or greater at design heating conditions; or

b. 8 Btu/(h • ft²) or greater in Climate Zone 1 and 12 Btu/(h • ft²) or greater in Climate Zone 2.

Heated space (Semi-heated): An enclosed space within a building, including adjacent connected spaces separated by an uninsulated component (e.g., basements, utility rooms, garages, corridors), which is heated by a heating system

a. whose output capacity is 3 Btu/(h • ft²) or greater in Climate Zone 1 and 5 Btu/(h • ft²) or greater in Climate Zone 2; and

b. is not a Heated Space (Fully Heated).

HSPF. Heating season performance factor: The total heating output (in Btu) of a heat pump during its normal annual usage period for heating divided by the total (watt hour) electric power input during the same period, as determined by test procedures consistent with the U.S. Department of Energy "Test Procedure for Central Air Conditioners, Including Heat Pumps" published in ~~((the December 27, 1979, Federal Register, Vol 44, No. 24, IOCFR-430))~~ Standard RS-30. When specified in Btu per watt hour an HSPF of 6.826 is equivalent to a COP of 2.0.

Humidistat: A regulatory device, actuated by changes in humidity, used for automatic control of relative humidity.

HVAC: Heating, ventilating and air conditioning.

HVAC system components: HVAC system components provide, in one or more factory-assembled packages, means for chilling and/or heating water with controlled temperature for delivery to terminal units serving the conditioned spaces of the buildings. Types of HVAC system components include, but are not limited to, water chiller packages, reciprocating condensing units and water source (hydronic) heat pumps. (See **HVAC system equipment**.)

HVAC system efficiency: (See **Efficiency, HVAC system**.)

HVAC system equipment: HVAC system equipment provides, in one (single package) or more (split system) factory-assembled packages, means for air circulation, air cleaning, air cooling with controlled temperature and dehumidification; and optionally, either alone or in combination with a heating plant, the functions of heating and humidifying. The cooling function may be either electrically or heat operated and the refrigerant condenser may be air, water or evaporatively cooled. Where the equipment is provided in more than one package, the separate packages shall be designed by the manufacturer to be used together. The equipment may provide the heating function as a heat pump or by the use of electric elements. (The word "equipment" used without modifying adjective may, in accordance with common industry usage, apply either to HVAC system equipment or HVAC system components.)

~~((**Illumination:** The density of the luminous flux incident on a surface; it is the quotient of the luminous flux by the area of the surface when the latter is uniformly illuminated.))~~

Indirectly conditioned space: An enclosed space within a building that is not a heated or cooled space, whose area weighted heat transfer coefficient to heated or cooled spaces exceeds that to the outdoors or to unconditioned spaces; or through which air from heated or cooled spaces is transferred at a rate exceeding three air changes per hour. Enclosed corridors between conditioned spaces shall be considered as indirectly conditioned space. (See **Heated Space, Cooled Space and Unconditioned Space**.)

Infiltration: The uncontrolled inward air leakage through cracks and interstices in any building element and around windows and doors of a building caused by the pressure effects of wind and/or the effect of differences in the indoor and outdoor air density.

Insulation baffle: A rigid material, resistant to wind driven moisture, the purpose of which is to allow air to flow freely into the attic or crawl space and to prevent insulation from blocking the ventilation of these spaces, or the loss of insulation. Example materials for this purpose are sheet metal, or wax impregnated cardboard.

Insulation position:

a. **Exterior Insulation Position:** a wall having all or nearly all of its mass exposed to the room air with the insulation on the exterior of the mass.

b. **Integral Insulation Position:** a wall having mass exposed to both room and outside air, with substantially equal amounts of mass on the inside and outside of the insulation layer.

c. Interior Insulation Position: a wall not meeting either of the above definitions; particularly a wall having most of its mass external to the insulation layer.

IPLV—Integrated part-load value: A single number figure of merit based on part-load EER or COP expressing part-load efficiency for air conditioning and heat pump equipment on the basis of weighted operation at various load capacities for the equipment as specified in the Air-Conditioning and Refrigeration Institute (ARI) and Cooling Tower Institute (CTI) procedures.

Luminaire: A complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the electric power supply.

Manual: Capable of being operated by personal intervention. (See **Automatic**.)

Microcell: A wireless communication facility consisting of an antenna that is either: (a) Four (4) feet in height and with an area of not more than 580 square inches; or (b) if a tubular antenna, no more than four (4) inches in diameter and no more than six (6) feet in length; and the associated equipment cabinet that is six (6) feet or less in height and no more than 48 square feet in floor area.

NFPA: National Fire Protection Association.

Net heat output: The change in the total heat content of the air entering and leaving the equipment (not including supplementary heat and heat from boilers).

Net heat removal: The total difference in heat content of the air entering and leaving the equipment (without heat) or the difference in total heat content of the water or refrigerant entering and leaving the component.

New energy: Energy, other than recovered energy, utilized for the purpose of heating or cooling. (See **energy**.)

Nominal R-value: The thermal resistance of insulation as specified by the manufacturer according to recognized trade and engineering standards.

Nonrenewable energy sources: All energy sources that are not renewable energy sources including natural gas, oil, coal, wood, liquified petroleum gas, steam, and any utility-supplied electricity.

Nonresidential: All buildings and spaces in the Uniform Building Code (UBC) occupancies other than Group R.

Occupancy: See the Washington State Building Code.

Opaque envelope areas: All exposed areas of a building envelope which enclose conditioned space, except openings for ((windows, skylights;)) doors, glazing and building service systems.

Open blown: Loose fill insulation pneumatically installed in an unconfined attic space.

Outdoor air (outside air): Air taken from the outdoors and, therefore, not previously circulated through ((the system)) a building.

Packaged terminal air conditioner: A factory-selected combination of heating and cooling components, assemblies or sections intended to serve a room or zone. (For the complete technical definition, see Standard RS-10.)

~~((Packaged terminal heat pump: A factory-selected combination of heating and cooling components, assemblies~~

~~or sections intended for application in an individual room or zone. (For the complete technical definition, see Standard RS-21.))~~

Permeance (perm): The ability of a material of specified thickness to transmit moisture in terms of amount of moisture transmitted per unit time for a specified area and differential pressure (grains per hour • ft² • inches of HG). Permeance may be measured using ASTM E-96-72 or other approved dry cup method as specified in ((RS-1)) RS-27.

Personal wireless service facility: A Wireless Communication Facility (WCF), including a microcell, which is a facility for the transmission and/or reception of radio frequency signals and which may include antennas, equipment shelter or cabinet, transmission cables, a support structure to achieve the necessary elevation, and reception and/or transmission devices or antennas.

Pool cover: A vapor-retardant cover which lies on or at the surface of the pool.

~~((Positive cooling supply: Mechanical cooling deliberately supplied to a space, such as through a supply register. Also, mechanical cooling indirectly supplied to a space through uninsulated surfaces of space cooling components, such as evaporator coil cases and cooling distribution systems which are capable of maintaining air temperatures within the space of eighty-five degrees F, or lower, at the exterior design conditions specified in Section 302.1. To be considered exempt from inclusion in this definition, such surfaces shall comply with the insulation requirements of this Code.~~

~~**Positive heating supply:** Heat deliberately supplied to a space by design, such as a supply register, radiator or heating element. Also, heat indirectly supplied to a space through uninsulated surfaces of service water heaters and space heating components, such as furnaces, boilers and heating and cooling distributions systems which are capable of maintaining air temperature within the space of fifty degrees F, or higher, at the exterior design conditions specified in Section 302.1. To be considered exempt from inclusion in this definition, such surfaces shall comply with the insulation requirements of this Code.))~~

Power: In connection with machines, the time rate of doing work. In connection with the transmission of energy of all types, the rate at which energy is transmitted; in customary units, it is measured in watts (W) or British Thermal Units per hour (Btu/h).

~~((Public facility rest room: A rest room used by the transient public on a regular (rather than casual) basis. Examples include rest rooms in service stations, airports, train terminals and convention halls. Rest rooms incorporated with private guest rooms in hotels, motels or dormitories and rest room facilities intended for the use of employees and not usually used by the general public are not considered public facility rest rooms.))~~

Radiant slab floor: A slab floor assembly on grade or below, containing heated pipes, ducts, or electric heating cables that constitute a ((radiant slab)) floor or portion thereof for a complete or partial heating of the structure.

Readily accessible: See the Washington State Mechanical Code.

Recooling: The removal of heat by sensible cooling of the supply air (directly or indirectly) that has been previously heated above the temperature to which the air is to be supplied to the conditioned space for proper control of the temperature of that space.

Recovered energy: Energy utilized which would otherwise be wasted (i.e. not contribute to a desired end use) from an energy utilization system.

Reheat: The application of sensible heat to supply air that has been previously cooled below the temperature of the conditioned space by either mechanical refrigeration or the introduction of outdoor air to provide cooling.

Renewable energy sources: Renewable energy sources of energy (excluding minerals) are derived from: (1) incoming solar radiation, including but not limited to, natural daylighting and photosynthetic processes; (2) energy sources resulting from wind, waves and tides, lake or pond thermal differences; and (3) energy derived from the internal heat of the earth, including nocturnal thermal exchanges.

Reset: Adjustment of the set point of a control instrument to a higher or lower value automatically or manually to conserve energy.

Roof/ceiling assembly: ((A roof/ceiling assembly shall be considered as all components of the roof/ceiling envelope through which heat flows, thus creating a building transmission heat loss or gain, where such assembly is exposed exterior ambient conditions to and encloses a conditioned space. The gross area of a roof/ceiling assembly consists of the total interior surface of such assembly, including skylights.)) (See Gross roof/ceiling area.)

Seer - seasonal energy efficiency ratio: The total cooling output of an air conditioner during its normal annual usage period, in Btu's, divided by the total electric energy input in watt-hours, during the same period, as determined by 10 CFR, Part 430.

Semi-heated space: Sub-category of Heated Space. (See Heated Space.)

Sequence: A consecutive series of operations.

Service systems: All energy-using systems in a building that are operated to provide services for the occupants or processes housed therein, including HVAC, service water heating, illumination, transportation, cooking or food preparation, laundering or similar functions.

Service water heating: Supply of hot water for domestic or commercial purposes other than comfort heating.

Shaded: Glazed area which is externally protected from direct solar radiation by use of devices permanently affixed to the structure or by an adjacent building, topographical feature, or vegetation.

Shading coefficient: The ratio of solar heat gain occurring through nonopaque portions of the glazing, with or without integral shading devices, to the solar heat gain occurring through an equivalent area of unshaded, 1/8 inch thick, clear, double-strength glass.

Note: Heat gains to be compared under the same conditions. See Chapter 28 of Standard RS-27, listed in Chapter 17 of this Code.

Shall: Denotes a mandatory code requirement.

Single family: One and two family residential dwelling units with no more than two units in a single building.

Skylight: ((A glazing surface that has a slope of less than sixty degrees from the horizontal plane.)) (See Overhead glazing.)

Slab-below-grade: Any portion of a slab floor in contact with the ground which is more than 24 inches below the final elevation of the nearest exterior grade.

Slab-on-grade, exterior: Any portion of a slab floor in contact with the ground which is less than or equal to twenty-four inches below the final elevation of the nearest exterior grade.

~~((Slab below grade: Any portion of a slab floor in contact with the ground which is more than twenty-four inches below the final elevation of the nearest exterior grade.))~~

Small business: Any business entity (including a sole proprietorship, corporation, partnership, or other legal entity) which is owned and operated independently from all other businesses, which has the purpose of making a profit, and which has fifty or fewer employees, or which has a million dollars or less per year in gross sales, of window products.

Solar energy source: Source of natural daylighting and of thermal, chemical or electrical energy derived directly from conversion of incident solar radiation.

Solar heat gain coefficient (SHGC): The ratio of the solar heat gain entering the space through the glazing product to the incident solar radiation. Solar heat gain includes directly transmitted solar heat and absorbed solar radiation which is then reradiated, conducted or convected into the space.

Split system: Any heat pump or air conditioning unit which is provided in more than one assembly requiring refrigeration piping installed in the field.

Standard framing: All framing practices not defined as "intermediate" or "advanced" shall be considered standard. (See Advanced framed ceiling, Advanced framed walls, Intermediate framed wall and Section 1005.2 of this Code.)

Substantial contact: A condition where adjacent building materials are placed in a manner that proximal surfaces are contiguous, being installed and supported as to eliminate voids between materials, without compressing or degrading the thermal performance of either product.

System: A combination of central or terminal equipment or components and/or controls, accessories, interconnecting means, and terminal devices by which energy is transformed so as to perform a specific function, such as HVAC, service water heating or illumination.

Tapering: Installation of a reduced level of ceiling insulation at the eaves, due to reduced clearance.

Thermal by-pass: An area where the envelope surrounding the conditioned space is breached, or where an ineffective application compromises the performance of a thermal or infiltration barrier, increasing the structure's energy consumption by exposing finished surfaces to ambient conditions and additional heat transfer.

Thermal conductance (C): Time rate of heat flow through a body (frequently per unit area) from one of its bounding surfaces to the other for a unit temperature differ-

ence between the two surfaces, under steady conditions (Btu/hr • ft² • °F).

Thermal resistance (R): The reciprocal of thermal conductance (hr • ft² • °F/Btu).

Thermal transmittance (U): The coefficient of heat transmission (air to air). It is the time rate of heat flow per unit area and unit temperature difference between the warm side and cold side air films (Btu/hr • ft² • °F). ~~((The U-factor applies to the fractional combinations of different materials used in series along the heat flow path.))~~

Thermal transmittance, overall (U_o): The overall (average) heat transmission of a gross area of the exterior building envelope (Btu/hr • ft² • °F). The U_o-factor applies to the combined effect of the time rate of heat flows through the various parallel paths, such as ~~((windows,))~~ glazing, doors and opaque construction areas, comprising the gross area of one or more exterior building components, such as walls, floors or roof/ceiling.

Thermostat: An automatic control device actuated by temperature and designed to be responsive to temperature.

Total on-site energy input: The combination of all the energy inputs to all elements and accessories as included in the equipment components, including but not limited to, compressor(s), compressor sump heater(s), circulating pump(s), purge devices, fan(s), and the HVAC system component control circuit.

Transmission coefficient: The ratio of the solar heat gain through a glazing system to that of an unshaded single pane of double strength window glass under the same set of conditions.

U-factor: (See thermal transmittance.)

U-Value: (See U-factor.)

Uniform Building Code (UBC): ~~((The Washington State Uniform Building Code as modified by the Washington State Building Code Council.))~~ (See Washington State Building Code.)

Uniform Mechanical Code (UMC): ~~((The Washington State Uniform Mechanical Code as modified by the Washington State Building Code Council.))~~ (See Washington State Mechanical Code.)

Uniform Plumbing Code (UPC): (See Washington State Plumbing Code.)

Unitary cooling and heating equipment: One or more factory-made assemblies which include an evaporator or cooling coil, a compressor and condenser combination, and may include a heating function as well. Where such equipment is provided in more than one assembly, the separate assemblies shall be designed to be used together.

Unitary heat pump: One or more factory-made assemblies which include an indoor conditioning coil, compressor(s) and outdoor coil or refrigerant-to-water heat exchanger, including means to provide both heating and cooling functions. When such equipment is provided in more than one assembly, the separate assemblies shall be designed to be used together.

Vapor retarder: A layer of low moisture transmissivity material (not more than 1.0 perm dry cup) placed over the warm side (in winter) of insulation, over the exterior of below

grade walls, and under floors as ground cover to limit the transport of water and water vapor through exterior walls, ceilings, and floors. Vapor retarding paint, listed for this application, also ~~((complies with this Code))~~ meets this definition.

Vaulted ceilings: All ceilings where enclosed joist or rafter space is formed by ceilings applied directly to the underside of roof joists or rafters.

Ventilation: The process of supplying or removing air by natural or mechanical means to or from any space. Such air may or may not have been conditioned.

Ventilation air: That portion of supply air which comes from outside (outdoors) plus any recirculated air that has been treated to maintain the desired quality of air within a designated space.

Vertical glazing: A glazing surface that has a slope of 60° or greater from the horizontal plane.

Walls (exterior): Any member or group of members which defines the exterior boundaries or courts of a building and which have a slope of sixty degrees or greater with the horizontal plane, and separates conditioned from unconditioned space. Band joists between floors are to be considered a part of exterior walls.

Washington State Building Code: The building code as modified by the Washington State Building Code Council.

Washington State Mechanical Code: The mechanical code as modified by the Washington State Building Code Council.

Washington State Plumbing Code: The plumbing code as modified by the Washington State Building Code Council.

Zone: A space or group of spaces within a building with heating and/or cooling requirements sufficiently similar so that comfort conditions can be maintained throughout by a single controlling device. Each dwelling unit in residential buildings shall be considered a single zone.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0502 Building envelope requirements.

502.1 General:

OPTION 1:

502.1.1: The stated U- or F-factor of any component assembly, listed in Table 5-1 or 5-2, such as roof/ceiling, opaque wall or opaque floor may be increased and the U-factor for other components decreased, provided that the total heat gain or loss for the entire building envelope does not exceed the total resulting from compliance to the U-factors specified in this Section.

The U-factors for typical construction assemblies are included in Chapter 10. These values shall be used for all calculations. Where proposed construction assemblies are not represented in Chapter 10, values shall be calculated in accordance with Chapters 21-29 in Standard RS-1 listed in Chapter

7, using the framing factors listed in Chapter 10 where applicable.

For envelope assemblies containing metal framing, the U-factor shall be determined by one of the following methods:

1. Results of laboratory or field measurements.

2. Standard RS-25, listed in Chapter 7, where the metal framing is bonded on one or both sides to a metal skin or covering.

3. The zone method as provided in Chapter 24 of Standard RS-1, listed in Chapter 7.

4. Results of parallel path correction factors effective framing/cavity R-values as provided from the following table for metal stud walls and roof ceilings:

	Framing		Cavity Insulation		
	Nominal Depth, Inches	Actual Depth, Inches	Nominal R-Value	Effective R-Value	
				Framing 16" o.c.	Framing 24" o.c.
Air cavity	any	any	0.91	0.79	0.91
Wall	4	3-1/2	R-11	R-5.5	R-6.6
	4	3-1/2	R-13	R-6.0	R-7.2
	4	3-1/2	R-15	R-6.4	R-7.8
	6	5-1/2	R-19	R-7.1	R-8.6
	6	5-1/2	R-21	R-7.4	R-9.0
	8	7-1/4	R-25	R-7.8	R-9.6
Roof		Insulation is uncompressed	R-11	R-5.5	R-6.1
			R-19	R-7.0	R-9.1
			R-30	R-9.3	R-11.4

502.1.2: For consideration of thermal mass effects, see section 402.4.

502.1.3: When return air ceiling plenums are employed, the roof/ceiling assembly shall:

a. For thermal transmittance purposes, not include the ceiling proper nor the plenum space as part of the assembly; and

b. For gross area purposes, be based upon the interior face of the upper plenum surface.

502.1.4 Insulation:

502.1.4.1 General: All insulating materials shall comply with sections 2602 and/or 707 of the Uniform Building Code. Substantial contact of the insulation with the surface being insulated is required. All insulation materials shall be installed according to the manufacturer's instructions to achieve proper densities and maintain uniform R-values and shall be installed in a manner which will permit inspection of the manufacturer's R-value identification mark. To the maximum extent possible, insulation shall extend over the full component area to the intended R-value.

Alternatively, the thickness of roof/ceiling and wall insulation that is either blown in or spray-applied shall be identified by inches of thickness, density and R-value markers installed at least one for every 300 square feet (28 m²) through the attic, ceiling and/or wall space. In attics, the markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness and minimum settled thickness with numbers a minimum 1.0 inch (25 mm) in height. Each

marker shall face the attic access. The thickness of installed attic insulation shall meet or exceed the minimum initial installed thickness shown by the marker. In cathedral ceilings and walls, the markers shall be affixed to the rafter and wall frame at alternating high and low intervals and marked with the minimum installed density and R-value with numbers a minimum 1.0 inch (25 mm) in height. Each marker shall face the conditioned room area.

502.1.4.2 Insulation Materials: All insulation materials including facings such as vapor barriers or breather papers installed within floor/ceiling assemblies, roof/ceiling assemblies, walls, crawl spaces, or attics shall have a flame spread rating of less than 25 and a smoke density not to exceed 450 when tested in accordance with UBC Standard 8-1.

EXCEPTIONS:

1. Foam plastic insulation shall comply with section 2602 of the Uniform Building Code.
2. When such materials are installed in concealed spaces of Types III, IV and V construction, the flame spread and smoke developed limitations do not apply to facing, provided that the facing is installed in substantial contact with the unexposed surface of the ceiling, floor or wall finish.
3. Cellulose insulation shall comply with section 707 of the Uniform Building Code.

502.1.4.3 Clearances: Where required, insulation shall be installed with clearances according to manufacturer's specifications. Insulation shall be installed so that required ventilation is unobstructed. For blown or poured loose fill insulation, clearances shall be maintained through installation of a permanent retainer.

PROPOSED

502.1.4.4 Access Hatches and Doors: Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weatherstripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer must be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

502.1.4.5 Roof/Ceiling Insulation: Open-blown or poured loose fill insulation may be used in attic spaces where the slope of the ceiling is not more than 3 feet in 12 and there is at least 30 inches of clear distance from the top of the bottom chord of the truss or ceiling joist to the underside of the sheathing at the roof ridge. When eave vents are installed, baffling of the vent openings shall be provided so as to deflect the incoming air above the surface of the insulation. Baffles shall be, rigid material, resistant to wind driven moisture. Requirements for baffles for ceiling insulation shall meet the Uniform Building Code section 1505.3 for minimum ventilation requirements. When feasible, the baffles shall be installed from the top of the outside of the exterior wall, extending inward, to a point 6 inches vertically above the height of noncompressed insulation, and 12 inches vertically above loose fill insulation.

502.1.4.6 Wall Insulation: Insulation installed in exterior walls shall comply with the provisions of this section. All wall insulation shall fill the entire framed cavity. Exterior wall cavities isolated during framing shall be fully insulated to the levels of the surrounding walls. All faced insulation shall be face stapled to avoid compression.

502.1.4.7 Floor Insulation: Floor insulation shall be installed in a permanent manner in substantial contact with the surface being insulated. Insulation supports shall be installed so spacing is no more than 24 inches on center. Foundation vents shall be placed so that the top of the vent is below the lower surface of the floor insulation.

EXCEPTION: Insulation may be omitted from floor areas over heated basements, heated garages or underfloor areas used as HVAC supply plenums. See Uniform Mechanical Code section 607 for underfloor supply plenum requirements. When foundation walls are insulated, the insulation shall be attached in a permanent manner. The insulation shall not block the airflow through foundation vents when installed. When foundation vents are not placed so that the top of the vent is below the lower surface of the floor insulation, a permanently attached baffle shall be installed at an angle of 30° from horizontal, to divert air flow below the lower surface of the floor insulation.

502.1.4.8 Slab-On-Grade: Slab-on-grade insulation, installed inside the foundation wall, shall extend downward from the top of the slab for a minimum distance of 24 inches or downward and then horizontally beneath the slab for a minimum combined distance of 24 inches. Insulation installed outside the foundation shall extend downward to a

minimum of 24 inches or to the frostline. Above grade insulation shall be protected.

EXCEPTION: For monolithic slabs, the insulation shall extend downward from the top of the slab to the bottom of the footing.

502.1.4.9 Radiant Slabs: The entire area of a radiant slab shall be thermally isolated from the soil, with a minimum of R-10 insulation. The insulation shall be an approved product for its intended use. If a soil gas control system is present below the radiant slab, which results in increased convective flow below the radiant slab, the radiant slab shall be thermally isolated from the sub-slab gravel layer.

502.1.4.10 Below Grade Walls: Below grade exterior wall insulation used on the exterior (cold) side of the wall shall extend from the top of the below grade wall to the top of the footing and shall be approved for below grade use. Above grade insulation shall be protected.

Insulation used on the interior (warm) side of the wall shall extend from the top of the below grade wall to the below grade floor level.

502.1.5 Glazing and Door U-factors: Glazing and door U-factors shall be determined in accordance with sections 502.1.5.1 and 502.1.5.2. All products shall be labeled with the NFRC certified or default U-factor. The labeled U-factor shall be used in all calculations to determine compliance with this Code. Sealed insulating glass shall conform to, or be in test for, ASTM E-774-81 class A.

EXCEPTIONS:

- For glazed wall systems, assemblies with all of the following features are deemed to satisfy the vertical glazing U-factor requirement in Table 6-1 through 6-6 options with vertical glazing U-0.40 and greater:
 - Double glazing with a minimum 1/2 inch gap width, having a low-emissivity coating with $e=0.10$ maximum, with 90% minimum argon gas fill, and a non-aluminum spacer (as defined in footnote 1 to Table 10-6B), and
 - Frame that is thermal break aluminum (as defined in footnote 9 to Table 10-6B), wood, aluminum clad wood, vinyl, aluminum clad vinyl, or reinforced vinyl. The only labeling requirement for products using this exception shall be a description of the product and a label stating: "This product is deemed to satisfy the Table 6-1 through 6-6 vertical glazing U-factor requirement using the exception to Section 502.1.5 in the Washington State Energy Code."
- For overhead glazing, assemblies with all of the following features are deemed to satisfy the overhead glazing U-factor requirement in all Table 6-1 through 6-6 options **except** the unlimited glazing area options (Option VIII in Table 6-2, Option IX in Table 6-4, and Option VIII for Climate Zone 1 and Option IX for Climate Zone 2 in Table 6-6):
 - Either, double glazing with a minimum 1/2 inch gap width, having a low-emissivity coating with $e=0.20$ maximum, with 90% minimum argon gas fill, or, triple glazed plastic domes, and
 - Frame that is thermal break aluminum (as defined in footnote 9 to Table 10-6B), wood, aluminum clad wood, vinyl, aluminum clad vinyl, or reinforced vinyl. The only labeling requirement for products using this exception shall be a description of the product and a label stating: "This product is deemed to satisfy the Table 6-1 through 6-6 overhead glazing U-factor requirement using the exception to Section 502.1.5 in the Washington State Energy Code."

3. For solariums with a floor area which does not exceed 300 square feet, assemblies which comply with the features listed in exception 2 are deemed to satisfy the vertical glazing and overhead glazing U-factor requirement in Table 6-1 through 6-6 options with vertical glazing U-0.40 and greater.

The only labeling requirement for products using this exception shall be a description of the product and a label stating: "This product is deemed to satisfy the Table 6-1 through 6-6 vertical glazing and overhead glazing U-factor requirements using the exception to Section 502.1.5 in the Washington State Energy Code."

502.1.5.1 Standard Procedure for Determination of Glazing U-factors: U-factors for glazing shall be determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Product Certification Program (PCP), as authorized by an independent certification and inspection agency licensed by the NFRC. Compliance shall be based on the Residential Model Size. Product samples used for U-factor determinations shall be production line units or representative of units as purchased by the consumer or contractor. Products that are listed in the NFRC Certified Products Directory or certified to the NFRC standard shall not use default values.

EXCEPTIONS:

1. Glazing products without NFRC ratings may be assigned default U-factors from Table 10-6A for vertical glazing and from Table 10-6E for overhead glazing.
2. Units without NFRC ratings produced by a small business may be assigned default U-factors from Table 10-6A for garden windows, from Table 10-6B for other vertical glazing, and from Table 10-6E for overhead glazing.
3. Compliance may be based on the NFRC Nonresidential Model Size providing the average glazing product size for each operator type meets or exceeds the NFRC Nonresidential Model Size. A glazing schedule and average glazing size calculation shall be provided for each operator type.

502.1.5.2 Standard Procedure for Determination of Door U-factors: Half-lite and full-lite doors, including fire doors, shall be assigned default U-factors from Table 10-6D. All other doors, including fire doors, shall be assigned default U-factors from Table 10-6C.

EXCEPTIONS:

1. U-factors determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Product Certification Program (PCP), as authorized by an independent certification and inspection agency licensed by the NFRC.
2. The default values for the opaque portions of doors shall be those listed in Table 10-6C, provided that the U-factor listed for a door with a thermal break shall only be allowed if both the door and the frame have a thermal break.
3. One unlabeled or untested exterior swinging door with the maximum area of 24 square feet may be installed for ornamental, security or architectural purposes. Products using this exception shall not be included in either the U-factor or glazing area calculation requirements.

502.1.6 Moisture Control:

502.1.6.1 Vapor Retarders: Vapor retarders shall be installed on the warm side (in winter) of insulation as specified in the following cases.

EXCEPTION: Vapor retarder installed with not more than 1/3 of the nominal R-value between it and the conditioned space.

502.1.6.2 Floors: Floors separating conditioned space from unconditioned space shall have a vapor retarder installed. The vapor retarder shall have a one perm dry cup rating or less (i.e., four mil[0.004 inch thick] polyethylene or kraft faced material).

502.1.6.3 Roof/Ceilings: Roof/ceiling assemblies where the ventilation space above the insulation is less than an average of 12 inches shall be provided with a vapor retarder. Faced batt insulation where used as a vapor retarder shall be face stapled. Single rafter joist vaulted ceiling cavities shall be of sufficient depth to allow a minimum one inch vented air space above the insulation.

502.1.6.4: Vapor retarders shall not be required in roof/ceiling assemblies where the ventilation space above the insulation averages 12 inches or greater.

502.1.6.5: Vapor retarders shall not be required where all of the insulation is installed between the roof membrane and the structural roof deck.

502.1.6.6 Walls: Walls separating conditioned space from unconditioned space shall have a vapor retarder installed. Faced batt insulation shall be face stapled.

502.1.6.7 Ground Cover: A ground cover of six mil (0.006 inch thick) black polyethylene or approved equal shall be laid over the ground within crawl spaces. The ground cover shall be overlapped 12 inches minimum at the joints and shall extend to the foundation wall.

EXCEPTION: The ground cover may be omitted in crawl spaces if the crawl space has a concrete slab floor with a minimum thickness of 3-1/2 inches.

502.2 Thermal Criteria for Group R Occupancy:

502.2.1 UA Calculations: The proposed UA as calculated using Equations 2 and 3 shall not exceed the target UA as calculated using Equation 1. For the purpose of determining equivalent thermal performance, the glazing area for the target UA shall be calculated using values in Table 5-1. The opaque door area shall be the same in the target UA and the proposed UA.

EXCEPTION: Log and solid timber walls that have a minimum average thickness of 3.5" and with space heat type other than electric resistance, are exempt from wall target UA and proposed UA calculations.

502.2.2 Space Heat Type: The following two categories comprise all space heating types:

1. Electric Resistance: Space heating systems which include baseboard units, radiant units and forced air units as either the primary or secondary heating system.

EXCEPTION: Electric resistance systems for which the total electric heat capacity in each individual dwelling unit does not exceed the greater of: 1) One thousand watts (1000 w)

per dwelling unit, or; 2) One watt per square foot (1 w/ft²) of the gross floor area.

2. Other: All gas, wood, oil and propane space heating systems, unless electric resistance is used as a secondary heating system, and all heat pump space heating systems. (See EXCEPTIONS, Electric Resistance, section 502.2.2 above.)

502.3 Reserved.

502.4 Air Leakage:

502.4.1 General: The requirements of this section shall apply to all buildings and structures, or portions thereof, and only to those locations separating outdoor ambient conditions from interior spaces that are heated or mechanically cooled.

502.4.2 Doors and Windows, General: Exterior doors and windows shall be designed to limit air leakage into or from the building envelope. Site-constructed doors and windows shall be sealed in accordance with Section 502.4.3.

502.4.3 Seals and Weatherstripping:

a. Exterior joints around windows and door frames, openings between walls and foundation, between walls and roof and wall panels; openings at penetrations of utility services through walls, floors and roofs; and all other openings in the building envelope for all occupancies and all other openings in between units in R-1 occupancy shall be sealed, caulked, gasketed or weatherstripped to limit air leakage. Other exterior joints and seams shall be similarly treated, or taped, or covered with moisture vapor permeable housewrap.

b. All exterior doors or doors serving as access to an enclosed unheated area shall be weatherstripped to limit leakage around their perimeter when in a closed position.

c. Site built windows are exempt from testing but shall be made tight fitting. Fixed lights shall have glass retained by stops with sealant or caulking all around. Operating sash shall have weatherstripping working against overlapping trim and a closer/latch which will hold the sash closed. The window frame to framing crack shall be made tight with caulking, overlapping membrane or other approved technique.

d. Openings that are required to be fire resistive are exempt from this section.

502.4.4 Recessed Lighting Fixtures: When installed in the building envelope, recessed lighting fixtures shall meet one of the following requirements:

1. Type IC rated, manufactured with no penetrations between the inside of the recessed fixture and ceiling cavity and sealed or gasketed to prevent air leakage into the unconditioned space.

2. Type IC rated, installed inside a sealed box constructed from a minimum 1/2 inch thick gypsum wall board, or constructed from a preformed polymeric vapor barrier, or other air tight assembly manufactured for this purpose.

3. Type IC rated, certified under ASTM E283 to have no more than 2.0 cfm air movement from the conditioned space

to the ceiling cavity. The lighting fixture shall be tested at 75 Pascals or 1.57 lbs/ft² pressure difference and have a label attached, showing compliance.

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

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0502 Building envelope requirements.

502.1 General:

OPTION 2:

502.1.1: The stated U- or F-factor of any component assembly, listed in Table 5-1 or 5-2, such as roof/ceiling, opaque wall or opaque floor may be increased and the U-factor for other components decreased, provided that the total heat gain or loss for the entire building envelope does not exceed the total resulting from compliance to the U-factors specified in this Section.

The U-factors for typical construction assemblies are included in Chapter 10. These values shall be used for all calculations. Where proposed construction assemblies are not represented in Chapter 10, values shall be calculated in accordance with Chapters 21-29 in Standard RS-1 listed in Chapter 7, using the framing factors listed in Chapter 10 where applicable.

For envelope assemblies containing metal framing, the U-factor shall be determined by one of the following methods:

1. Results of laboratory or field measurements.
2. Standard RS-25, listed in Chapter 7, where the metal framing is bonded on one or both sides to a metal skin or covering.
3. The zone method as provided in Chapter 24 of Standard RS-1, listed in Chapter 7.
4. Results of parallel path correction factors effective framing/cavity R-values as provided (~~(from the following table for metal stud walls and roof ceilings:)~~ in Table 10-5A - Default U-Factors and Effective R-Values for Metal Stud Walls and Default Metal Building U-Factors.

	((Framing		Cavity Insulation		
				Effective R-Value	
	Nominal Depth, Inches	Actual Depth, Inches	Nominal R-Value	Framing 16" o.e.	Framing 24" o.e.
<u>Air cavity</u>	<u>any</u>	<u>any</u>	<u>0.91</u>	<u>0.79</u>	<u>0.91</u>
<u>Wall</u>	4	3-1/2	R-11	R-5.5	R-6.6
	4	3-1/2	R-13	R-6.0	R-7.2
	4	3-1/2	R-15	R-6.4	R-7.8
	6	5-1/2	R-19	R-7.1	R-8.6
	6	5-1/2	R-21	R-7.4	R-9.0
	8	7-1/4	R-25	R-7.8	R-9.6
<u>Roof</u>		Insulation is uncompressed	R-11	R-5.5	R-6.1
			R-19	R-7.0	R-9.1
			R-30	R-9.3	R-11.4))

502.1.2: For consideration of thermal mass effects, see section 402.4.

502.1.3: When return air ceiling plenums are employed, the roof/ceiling assembly shall:

a. For thermal transmittance purposes, not include the ceiling proper nor the plenum space as part of the assembly; and

b. For gross area purposes, be based upon the interior face of the upper plenum surface.

502.1.4 Insulation:

502.1.4.1 General: All insulating materials shall comply with sections 2602 and/or 707 of the Uniform Building Code. Substantial contact of the insulation with the surface being insulated is required. All insulation materials shall be installed according to the manufacturer's instructions to achieve proper densities and maintain uniform R-values and shall be installed in a manner which will permit inspection of the manufacturer's R-value identification mark. To the maximum extent possible, insulation shall extend over the full component area to the intended R-value.

Alternatively, the thickness of roof/ceiling and wall insulation that is either blown in or spray-applied shall be identified by inches of thickness, density and R-value markers installed at least one for every 300 square feet (28 m²) through the attic, ceiling and/or wall space. In attics, the markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness and minimum settled thickness with numbers a minimum 1.0 inch (25 mm) in height. Each marker shall face the attic access. The thickness of installed attic insulation shall meet or exceed the minimum initial installed thickness shown by the marker. In cathedral ceilings and walls, the markers shall be affixed to the rafter and wall frame at alternating high and low intervals and marked with the minimum installed density and R-value with numbers a minimum 1.0 inch (25 mm) in height. Each marker shall face the conditioned room area.

502.1.4.2 Insulation Materials: All insulation materials including facings such as vapor barriers or breather papers

installed within floor/ceiling assemblies, roof/ceiling assemblies, walls, crawl spaces, or attics shall have a flame spread rating of less than 25 and a smoke density not to exceed 450 when tested in accordance with UBC Standard 8-1.

EXCEPTIONS:

1. Foam plastic insulation shall comply with section 2602 of the Uniform Building Code.
2. When such materials are installed in concealed spaces of Types III, IV and V construction, the flame spread and smoke developed limitations do not apply to facing, provided that the facing is installed in substantial contact with the unexposed surface of the ceiling, floor or wall finish.
3. Cellulose insulation shall comply with section 707 of the Uniform Building Code.

502.1.4.3 Clearances: Where required, insulation shall be installed with clearances according to manufacturer's specifications. Insulation shall be installed so that required ventilation is unobstructed. For blown or poured loose fill insulation, clearances shall be maintained through installation of a permanent retainer.

502.1.4.4 Access Hatches and Doors: Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weatherstripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer must be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

502.1.4.5 Roof/Ceiling Insulation: Open-blown or poured loose fill insulation may be used in attic spaces where the slope of the ceiling is not more than 3 feet in 12 and there is at least 30 inches of clear distance from the top of the bottom chord of the truss or ceiling joist to the underside of the sheathing at the roof ridge. When eave vents are installed, baffling of the vent openings shall be provided so as to deflect the incoming air above the surface of the insulation. Baffles shall be, rigid material, resistant to wind driven mois-

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ture. Requirements for baffles for ceiling insulation shall meet the Uniform Building Code section 1505.3 for minimum ventilation requirements. When feasible, the baffles shall be installed from the top of the outside of the exterior wall, extending inward, to a point 6 inches vertically above the height of noncompressed insulation, and 12 inches vertically above loose fill insulation.

502.1.4.6 Wall Insulation: Insulation installed in exterior walls shall comply with the provisions of this section. All wall insulation shall fill the entire framed cavity. Exterior wall cavities isolated during framing shall be fully insulated to the levels of the surrounding walls. All faced insulation shall be face stapled to avoid compression.

502.1.4.7 Floor Insulation: Floor insulation shall be installed in a permanent manner in substantial contact with the surface being insulated. Insulation supports shall be installed so spacing is no more than 24 inches on center. Foundation vents shall be placed so that the top of the vent is below the lower surface of the floor insulation.

EXCEPTION: Insulation may be omitted from floor areas over heated basements, heated garages or underfloor areas used as HVAC supply plenums. See Uniform Mechanical Code section 607 for underfloor supply plenum requirements. When foundation walls are insulated, the insulation shall be attached in a permanent manner. The insulation shall not block the airflow through foundation vents when installed. When foundation vents are not placed so that the top of the vent is below the lower surface of the floor insulation, a permanently attached baffle shall be installed at an angle of 30° from horizontal, to divert air flow below the lower surface of the floor insulation.

502.1.4.8 Slab-On-Grade: Slab-on-grade insulation, installed inside the foundation wall, shall extend downward from the top of the slab for a minimum distance of 24 inches or downward and then horizontally beneath the slab for a minimum combined distance of 24 inches. Insulation installed outside the foundation shall extend downward to a minimum of 24 inches or to the frostline. Above grade insulation shall be protected.

EXCEPTION: For monolithic slabs, the insulation shall extend downward from the top of the slab to the bottom of the footing.

502.1.4.9 Radiant Slabs: The entire area of a radiant slab shall be thermally isolated from the soil, with a minimum of R-10 insulation. The insulation shall be an approved product for its intended use. If a soil gas control system is present below the radiant slab, which results in increased convective flow below the radiant slab, the radiant slab shall be thermally isolated from the sub-slab gravel layer.

502.1.4.10 Below Grade Walls: Below grade exterior wall insulation used on the exterior (cold) side of the wall shall extend from the top of the below grade wall to the top of the footing and shall be approved for below grade use. Above grade insulation shall be protected.

Insulation used on the interior (warm) side of the wall shall extend from the top of the below grade wall to the below grade floor level.

502.1.5 Glazing and Door U-factors: Glazing and door U-factors shall be determined in accordance with sections 502.1.5.1 and 502.1.5.2. All products shall be labeled with the NFRC certified or default U-factor. The labeled U-factor shall be used in all calculations to determine compliance with this Code. Sealed insulating glass shall conform to, or be in test for, ASTM E-774-81 class A.

EXCEPTIONS:

1. For glazed wall systems, assemblies with all of the following features are deemed to satisfy the vertical glazing U-factor requirement in Table 6-1 through 6-6 options with vertical glazing U-0.40 and greater:

a. Double glazing with a minimum 1/2 inch gap width, having a low-emissivity coating with $e=0.10$ maximum, with 90% minimum argon gas fill, and a non-aluminum spacer (as defined in footnote 1 to Table 10-6B), and

b. Frame that is thermal break aluminum (as defined in footnote 9 to Table 10-6B), wood, aluminum clad wood, vinyl, aluminum clad vinyl, or reinforced vinyl. The only labeling requirement for products using this exception shall be a description of the product and a label stating: "This product is deemed to satisfy the Table 6-1 through 6-6 vertical glazing U-factor requirement using the exception to Section 502.1.5 in the Washington State Energy Code."

2. For overhead glazing, assemblies with all of the following features are deemed to satisfy the overhead glazing U-factor requirement in all Table 6-1 through 6-6 options **except** the unlimited glazing area options (Option VIII in Table 6-2, Option IX in Table 6-4, and Option VIII for Climate Zone 1 and Option IX for Climate Zone 2 in Table 6-6):

a. Either, double glazing with a minimum 1/2 inch gap width, having a low-emissivity coating with $e=0.20$ maximum, with 90% minimum argon gas fill, or, triple glazed plastic domes, and

b. Frame that is thermal break aluminum (as defined in footnote 9 to Table 10-6B), wood, aluminum clad wood, vinyl, aluminum clad vinyl, or reinforced vinyl.

The only labeling requirement for products using this exception shall be a description of the product and a label stating: "This product is deemed to satisfy the Table 6-1 through 6-6 overhead glazing U-factor requirement using the exception to Section 502.1.5 in the Washington State Energy Code."

3. For solariums with a floor area which does not exceed 300 square feet, assemblies which comply with the features listed in exception 2 are deemed to satisfy the vertical glazing and overhead glazing U-factor requirement in Table 6-1 through 6-6 options with vertical glazing U-0.40 and greater.

The only labeling requirement for products using this exception shall be a description of the product and a label stating: "This product is deemed to satisfy the Table 6-1 through 6-6 vertical glazing and overhead glazing U-factor requirements using the exception to Section 502.1.5 in the Washington State Energy Code."

502.1.5.1 Standard Procedure for Determination of Glazing U-factors: U-factors for glazing shall be determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Product Certification Program (PCP), as authorized by an independent certification and inspection agency licensed by the NFRC. Compliance shall be based on the Residential Model Size. Product samples used for U-factor determinations shall be production line units or representative of units as purchased by the consumer

or contractor. Products that are listed in the NFRC Certified Products Directory or certified to the NFRC standard shall not use default values.

EXCEPTIONS:

1. Glazing products without NFRC ratings may be assigned default U-factors from Table 10-6A for vertical glazing and from Table 10-6E for overhead glazing.
2. Units without NFRC ratings produced by a small business may be assigned default U-factors from Table 10-6A for garden windows, from Table 10-6B for other vertical glazing, and from Table 10-6E for overhead glazing.
3. Compliance may be based on the NFRC Nonresidential Model Size providing the average glazing product size for each operator type meets or exceeds the NFRC Nonresidential Model Size. A glazing schedule and average glazing size calculation shall be provided for each operator type.

502.1.5.2 Standard Procedure for Determination of Door U-factors: Half-lite and full-lite doors, including fire doors, shall be assigned default U-factors from Table 10-6D. All other doors, including fire doors, shall be assigned default U-factors from Table 10-6C.

EXCEPTIONS:

1. U-factors determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Product Certification Program (PCP), as authorized by an independent certification and inspection agency licensed by the NFRC.
2. The default values for the opaque portions of doors shall be those listed in Table 10-6C, provided that the U-factor listed for a door with a thermal break shall only be allowed if both the door and the frame have a thermal break.
3. One unlabeled or untested exterior swinging door with the maximum area of 24 square feet may be installed for ornamental, security or architectural purposes. Products using this exception shall not be included in either the U-factor or glazing area calculation requirements.

502.1.6 Moisture Control:

502.1.6.1 Vapor Retarders: Vapor retarders shall be installed on the warm side (in winter) of insulation as specified in the following cases.

EXCEPTION: Vapor retarder installed with not more than 1/3 of the nominal R-value between it and the conditioned space.

502.1.6.2 Floors: Floors separating conditioned space from unconditioned space shall have a vapor retarder installed. The vapor retarder shall have a one perm dry cup rating or less (i.e., four mil[0.004 inch thick] polyethylene or kraft faced material).

502.1.6.3 Roof/Ceilings: Roof/ceiling assemblies where the ventilation space above the insulation is less than an average of 12 inches shall be provided with a vapor retarder. Faced batt insulation where used as a vapor retarder shall be face stapled. Single rafter joist vaulted ceiling cavities shall be of sufficient depth to allow a minimum one inch vented air space above the insulation.

502.1.6.4: Vapor retarders shall not be required in roof/ceiling assemblies where the ventilation space above the insulation averages 12 inches or greater.

502.1.6.5: Vapor retarders shall not be required where all of the insulation is installed between the roof membrane and the structural roof deck.

502.1.6.6 Walls: Walls separating conditioned space from unconditioned space shall have a vapor retarder installed. Faced batt insulation shall be face stapled.

502.1.6.7 Ground Cover: A ground cover of six mil (0.006 inch thick) black polyethylene or approved equal shall be laid over the ground within crawl spaces. The ground cover shall be overlapped 12 inches minimum at the joints and shall extend to the foundation wall.

EXCEPTION: The ground cover may be omitted in crawl spaces if the crawl space has a concrete slab floor with a minimum thickness of 3-1/2 inches.

502.2 Thermal Criteria for Group R Occupancy:

502.2.1 UA Calculations: The proposed UA as calculated using Equations 2 and 3 shall not exceed the target UA as calculated using Equation 1. For the purpose of determining equivalent thermal performance, the glazing area for the target UA shall be calculated using values in Table 5-1. The opaque door area shall be the same in the target UA and the proposed UA.

EXCEPTION: Log and solid timber walls that have a minimum average thickness of 3.5" and with space heat type other than electric resistance, are exempt from wall target UA and proposed UA calculations.

502.2.2 Space Heat Type: The following two categories comprise all space heating types:

1. Electric Resistance: Space heating systems which include baseboard units, radiant units and forced air units as either the primary or secondary heating system.

EXCEPTION: Electric resistance systems for which the total electric heat capacity in each individual dwelling unit does not exceed the greater of: 1) One thousand watts (1000 w) per dwelling unit, or; 2) One watt per square foot (1 w/ft²) of the gross floor area.

2. Other: All gas, wood, oil and propane space heating systems, unless electric resistance is used as a secondary heating system, and all heat pump space heating systems. (See EXCEPTIONS, Electric Resistance, section 502.2.2 above.)

502.3 Reserved.

502.4 Air Leakage:

502.4.1 General: The requirements of this section shall apply to all buildings and structures, or portions thereof, and only to those locations separating outdoor ambient conditions from interior spaces that are heated or mechanically cooled.

502.4.2 Doors and Windows, General: Exterior doors and windows shall be designed to limit air leakage into or from the building envelope. Site-constructed doors and windows shall be sealed in accordance with Section 502.4.3.

502.4.3 Seals and Weatherstripping:

a. Exterior joints around windows and door frames, openings between walls and foundation, between walls and

roof and wall panels; openings at penetrations of utility services through walls, floors and roofs; and all other openings in the building envelope for all occupancies and all other openings in between units in R-1 occupancy shall be sealed, caulked, gasketed or weatherstripped to limit air leakage. Other exterior joints and seams shall be similarly treated, or taped, or covered with moisture vapor permeable housewrap.

b. All exterior doors or doors serving as access to an enclosed unheated area shall be weatherstripped to limit leakage around their perimeter when in a closed position.

c. Site built windows are exempt from testing but shall be made tight fitting. Fixed lights shall have glass retained by stops with sealant or caulking all around. Operating sash shall have weatherstripping working against overlapping trim and a closer/latch which will hold the sash closed. The window frame to framing crack shall be made tight with caulking, overlapping membrane or other approved technique.

d. Openings that are required to be fire resistive are exempt from this section.

502.4.4 Recessed Lighting Fixtures: When installed in the building envelope, recessed lighting fixtures shall meet one of the following requirements:

1. Type IC rated, manufactured with no penetrations between the inside of the recessed fixture and ceiling cavity and sealed or gasketed to prevent air leakage into the unconditioned space.

2. Type IC rated, installed inside a sealed box constructed from a minimum 1/2 inch thick gypsum wall board, or constructed from a preformed polymeric vapor barrier, or other air tight assembly manufactured for this purpose.

3. Type IC rated, certified under ASTM E283 to have no more than 2.0 cfm air movement from the conditioned space to the ceiling cavity. The lighting fixture shall be tested at 75 Pascals or 1.57 lbs/ft² pressure difference and have a label attached, showing compliance.

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

AMENDATORY SECTION (Amending WSR 98-24-075, filed 12/1/98, effective 7/1/99)

WAC 51-11-0503 Building mechanical systems.

503.1 General: This section covers the determination of design requirements, system and component performance, control requirements, insulating systems and duct construction.

((EXCEPTIONS: ~~Special applications, including but not limited to hospitals, laboratories, thermally sensitive equipment, and computer rooms may be exempted from the requirements of this section when approved by the building official.~~))

503.2 Calculations of Heating and Cooling Loads, and System Sizing Limits: The design parameters specified in Chapter 3 shall apply for all computations.

503.2.1 Calculation Procedures: Heating and cooling design loads for the purpose of sizing HVAC systems are required and shall be calculated in accordance with accepted engineering practice, including infiltration and ventilation.

503.2.2 Space Heating and Space Cooling System Sizing Limits: Building mechanical systems for all buildings which provide space heating and/or space cooling shall be sized no greater than two hundred percent (200%) of the heating and cooling design loads as calculated above.

EXCEPTIONS: The following limited exemptions from the sizing limit shall be allowed, however, in all cases heating and/or cooling design load calculations shall be submitted.

1. For equipment which provides both heating and cooling in one package unit, including heat pumps with electric heating and cooling and gas-pack units with gas heating and electric cooling, compliance need only be demonstrated for either the space heating or space cooling system size.

2. Natural gas- or oil-fired space heating equipment whose total rated space heating output in any one dwelling unit is ~~((fifty-six thousand Btu/h or less))~~ a. 40,000 Btu/h or less is exempt from the sizing limit. b. larger than 40,000 Btu/h may exceed the two hundred (200%) percent sizing limit provided that the installed equipment has an annual fuel utilization efficiency (AFUE) of not less than ((the sum of seventy-eight percent plus one percent for every five thousand Btu/h that the space heating equipment output exceeds the design heating load of the dwelling unit)) ninety (90%) percent.

3. Stand-by equipment may be installed if controls and other devices are provided which allow redundant equipment to operate only when the primary equipment is not operating.

503.3 Simultaneous Heating and Cooling: Systems and equipment that provide simultaneous heating and cooling shall comply with the requirements in, as appropriate, Section 1422 or Section 1435.

503.4 HVAC Equipment Performance Requirements:

503.4.1 Equipment Components:

503.4.1.1: The requirements of this section apply to equipment and mechanical component performance for heating, ventilating and air-conditioning systems. Equipment efficiency levels are specified. Data furnished by the equipment supplier or certified under a nationally recognized certification program or rating procedure shall be used to satisfy these requirements. Equipment efficiencies shall be based on the standard rating conditions in Tables 5-4, 5-5 or 5-6 as appropriate.

503.4.1.2: Where components from more than one manufacturer are assembled into systems regulated under this section, compliance for each component shall be as specified in sections 503.4.2 through 503.4.6 of this Code.

503.4.2: HVAC System Heating Equipment Heat Pump-heating Mode. Heat pumps whose energy input is entirely electric shall have a coefficient of performance (COP) heating, not less than the values in Table 5-7. Heat Pumps with supplementary backup heat other than electricity shall meet the requirements of Table 5-7.

503.4.2.1: These requirements apply to, but are not limited to, unitary (central) heat pumps (air source and water source) in the heating mode, water source (hydronic) heat pumps as used in multiple-unit hydronic HVAC systems, and heat pumps in the packaged terminal air-conditioner in the heating mode.

503.4.2.3 Supplementary Heater: The heat pump shall be installed with a control to prevent supplementary backup heater operation when the operating load can be met by the heat pump compression cycle alone.

503.4.2.4 Heat Pump Controls: Requirements for heat pump controls are listed in section 503.8.3.5 of this Code.

503.4.3 HVAC System Combustion Equipment: For Group R Occupancy, all gas, oil, and propane central heating systems shall have a minimum AFUE of 0.78*. All other Group R Occupancy heating equipment fueled by gas, oil, or propane shall be equipped with an intermittent ignition device, or shall comply with the efficiencies as required in the 1987 National Appliances Energy Conservation Act (Public Law 100-12).

*HVAC Heating system efficiency trade-offs shall be made using Chapters 4 or 6 of this Code.

503.4.4 Packaged and Unitary HVAC System Equipment, Electrically Operated, Cooling Mode: HVAC system equipment as listed below, whose energy input in the cooling mode is entirely electric, shall have an energy efficiency ratio (EER) or a seasonal energy efficiency ratio (SEER) cooling not less than values in Table 5-8.

503.4.4.1: These requirements apply to, but are not limited to, unitary (central) and packaged terminal heat pumps (air source and water source); packaged terminal air conditioners.

503.4.5 Other HVAC Equipment: HVAC equipment, other than that addressed in Sections 503.4.2 through 503.4.4, shall have a minimum performance at the specified rating conditions not less than the values shown in Tables 14-1 through 14-3.

503.5 Reserved.

503.6 Balancing: The HVAC system design shall provide a means for balancing air and water systems. Balancing the system shall include, but not be limited to, dampers, temperature and pressure test connections and balancing valves.

503.7 Cooling with Outdoor Air (Economizer Cycle): ~~(Each fan system shall be designed to use up to and including 100% of the fan system capacity for cooling with outdoor air automatically whenever its use will result in lower usage of new energy. Activation of economizer cycle shall be controlled by sensing outdoor air enthalpy or outdoor air dry-bulb temperature alone or alternate means approved by the building official.~~

EXCEPTIONS: Cooling with outdoor air is not required under any one or more of the following conditions:
1. The fan system capacity is less than 3,500 cfm or total cooling capacity is less than 90,000 Btu/h.

~~2. The quality of the outdoor air is so poor as to require extensive treatment of the air and approval by the building official.~~

~~3. The need for humidification or dehumidification requires the use of more energy than is conserved by the outdoor air cooling on an annual basis.~~

~~4. The use of outdoor air cooling may affect the operation of other systems so as to increase the overall energy consumption of the building.~~

~~5. When energy recovered from an internal/external zone heat recovery system exceeds the energy conserved by outdoor air cooling on an annual basis.~~

~~6. When all space cooling is accomplished by a circulating liquid, which transfers space heat directly or indirectly to a heat rejection device such as a cooling tower without use of a refrigeration system.~~

~~7. When the use of 100% outside air will cause coil frosting, controls may be added to reduce the quantity of outside air. However, the intent of this exception is to use 100% air in lieu of mechanical cooling when less energy usage will result and this exception applies only to direct expansion systems when the compressor is running.)~~

Systems and equipment that provide mechanical cooling shall comply with Section 1413 and, as appropriate, Section 1423 or 1433.

503.8 Controls:

503.8.1 Temperature Control: Each system shall be provided with at least one adjustable thermostat for the regulation of temperature. Each thermostat shall be capable of being set by adjustment or selection of sensors as follows:

503.8.1.1: When used to control heating only: Fifty-five degrees to seventy-five degrees F.

503.8.1.2: When used to control cooling only: Seventy degrees to eighty-five degrees F.

503.8.1.3: When used to control both heating and cooling, it shall be capable of being set from fifty-five degrees to eighty-five degrees F and shall be capable of operating the system heating and cooling in sequence. The thermostat and/or control system shall have an adjustable deadband of not less than ten degrees F.

503.8.2 Humidity Control: If a system is equipped with a means for adding moisture to maintain specific selected relative humidities in space or zones, a humidistat shall be provided. Humidistats shall be capable of being set to prevent new energy from being used to produce space-relative humidity above thirty percent.

EXCEPTION: Special uses requiring different relative humidities may be permitted when approved by the building official.

503.8.3 Zoning for Temperature Control:

503.8.3.1 One- and Two-Family Dwellings: At least one thermostat for regulation of space temperature shall be provided for each separate system. In addition, a readily accessible manual or automatic means shall be provided to partially restrict or shut off the heating and/or cooling input to each zone or floor.

503.8.3.2 Multifamily Dwellings: For multifamily dwellings, each individual dwelling unit shall have at least one thermostat for regulation of space temperature. A readily accessible manual or automatic means shall be provided to

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partially restrict or shut off the heating and/or cooling input to each room. Spaces other than living units shall meet the requirements of 503.8.3.3.

503.8.3.3 Reserved.

503.8.3.4 Control Setback and Shut-off:

Residential Occupancy Groups. One- and Two-Family and Multifamily dwellings—The thermostat required in section 503.8.3.1 or section 503.8.3.2, or an alternate means such as a switch or clock, shall provide a readily accessible, manual or automatic means for reducing the energy required for heating and cooling during the periods of non-use or reduced need, such as, but not limited to unoccupied periods and sleeping hours. Lowering thermostat set points to reduce energy consumption of heating systems shall not cause energy to be expended to reach the reduced setting.

503.8.3.5 Heat Pump Controls: Programmable thermostats are required for all heat pump systems. The cut-on temperature for the compression heating shall be higher than the cut-on temperature for the supplementary heat, and the cut-off temperature for the compression heating shall be higher than the cut-off temperature for the supplementary heat. Heat pump thermostats will be capable of providing at least two programmable setback periods per day. The automatic setback thermostat shall have the capability of limiting the use of supplemental heat during the warm-up period.

503.9 Air Handling Duct System Insulation: Ducts, plenums and enclosures installed in or on buildings shall be thermally insulated per Table 5-11.

EXCEPTIONS: Duct insulation (except where required to prevent condensation) is not required in any of the following cases:

1. When the heat gain or loss of the ducts, without insulation, will not increase the energy requirements of the building.
2. Within the HVAC equipment.
3. Exhaust air ducts.
4. Supply or return air ducts installed in unvented crawl spaces with insulated walls, basements, or cellars in one- and two-family dwellings.

503.10 Duct Construction: All duct work shall be constructed in accordance with Standards RS-15, RS-16, RS-17, RS-18, RS-19 or RS-20, as applicable, and the Uniform Mechanical Code.

503.10.1 Leakage Testing: High-pressure and medium-pressure ducts shall be leak tested in accordance with the applicable standards in Chapter 7 of this Code with the rate of air leakage not to exceed the maximum rate specified in that standard.

503.10.2 Seams and Joints: ~~((When low pressure supply air ducts are located outside of the conditioned space, all HVAC ductwork seams and joints, both longitudinal and transverse, shall be taped and sealed with products approved by the building official only. Ductwork joints shall be mechanically fastened with a minimum of three fasteners per joint for a cylindrical duct. Use Table 5-11 for duct insulation requirements.))~~ All low-pressure supply and return, including enclosed stud bays or joist cavities/space used to transport

air, shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic-plus-embedded-fabric systems or tapes installed in accordance with the manufacturer's installation instructions. Tapes and mastics used with rigid fibrous glass ducts shall be listed and labeled in accordance with UL 181A. Tapes and mastics used with flexible air ducts shall be listed and labeled in accordance with UL 181B. Duct tape is not permitted as a sealant on any ducts.

EXCEPTION: Ducts or building cavities used for air distribution that are located entirely within the conditioned space of the building are exempt from this section.

503.10.3 Dampers: Requirements for Automatic or manual dampers are found in the Washington State Ventilation and Indoor Air Quality Code.

503.10.4 Duct Insulation: Ducts shall meet the insulation requirements specified in Table 5-11.

503.11 ~~((Piping))~~ Pipe Insulation: All piping ~~((installed to serve buildings (and within)))~~ shall be thermally insulated in accordance with Table 5-12. ~~((For service hot water systems see section 504.7. If water pipes are outside of conditioned space then the pipe insulation requirement shall be R-3 minimum for nonrecirculating hot and cold water pipes. For recirculating service hot and cold water pipes use Table 5-12 for pipe sizes and temperatures.))~~

EXCEPTION: Piping ~~((insulation is not required))~~ installed within unitary HVAC equipment.

Cold water pipes outside the conditioned space shall be insulated in accordance with Washington State Plumbing Code (chapter 51-46 WAC).

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0504 Service water heating.

504.1 Scope: The purpose of this section is to provide criteria for design and equipment selection that will produce energy savings when applied to service water heating.

504.2 Water Heaters, Storage Tanks and Boilers:

504.2.1 Performance Efficiency: All Storage water heaters shall meet the requirements of the 1987 National Appliance Energy Conservation Act and be so labeled. All electric water heaters in unheated spaces or on concrete floors shall be placed on an incompressible, insulated surface with a minimum thermal resistance of R-10.

For combination space and service water heaters with a principal function of providing space heat, the Combined Annual Efficiency (CAE) may be calculated by using ASHRAE Standard 124-1991. Storage water heaters used in combination space heat and water heat applications shall have either an Energy Factor (EF) or a Combined Annual Efficiency (CAE) of not less than the following:

	Energy Factor (EF)	Combined Annual Efficiency (CAE)
<50 gallon storage	0.58	0.71
50 to 70 gallon storage	0.57	0.71
>70 gallon storage	0.55	0.70

504.2.2 Insulation: Heat loss from unfired hot-water storage tanks shall be limited to a maximum of 9.6 Btu/hr/ft² of external tank surface area. The design ambient temperature shall be no higher than sixty-five degrees F.

504.2.3 Combination Service Water Heating/Space Heating Boilers: Service water heating equipment shall not be dependent on year round operation of space heating boilers.

EXCEPTIONS: 1. Systems with service/space heating boilers having a standby loss Btu/h less than:

$$(13.3 \text{ pmd} + 400)/n$$

determined by the fixture count method where:

pmd = probably maximum demand in gallons/hour as determined in accordance with Chapter 37 of Standard RS-11.

n = fraction of year when outdoor daily mean temperature exceeds 64.9° F.

The standby loss is to be determined for a test period of twenty-four-hour duration while maintaining a boiler water temperature of ninety degrees F above an ambient of sixty degrees F and a five foot stack on appliance.

2. For systems where the use of a single heating unit will lead to energy savings, such unit shall be utilized.

504.3 Automatic Controls: Service water heating systems shall be equipped with automatic temperature controls capable of adjustment from the lowest to the highest acceptable temperature settings for the intended use. Temperature setting range shall be set to one hundred twenty degrees F or forty-nine degrees C.

504.4 Shutdown: A separate switch shall be provided to permit turning off the energy supplied to electric service water heating systems. A separate valve shall be provided to permit turning off the energy supplied to the main burner(s) of all other types of service water heater systems.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0530 Table 5-1.

**TABLE 5-1
TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY**

Component	Electric Resistance		Other Fuels	
	Climate Zone		Climate Zone	
	1	2	1	2
Glazing % Floor Area	15%	15%	15%	15%
Vertical Glazing U-Factor	U = 0.400	U = 0.400	((U = 0.650)) U = 0.500	((U = 0.600)) U = 0.500

504.5 Swimming Pools:

504.5.1: All pool heaters shall be equipped with readily accessible ON/OFF switch to allow shutting off the operation of the heater without adjusting the thermostat setting. Controls shall be provided to allow the water temperature to be regulated from the maximum design temperature down to sixty-five degrees F.

504.5.2 Pool Covers: Heated swimming pools shall be equipped with a pool cover, approved by the building official. Pools heated to more than 90°F shall have a pool cover with a minimum insulation value of R-12.

504.6 Pump Operation: Circulating hot water systems shall be controlled so that the circulation pump(s) can be conveniently turned off, automatically or manually, when the hot water system is not in operation.

504.7 Pipe Insulation: (~~For recirculating and non-recirculating systems;~~) Piping shall be thermally insulated in accordance with section 503.11 (~~and Table 5-12~~).

504.8 Conservation of Hot Water:

504.8.1 Showers and Lavatories: Showers and lavatories used for other than safety reasons shall be equipped with flow control devices or specially manufactured showerheads or aerators to limit the total water flow rate as set forth in chapter 51-26 WAC, as measured with both hot and cold faucets turned on to their maximum flow.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-0505 (~~Reserved~~) Lighting.

505.1 Lighting Controls: Hotel and motel guest rooms and guest suites shall have a master control device at the main room entry that controls all permanently installed luminaires and switched receptacles.

505.2 Lighting Power: Lighting shall comply with the Prescriptive Lighting Option in Section 1520 or the Lighting Power Allowance Option in Section 1530.

EXCEPTIONS: 1. Group R-3 occupancy and the dwelling unit portions of Group R-1 occupancy.
2. Lighting exempted by Section 1512.

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Overhead Glazing U-Factor	U = 0.58	U = 0.58	U = 0.68	U = 0.64
Doors	U = 0.200 (R-5)	U = 0.200 (R-5)	U = 0.400 (R-2.5)	U = 0.400 (R-2.5)
Ceilings				
Attic	U = 0.031 (R-38)	U = 0.031 (R-38)	U = 0.036 (R-30)	U = 0.031 (R-38)
Single Rafter/ Joist Vaulted	U = 0.034 (R-30)	U = 0.034 (R-30)	U = 0.034 (R-30)	U = 0.034 (R-30)
Walls	U = 0.058 (R-19A)	U = 0.044 (R-19+5A)	U = 0.062 ¹ (R-19)	U = 0.062 ¹ (R-19+5)
Floors	U = 0.029 (R-30)	U = 0.029 (R-30)	U = 0.041 (R-19)	U = 0.029 (R-30)
Slab on Grade Slab R-Value	F = 0.54 (R-10)	F = 0.54 (R-10)	F = 0.54 (R-10)	F = 0.54 (R-10)
Below Grade Interior				
Wall R-Value	R-19	R-19	R-19	R-19
2' Depth: Walls	U = 0.043	U = 0.043	U = 0.043	U = 0.043
Slab	F = 0.69	F = 0.69	F = 0.69	F = 0.69
3.5' Depth: Walls	U = 0.041	U = 0.041	U = 0.041	U = 0.041
Slab	F = 0.64	F = 0.64	F = 0.64	F = 0.64
7' Depth: Walls	U = 0.037	U = 0.037	U = 0.037	U = 0.037
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
Below Grade Exterior				
Wall R-Value	R-10	R-12	R-10	R-12
2' Depth: Walls	U = 0.070	U = 0.061	U = 0.070	U = 0.061
Slab	F = 0.60	F = 0.60	F = 0.60	F = 0.60
3.5' Depth: Walls	U = 0.064	U = 0.057	U = 0.064	U = 0.057
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
7' Depth: Walls	U = 0.056	U = 0.050	U = 0.056	U = 0.050
Slab	F = 0.42	F = 0.42	F = 0.42	F = 0.42

1. Log and Solid Timber walls that have a minimum average thickness of 3.5" are exempt from wall target UA and proposed UA calculations.

AMENDATORY SECTION (Amending WSR 94-05-059, filed 2/10/94, effective 4/1/94)

WAC 51-11-0601 Scope.

601.1 General: This chapter establishes design criteria in terms of prescribed requirements for building construction.

The provisions of this chapter are applicable to all Group R Occupancies. Occupancies shall comply with all the requirements of Chapter 5 except for the modifications herein specified.

For wood frame assemblies, the building envelope requirements of this chapter may be met by installing one of the prescriptive packages in Tables 6-1 to 6-6. Installed components shall meet the requirements of section 602 ((and 605)). Compliance with nominal R-Values shall be demonstrated for the thermal resistance of the added insulation in framing cavities and/or insulated sheathing only and shall not include the thermal transmittance of other building materials or air films, but shall permit interruption by occasional fram-

ing members. Other than wood frame assemblies with continuous insulation uninterrupted by framing shall also be allowed to comply with nominal R-values.

For metal frame assemblies, compliance shall be demonstrated in accordance with Chapter 4 or Chapter 5 based on the assemblies in Chapter 10. Compliance with nominal R-values is not allowed, unless the full nominal R-value of the insulation is installed either inside or outside of the framing and is uninterrupted by framing.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0602 Building envelope requirements for Group R Occupancy.

602.1 Roof/Ceiling: Ceilings below vented attics and single-rafter, joist-vaulted ceilings shall be insulated to not less than the nominal R-value specified for ceilings in Tables 6-1 to 6-6 as applicable.

602.2 Exterior Walls Both Above and Below Grade: Above grade exterior walls shall be insulated to not less than

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the nominal R-value specified in Tables 6-1 to 6-6 as applicable. The following walls should be considered to meet R-19 without additional documentation:

1. 2 x 6 framed and insulated with R-19 fiberglass batts.
2. 2 x 4 framed and insulated with R-13 fiberglass batts plus R-3.2 foam sheathing.
3. 2 x 4 framed and insulated with R-11 fiberglass batts plus R-5.0 foam sheathing.

602.3 Exterior Walls (Below Grade): Below grade exterior walls surrounding conditioned space shall be insulated to not less than the nominal R-value specified for below grade walls in Tables 6-1 to 6-6 as applicable.

602.4 Slab-on-grade Floors: Slab-on-grade floors shall be insulated along their perimeter to not less than the nominal R-values specified for slab-on-grade floors in Tables 6-1 to 6-6 as applicable. Slab insulation shall be installed in compliance with section 502.1.4.8. See Chapter 5, section 502.1.4.9, for additional requirements for radiant slab heating.

602.5 Floors Over Unconditioned Space: Floors over unconditioned spaces, such as vented crawl spaces, unconditioned basements, and parking garages shall be insulated to not less than the nominal R-value shown for floors over unconditioned spaces, in Tables 6-1 to 6-6. If the insulation is installed below a concrete slab, then the edge of the slab shall comply with the insulation requirements for exterior walls or shall show compliance through Chapter 4 or Chapter 5.

602.6 Exterior Doors: Doors shall comply with Sections 602.6.1 and 602.6.2.

EXCEPTIONS:

1. Doors whose area and U-factor are included in the calculations for compliance with the requirements for glazing in section 602.7 shall be exempt from the door U-factor requirements prescribed in Tables 6-1 to 6-6.
2. One unlabeled or untested exterior swinging door with the maximum area of 24 square feet may be installed for ornamental, security or architectural purposes. Products using this exception shall not be included in either the U-factor or glazing area calculation requirements.

602.6.1 Exterior Door Area: For half-lite and full-lite doors, the glazing area shall be included in calculating the allowed total glazing area in Section 602.7.1. Single glazing used for ornamental, security or architectural purposes shall be calculated using the exception to Section 602.7.2.

602.6.2 Exterior Door U-Factor: Doors, including fire doors, shall have a maximum area weighted average U-factor not exceeding that prescribed in Tables 6-1 to 6-6.

602.7 Glazing:

602.7.1 Glazing Area: The total glazing area as defined in Chapter 2 shall not exceed the percentage of gross conditioned floor area specified in Tables 6-1 to 6-6. This area shall also include any glazing in doors.

602.7.2 Glazing U-Factor: The total glazing area as defined in Chapter 2 shall have an area weighted average U-factor not to exceed that specified in Tables 6-1 to 6-6. U-fac-

tors for glazing shall be determined in accordance with section 502.1.5. These areas and U-factors shall also include any doors using the exception of section 602.6.

If the U-factors for all vertical and overhead glazing products are below the appropriate U-factor specified, then no calculations are required. If compliance is to be achieved through an area weighted calculation, then the areas and U-factors shall be included in the plans submitted with a building permit application.

EXCEPTION: Single glazing for ornamental, security, or architectural purposes and double glazed garden windows with a wood or vinyl frame shall be exempt from the U-factor calculations but shall have its area doubled and shall be included in the percentage of the total glazing area as allowed for in Tables 6-1 to 6-6. The maximum area (before doubling) allowed for the total of all single glazing and garden windows is one percent of the floor area.

602.8 Air Leakage For Group R Occupancy: The minimum air leakage control measures shall be as specified in section 502.4 as applicable.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0604 (~~(Electric power and lighting for Group R Occupancy.)~~) **Reserved.**

~~((604.1: All electrical power and lighting systems shall comply with the requirements of section 505.))~~

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-0605 (~~(Reserved.)~~) **Lighting. Lighting shall comply with Section 505.**

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AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0625 Table 6-1.

**TABLE 6-1
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY ELECTRIC RESISTANCE**

Option	Glazing Area ¹⁰ : % of Floor	Glazing U-Factor		Door ⁹ U-Factor	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall•int ⁴ Below Grade	Wall•ext ⁴ Below Grade	Floor ⁵	Slab ⁴ on Grade
		Vertical	Overhead ¹¹								
I.	10%	0.46	0.58	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
II.	12%	0.43	0.58	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
III.	12%	0.40	0.58	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
IV.*	15%	0.40	0.58	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
V.	18%	0.39	0.58	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VI.	21%	0.36	0.58	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VII. ⁷	25%	0.32 ⁷	0.58	0.20	R-38	R-30	R-19 +R-5 ⁸	R-21	R-10	R-30	R-10
VIII. ⁷	30%	0.29 ⁷	0.58	0.20	R-38	R-30	R-19 +R-5 ⁸	R-21	R-10	R-30	R-10

- * Reference Case
- ** Nominal R-values are for wood frame assemblies only or assemblies built in accordance with Section 601.1.
- 1. Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2. Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3. Requirement applicable only to single rafter or joist vaulted ceilings.
- 4. Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5. Floors over crawl spaces or exposed to ambient air conditions.
- 6. Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7. The following options shall be applicable to buildings less than three stories: 0.35 maximum for glazing areas of 25% or less; 0.32 maximum for glazing areas of 30% or less.
- 8. This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9. Doors, including all fire doors, shall be assigned default U-factors from Table 10-6C or 10-6D.
- 10. Where a maximum glazing area is listed, the total glazing area (combined vertical plus overhead) as a percent of gross conditioned floor area shall be less than or equal to that value. Overhead glazing with U-factor of U=0.040 or less is not included in glazing area limitations.
- 11. Overhead glazing shall have U-factors determined in accordance with NFRC 100 or as specified in Section 502.1.5.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0626 Table 6-2.

**TABLE 6-2
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY OTHER FUELS**

Option	((HVAC ⁹ Equip. Effie.))	Glazing Area ¹¹ : % of Floor	Glazing U-Factor		Door ¹⁰ U-Factor	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall•int ⁴ Below Grade	Wall•ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
			Vertical	Overhead ¹²								
I.	Med.	10%	0.70	0.68	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65	0.68	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10))
IV.* I.*	Med.)	21%	((0.65)) 0.50	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V. II. ⁷	Low Med.)	21%	0.60 ((0.45 ⁷))	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI.		25%	0.40	0.68	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10

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Option	((HVAC ⁹ Equip. Effie.))	Glazing Area ¹¹ : % of Floor	Glazing U-Factor		Door ¹⁰ U-Factor	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
			Vertical	Overhead ¹²								
(VII.7 III.	Med.)	30%	((0.40⁷) 0.35	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10
(VIII. IV.	Med.)	unlimited	0.25	0.40	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10

* Reference Case

** Nominal R-values are for wood frame assemblies only or assemblies built in accordance with Section 601.1.

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 ~~((The following options shall be applicable to buildings less than three stories: 0.50 maximum for glazing areas of 25% or less; 0.45 maximum for glazing areas of 30% or less.)) Reserved.~~
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 ~~((Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.)) Reserved.~~
- 10 Doors, including all fire doors, shall be assigned default U-factors from Table 10-6C or 10-6D.
- 11 Where a maximum glazing area is listed, the total glazing area (combined vertical plus overhead) as a percent of gross conditioned floor area shall be less than or equal to that value. Overhead glazing with U-factor of U= 0.040 or less is not included in glazing area limitations.
- 12 Overhead glazing shall have U-factors determined in accordance with NFRC 100 or as specified in Section 502.1.5.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0627 Table 6-3.

**TABLE 6-3
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY ELECTRIC RESISTANCE**

Option	Glazing Area ¹¹ : % of Floor	Glazing U-Factor		Door ¹⁰ U-Factor	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
		Vertical	Over- head ¹²								
I.	10%	0.38	0.58	0.20	R-38	R-30	R-21	R-21	R-12	R-30	R-10
II.	12%	0.40	0.58	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-25	R-10
III.*	15%	0.40	0.58	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
IV.	18%	0.38	0.58	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
V.	21%	0.35	0.58	0.20	R-38Adv	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VI.⁷	25%	0.30 ⁷	0.58	0.20	R-49Adv	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VII.⁷	30%	0.28 ⁷	0.58	0.20	R-60Adv	R-38	R-21+R-7.5 ⁹	R-21	R-12	R-30	R-10

* Reference Case

** Nominal R-values are for wood frame assemblies only or assemblies built in accordance with Section 601.1.

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-12, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 The following options shall be applicable to buildings less than three stories: 0.33 maximum for glazing areas of 25% or less; 0.31 maximum for glazing areas of 30% or less.
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

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- 9 This wall insulation requirement denotes R-21 wall cavity insulation plus R-7.5 foam sheathing.
- 10 Doors, including all fire doors, shall be assigned default U-factors from Table 10-6C or 10-6D.
11. Where a maximum glazing area is listed, the total glazing area (combined vertical plus overhead) as a percent of gross conditioned floor area shall be less than or equal to that value. Overhead glazing with U-factor of U=0.040 or less is not included in glazing area limitations.
12. Overhead glazing shall have U-factors determined in accordance with NFRC 100 or as specified in Section 502.1.5.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0628 Table 6-4.

**TABLE 6-4
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY OTHER FUELS**

Option	((HVAC ⁹ Equip- Effie:))	Glazing Area ¹¹ : % of Floor	Glazing U-Factor		Door ¹⁰ U- Factor	Ceiling ²	Vaulted Ceiling ³	Wall Above Grade	Wall• int ⁴ Below Grade	Wall• ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
			Vertical	Overhead ¹²								
I.	Med.	10%	0.70	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV.*	((Med.))	17%	((0.60))	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
I.*			0.50									
V.	Low	17%	0.50	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.))	21%	((0.50))	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
II.			0.40									
(VII.⁷	Med.))	25%	((0.40 ⁷))	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
III.			0.35									
(VIII.⁷	Med.))	30%	((0.40 ⁷))	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
IV.			0.30									
(IX.	Med.))	unlimited	0.25	0.40	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.												

* Reference Case

** Nominal R-values are for wood frame assemblies only or assemblies built in accordance with Section 601.1.

- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-12, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 ~~((The following options shall be applicable to buildings less than three stories: 0.45 maximum for glazing areas of 25% or less; 0.40 maximum for glazing areas of 30% or less.)) Reserved.~~
- 8 This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.
- 9 ~~((Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.)) Reserved.~~
- 10 Doors, including all fire doors, shall be assigned default U-factors from Table 10-6C or 10-6D.
11. Where a maximum glazing area is listed, the total glazing area (combined vertical plus overhead) as a percent of gross conditioned floor area shall be less than or equal to that value. Overhead glazing with U-factor of U=0.040 or less is not included in glazing area limitations.
12. Overhead glazing shall have U-factors determined in accordance with NFRC 100 or as specified in Section 502.1.5.

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AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0630 Table 6-6.

**TABLE 6-6
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY OTHER FUELS**

Option	((HVAC ⁹ Equip. Effie.))	Glazing Area ¹² : % of Floor	Glazing U-Factor		Door ¹⁰ U- Factor	Ceiling ²	Vaulted Ceiling ³	Wall ¹¹ Above Grade	Wall ⁴ int ⁴ Below Grade	Wall ⁴ ext ⁴ Below Grade	Floor ⁵	Slab ⁶ on Grade
			Vert- ical	Over- head ¹³								
Climate Zone 1												
I.	Med.	10%	0.70	0.68	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65	0.68	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
IV.*	Med.))	21%	((0.65)) 0.50	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V.	Low	21%	0.60	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI. ⁷	Med.))	25%	((0.45 ⁷)) 0.40	0.68	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10
II.												
VII.	Med.))	30%	((0.40 ⁷)) 0.35	0.68	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10
III.												
VIII.	Med.))	unlimited	0.25	0.40	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10
IV.												
Climate Zone 2												
I.	Med.	10%	0.70	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV.*	Med.))	17%	((0.60)) 0.50	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.	Low	17%	0.50	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.))	21%	((0.50)) 0.40	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
II.												
VII.	Med.))	25%	((0.40 ⁸)) 0.35	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
III.												
VIII.	Med.))	30%	((0.40 ⁸)) 0.30	0.64	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
IV.												
IX.	Med.))	unlimited	0.25	0.40	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.												

- * Reference Case
- 1 Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above may calculate compliance by Chapters 4 or 5 of this Code.
- 2 Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.
- 3 Requirement applicable only to single rafter or joist vaulted ceilings.
- 4 Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See Section 602.2.
- 5 Floors over crawl spaces or exposed to ambient air conditions.
- 6 Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See Section 602.4.
- 7 ((The following options shall be applicable to buildings less than three stories: 0.50 maximum for glazing areas of 25% or less; 0.45 maximum for glazing areas of 30% or less-)) Reserved.
- 8 ((The following options shall be applicable to buildings less than three stories: 0.45 maximum for glazing areas of 25% or less; 0.40 maximum for glazing areas of 30% or less-)) Reserved.
- 9 ((Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med.' denotes an HSPF of 6.8. 'High' an HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.)) Reserved.
- 10 Doors, including all fire doors, shall be assigned default U-factors from Table 10-6C or 10-6D.
- 11 Log and solid timber walls with a minimum average thickness of 3.5" are exempt from this insulation requirement.
- 12 Where a maximum glazing area is listed, the total glazing area (combined vertical plus overhead) as a percent of gross conditioned floor area shall be less than or equal to that value. Overhead glazing with U-factor of U=0.040 or less is not included in glazing area limitations.
- 13. Overhead glazing shall have U-factors determined in accordance with NFRC 100 or as specified in Section 502.1.5.

PROPOSED

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-0701 ~~((Standards:))~~ Scope. The following standards shall apply to Chapters 1 through 20. The standards and portions thereof, which are referred to in various parts of this Code shall be part of the Washington State Energy Code and are hereby declared to be a part of this Code.

((CODE))	
REFERENCE	STANDARD
NO.	TITLE AND SOURCE
RS-1	((1997 ASHRAE Fundamentals Handbook)) Same as RS-27.
RS-2	through RS-3 (Reserved.)
RS-4	ASHRAE Standard 55-92 Thermal Environmental Conditions for Human Occupancy.
RS-5	through RS-8 (Reserved.)
RS-9	ASHRAE/IES Standard 90.1-1989, Efficient Design of New Buildings Except New Low-Rise Residential Buildings.
RS-10	Standard for Packaged Terminal Air Conditioners and Heat Pumps, ARI Standard 310/380-93.
RS-11	((1995)) 1999 ASHRAE HVAC Systems and Applications Handbook.
RS-12	through RS-14 (Reserved.)
RS-15	1996 ASHRAE System and Equipment Handbook.
RS-16	SMACNA, Installation Standards for Residential Heating and Air Conditioning Systems, 6th Edition, 1988.
RS-17	((SMACNA, HVAC Duct Construction Standards Metal and Flexible, 2nd Edition, 1995.)) Same as RS-18.
RS-18	((Same as Standard RS-17.)) SMACNA, HVAC Duct Construction Standards Metal and Flexible, 2nd Edition, 1995.
RS-19	SMACNA, Fibrous Glass Duct Construction Standards, 6th Edition, 1992.
RS-20	((1994)) 1998 ASHRAE Refrigeration Handbook.
RS-21	Same as Standard RS-10.
RS-22	through RS-24 (Reserved.)
RS-25	((Thermal Bridge in Sheet Metal Construction from Appendix E of Standard RS-9.)) Same as RS-27.
RS-26	Super Good Cents Technical Reference (Builder's Field Guide).
RS-27	1997 ASHRAE Fundamental Handbook.

((CODE))	
REFERENCE	STANDARD
NO.	TITLE AND SOURCE
RS-28	(Reserved.)
RS-29	<u>Nonresidential Building Design by Systems Analysis.</u>
RS-30	<u>Title 10, Code of Federal Regulations (CFR), Part 430 (March 14, 1988).</u>
RS-31	<u>National Fenestration Rating Council (NFRC) Standard 100-1997.</u>

ACCREDITED AUTHORITATIVE AGENCIES

ANSI refers to the American National Standards Institute, Inc., 11 West 42nd Street, New York, NY 10036
Phone (212) 642-4900 Fax (212) 398-0023, Internet www.ansi.org

ARI refers to the Air Conditioning and Refrigeration Institute, 4301 N. Fairfax Dr., Suite 425, Arlington, VA 22203
Phone (703) 524-8800 Fax (703) 528-3816, Internet www.ari.org

ASHRAE refers to the American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc., 1791 Tullie Circle, N.E., Atlanta, GA 30329
Phone (404) 636-8400 Fax (404) 321-5478, Internet www.ashrae.org

ASTM refers to the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959
Phone (610) 832-9585 Fax (610) 832-9555, Internet www.astm.org

CTI refers to the Cooling Tower Institute, 530 Wells Fargo Drive, Suite 218, Houston, TX 77090
Phone (281) 583-4087 Fax (281) 537-1721, Internet www.cti.org

IES refers to the Illuminating Engineering Society, 120 Wall Street, Floor 17, New York, NY 10005-4001
Phone (212) 248-5000 Fax (212) 248-5017, Internet ((www.ies.org)) www.iesna.org

NFRC refers to the National Fenestration Rating Council, Incorporated, 1300 Spring Street, Suite 120, Silver Spring, Maryland 20910
Phone (301) 589-NFRC Fax (301) 588-0854, Internet www.nfrc.org

SMACNA refers to the Sheet Metal and Air Conditioning Contractors National Association, Inc., 4201 Lafayette Center Drive, P.O. Box 221230, Chantilly, VA 20153-1230
Phone (703) 803-2980 Fax (703) 803-3732, Internet www.smacna.org

PROPOSED

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

listed in Chapter 7, are used, along with data from the sources referenced above.

WAC 51-11-1001 Section 1001 General.

1001.1 Scope: The following defaults shall apply to Chapters 1 through 20. This chapter includes tables of seasonal average heat-loss coefficients for specified nominal insulation. The heat-loss coefficients may also be used for heating system sizing.

1001.3 Air Films: Default R-values used for air films shall be as follows:

R-Value	Condition
0.17	All exterior surfaces
0.61	Interior horizontal surfaces, heat flow up
0.92	Interior horizontal surfaces, heat flow down
0.68	Interior vertical surfaces

1001.2 Description: These coefficients were developed primarily from data and procedures from Standard ((RS-1) RS-27, and taken specifically from Standard RS-26, listed in Chapter 7.

1001.4 Compression of Insulation: Insulation which is compressed shall be rated in accordance with Table 10-A or reduction in value may be calculated in accordance with the procedures in Standard RS-27, listed in Chapter 7.

Coefficients not contained in this chapter may be computed using the procedures listed in these references if the assumptions in the following sections and Standard RS-26,

TABLE 10-A
R-Value of Fiberglass Batts Compressed within Various Depth Cavities

Insulation R-Value at Standard Thickness												
R-Value	38	30	22	21	19	15	13	11	8	5	3	
Standard Thickness	12"	9-1/2"	6-3/4"	5-1/2"	6-1/4"	3-1/2"	3-5/8"	3-1/2"	2-1/2"	1-1/2"	3/4"	
Nominal Lumber Sizes, Inches	Actual Depth of Cavity, Inches	Insulation R-Values when Installed in a Confined Cavity										
2 x 12	11-1/4	37	=	=	=	=	=	=	=	=	=	=
2 x 10	9-1/4	32	30	=	=	=	=	=	=	=	=	=
2 x 8	7-1/4	27	26	=	=	=	=	=	=	=	=	=
2 x 6	5-1/2	=	21	20	21	18	=	=	=	=	=	=
2 x 4	3-1/2	=	=	14	=	13	15	13	11	=	=	=
2 x 3	2-1/2	=	=	=	=	=	=	9.8	=	=	=	=
2 x 2	1-1/2	=	=	=	=	=	=	6.3	6.0	5.7	5.0	=
2 x 1	3/4	=	=	=	=	=	=	=	=	=	3.2	3.0

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

1002.2 Component Description: All below-grade walls are assumed to be eight-inch concrete. The wall is assumed to extend from the slab upward to the top of the mud sill for the distance specified in Table 10-1, with six inches of concrete wall extending above grade.

WAC 51-11-1002 Section 1002: Below grade walls and slabs.

1002.1 General: Table 10-1 lists heat-loss coefficients for below-grade walls and floors.

Interior insulation is assumed to be fiberglass batts placed in the cavity formed by 2x4 framing on twenty-four inch centers with one-half inch of gypsum board as the interior finish material. Exterior insulation is assumed to be applied directly to the exterior of the below-grade wall from the top of the wall to the footing. The exterior case does not assume any interior framing or sheetrock.

Coefficients for below-grade walls are given as U-factors (Btu/hr•ft²•°F ((per square foot)) of wall area). Coefficients for below-grade slabs are listed as F-factors (Btu/hr•ft•°F per lineal foot of slab perimeter).

Below-grade wall U-factors are only valid when used with the accompanying below-grade slab F-factors, and vice versa.

In all cases, the entire wall surface is assumed to be insulated to the indicated nominal level with the appropriate framing and insulation application. Coefficients are listed for wall depths of two, three and one-half, and seven feet below

grade. Basements shallower than two feet should use on-grade slab coefficients.

Heat-loss calculations for wall areas above grade should use above-grade wall U-factors, beginning at the mudsill.

1002.3 Insulation Description: Coefficients are listed for the following four configurations:

1. Uninsulated: No insulation or interior finish.

2. Interior insulation: Interior 2x4 insulated wall without a thermal break between concrete wall and slab.

3. Interior insulation w/thermal break: Interior 2x4 insulated wall with R-5 rigid board providing a thermal break between the concrete wall and the slab.

4. Exterior insulation: Insulation applied directly to the exterior surface of the concrete wall.

**TABLE 10-1
DEFAULT WALL U-FACTORS AND SLAB F-FACTORS FOR BASEMENTS**

	Below Grade Wall U-factor	Below Grade Slab F-factor
2-Foot Depth Below Grade		
Uninsulated	0.350	0.59
R-11 Interior	0.066	0.68
R-11 Interior w/tb	0.070	0.60
R-19 Interior	0.043	0.69
R-19 Interior w/tb	0.045	0.61
R-10 Exterior	0.070	0.60
R-12 Exterior	0.061	0.60
3.5-Foot Depth Below Grade		
Uninsulated	0.278	0.53
R-11 Interior	0.062	0.63
R-11 Interior w/tb	0.064	0.57
R-19 Interior	0.041	0.64
R-19 Interior w/tb	0.042	0.57
R-10 Exterior	0.064	0.57
R-12 Exterior	0.057	0.57
7-Foot Depth Below Grade		
Uninsulated	0.193	0.46
R-11 Interior	0.054	0.56
R-11 Interior w/tb	0.056	0.42
R-19 Interior	0.037	0.57
R-19 Interior w/tb	0.038	0.43
R-10 Exterior	0.056	0.42
R-12 Exterior	0.050	0.42

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1003 Section 1003: On-grade slab floors.

1003.1 General: Table 10-2 lists heat-loss coefficients for heated on-grade slab floors, in units of Btu/h•°F((•+•)) per lineal foot of perimeter.

1003.2 Component Description: All on-grade slab floors are assumed to be six-inch concrete poured directly onto the

earth. The bottom of the slab is assumed to be at grade line. Monolithic and floating slabs are not differentiated.

Soil is assumed to have a conductivity of 0.75 Btu/hr•°F•ft². Slabs two-feet or more below grade should use basement coefficients.

1003.3 Insulation Description: Coefficients are provided for the following three configurations:

Two-Foot (or four-foot) vertical: Insulation is applied directly to the slab exterior, extending downward from the

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top of the slab to a depth of two-feet (or four-feet) below grade.

Two-Foot (or four-foot) horizontal: Insulation is applied directly to the underside of the slab, and run horizontally from the perimeter inward for two-feet or four-feet. The slab edge is exposed in this configuration.

Note: A horizontal installation with a thermal break of at least R-5 at the slab edge should use the vertical-case F-factors.

Fully insulated slab: Insulation extends from the top of the slab, along the entire perimeter, and completely covers the area under the slab. Thicker perimeter insulation covers the slab edge and extends 2 feet under the slab.

**TABLE 10-2
DEFAULT F-FACTORS FOR ON-GRADE SLABS**

Insulation type	R-0	R-5	R-10	R-15
Unheated Slab				
Uninsulated slab	0.73	—	—	—
2-ft Horizontal (No thermal break)	—	0.70	0.70	0.69
4-ft Horizontal (No thermal break)	—	0.67	0.64	0.63
2-ft Vertical	—	0.58	0.54	0.52
4-ft Vertical	—	0.54	0.48	0.45
Fully insulated slab	—	—	0.36	—
Heated Slab				
Uninsulated slab	0.84	—	—	—
Fully insulated slab	—	0.74	0.55	0.44
R-5 Center (With perimeter insulation)	—	—	0.66	0.62
R-10 Center (With perimeter insulation)	—	—	—	0.51
3-ft Vertical	—	—	0.78	—

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AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1004 Section 1004: (~~Crawlspace floors~~) Floors over unconditioned space.

1004.1 General: Tables 10-3 (~~and~~), 10-4 and 10-4a list heat-loss coefficients for floors over (~~crawlspace~~) unconditioned spaces in units of Btu/h•ft²•°F (~~per square foot of floor~~).

They are derived from procedures listed in (~~RS-1~~) RS-27, listed in Chapter 7, assuming an average outdoor temperature of 45° F, an average indoor temperature of 65° F, and a crawlspace area of (~~one thousand three hundred fifty~~) 1350 ft² and (~~one hundred fifty~~) 100 ft of perimeter. The crawlspace is assumed to be 2.5-feet high, with (~~twenty-four~~) 24 inches below grade and (~~six~~) 6 inches above grade.

1004.2 Crawlspace Description: Four (~~crawlspace~~) configurations are considered: Vented crawlspace, unvented crawlspace, (~~enclosed and~~) heated plenum crawlspace and exposed floor.

Vented crawlspaces: Assumed to have (~~three~~) 3.0 air-changes per hour, with at least (~~one~~) 1.0 ft² of net-free ventilation in the foundation for every three hundred ft² of crawlspace floor area. The crawlspace is not actively heated.

Floors over unheated areas, such as garages, may only use those values which have R-0 perimeter insulation.

Unvented crawlspaces: Assumed to have 1.5 air changes per hour, with less than (~~one~~) 1.0 ft² of net-free ventilation in the foundation for every three hundred ft² of crawlspace floor area. The crawlspace is not actively heated. Floors over unheated basements may only use those values which have R-0 perimeter insulation.

Heated-plenum crawlspaces: Assumed to have 0.25 air-changes per hour, with no foundation vents. Heated supply air from central furnace is blown into a crawlspace and allowed to enter the living space unducted via holes cut into the floor.

Enclosed floors: Assumes no buffer space, and a covering of one-half inch of T1-11 on the exterior of the cavity exposed to the outside air or rigid insulation below a concrete floor, such as over parking garages.

1004.3 Construction Description: Floors are assumed to be either joisted floors framed on sixteen inch centers, or post and beam on four by eight foot squares. Insulation is assumed to be installed under the subflooring between the joists or beams with no space between the insulation and the subfloor. Insulation is assumed to be uncompressed. Exposed floors also include concrete with continuous rigid insulation assumed.

Perimeter insulation is assumed to extend from the top of the rim joist to the crawlspace floor and then inward along the ground (on top of the ground cover) for at least twenty-four inches.

Floor coverings are assumed to be light carpet with rubber pad.

the same assumed ACH. Default U-values in Table 10-4 reflect this higher rate of heat loss.

**TABLE 10-3
DEFAULT U-FACTORS FOR FLOORS OVER
VENTED CRAWLSPACE OR
UNHEATED BASEMENT**

Nominal R-value		U-factor	
Floor	Perimeter	Post & Beam	Joists
0	0	0.112	0.134
	11	0.100	0.116
	19	0.098	0.114
	30	0.093	0.107
11	0	0.052	0.056
	11	0.048	0.052
19	0	0.038	0.041
	11	0.036	0.038
22	0	0.034	0.037
	11	0.033	0.035
25	0	0.032	0.034
	11	0.031	0.033
30	0	0.028	0.029
	11	0.027	0.028
38	0	0.024	0.025
	11	0.024	0.024

**TABLE 10-4
DEFAULT U-FACTORS FOR FLOORS OVER
HEATED PLENUM CRAWLSPACES**

Nominal R-value	U-factor
Perimeter	
11	0.085
19	0.075
30	0.069

**TABLE 10-4A
EXPOSED FLOOR**

Nominal R-value	U-factor		
	Concrete	Wood Joist	Metal Joist
R-11	0.077	0.088	0.14
R-15	0.059	0.076	0.12
R-19	0.048	0.062	0.11
R-21	0.043	0.057	0.11
R-25	0.037	0.051	0.10
R-30	0.031	0.040	0.09
R-38	0.025	0.034	0.08

Note: Crawlspace used as heated plenums have approximately 30% higher heat-loss rate than unvented crawlspaces with

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1005 Section 1005: Above-grade walls.

Section 1005.1 General: Table 10-5, 10-5A and 10-5B list((s)) heat-loss coefficients for the opaque portion of above-grade wood stud frame walls ((Btu/°F·hr per square foot)), metal stud frame walls and concrete masonry walls (Btu/h·ft²·°F) respectively. They are derived from procedures listed in ((RS-1)) RS-27, listed in Chapter 7((, assuming exterior air films at 7.5 mph wind speed)). For intermediate floor slabs which penetrate the insulated wall, use the concrete wall U-factors in Table 10-5B.

Insulation is assumed to uniformly fill the entire cavity and to be installed as per manufacturer's directions. All walls are assumed to be finished on the inside with one-half inch gypsum wallboard, and on the outside with either beveled wood siding over one-half inch plywood sheathing or with five-eighths inch T1-11 siding. Insulated sheathing (either interior or exterior) is assumed to cover the entire opaque wall surface.

1005.2 Framing Description: For wood stud frame walls, three framing types are considered, and defined as follows:

Standard: Studs framed on sixteen inch centers with double top plate and single bottom plate. Corners use three studs and each opening is framed using two studs. Headers consist of double 2X or single 4X material with an air space left between the header and the exterior sheathing. Interior partition wall/exterior wall intersections use two studs in the exterior wall.

Framing weighting factors:	Studs and plates	.19
	Insulated cavity	.77
	Headers	.04

Intermediate: Studs framed on sixteen inch centers with double top plate and single bottom plate. Corners use two studs or other means of fully insulating corners, and each opening is framed by two studs. Headers consist of double 2X material with R-10 insulation between the header and exterior sheathing. Interior partition wall/exterior wall intersections are fully insulated in the exterior wall.

Framing weighting factors:	Studs and plates	.18
	Insulated cavity	.78
	Headers	.04

Advanced: Studs framed on twenty-four inch centers with double top plate and single bottom plate. Corners use two studs or other means of fully insulating corners, and one stud is used to support each header. Headers consist of double 2X material with R-10 insulation between the header and exterior sheathing. Interior partition wall/exterior wall intersections are fully insulated in the exterior wall.

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Framing weighting factors: Studs and plates .13
 Insulated cavity .83
 Headers .04

Metal Stud Wall: Assumes metal studs spaced on 16 or 24 inch centers with insulation installed to fill wall cavities. Continuous rigid board insulation is applied without creating uninsulated voids in the wall assembly.

1005.3 Component Description: Default coefficients for four types of walls are listed: single-stud walls, metal stud walls, strap walls, and double-stud walls.

Strap Wall: Assumes 2x6 studs framed on sixteen or twenty-four inch centers. 2x3 or 2x4 strapping is run horizontally along the interior surface of the wall to provide additional space for insulation.

Single-Stud Wall: Assumes either 2x4 or 2x6 studs framed on sixteen or twenty-four inch centers. Headers are solid for 2x4 walls and double 2x for 2x6 walls, with either dead-air or rigid-board insulation in the remaining space.

Double-Stud Wall: Assumes an exterior structural wall and a separate interior, non-structural wall. Insulation is placed in both wall cavities and in the space between the ~~((two))~~ 2 walls. Stud spacing is assumed to be on ~~((twenty-four))~~ 24 inch centers for both walls.

TABLE 10-5

DEFAULT U-FACTORS FOR ABOVE-GRADE WALLS

2 x 4 Single Wood Stud: R-11 Batt

Siding Material/Framing Type				
R-value of Foam Board	Lapped Wood		T1-11	
	STD	ADV	STD	ADV
0	0.088	0.084	0.094	0.090
1	0.080	0.077	0.085	0.082
2	0.074	0.071	0.078	0.075
3	0.069	0.066	0.072	0.070
4	0.064	0.062	0.067	0.065
5	0.060	0.058	0.063	0.061
6	0.056	0.055	0.059	0.057
7	0.053	0.052	0.055	0.054
8	0.051	0.049	0.052	0.051
9	0.048	0.047	0.050	0.049
10	0.046	0.045	0.047	0.046
11	0.044	0.043	0.045	0.044
12	0.042	0.041	0.043	0.042

NOTE:

Nominal Batt R-value:
 R-11 at 3.5 inch thickness

Installed Batt R-value:
 R-11 in 3.5 inch cavity

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2 x 4 Single Wood Stud: R-13 Batt

Siding Material/Framing Type				
	Lapped Wood		T1-11	
R-value of Foam Board	STD	ADV	STD	ADV
0	0.082	0.078	0.088	0.083
1	0.075	0.072	0.080	0.076
2	0.069	0.066	0.073	0.070
3	0.065	0.062	0.068	0.065
4	0.060	0.058	0.063	0.061
5	0.057	0.055	0.059	0.057
6	0.053	0.052	0.056	0.054
7	0.051	0.049	0.052	0.051
8	0.048	0.047	0.050	0.048
9	0.046	0.045	0.047	0.046
10	0.044	0.043	0.045	0.044
11	0.042	0.041	0.043	0.042
12	0.040	0.039	0.041	0.040

NOTE:

Nominal Batt R-value:
R-13 at 3.63 inch thickness

Installed Batt R-value:
R-12.7 in 3.5 inch cavity

PROPOSED

2 x 4 Single Wood Stud: R-15 Batt

Siding Material/Framing Type				
	Lapped Wood		T1-11	
R-value of Foam Board	STD	ADV	STD	ADV
0	0.076	0.071	0.081	0.075
1	0.069	0.065	0.073	0.069
2	0.064	0.061	0.068	0.069
3	0.060	0.057	0.063	0.059
4	0.056	0.053	0.059	0.056
5	0.053	0.051	0.055	0.052
6	0.050	0.048	0.052	0.050
7	0.047	0.046	0.049	0.047
8	0.045	0.044	0.047	0.045
9	0.043	0.042	0.044	0.043
10	0.041	0.040	0.042	0.041
11	0.039	0.038	0.041	0.039
12	0.038	0.037	0.039	0.038

NOTE:

Nominal Batt R-value:
R-15 at 3.5 inch thickness

Installed Batt R-value:
R-15 in 3.5 inch cavity

2 x 6 Single Wood Stud: R-19 Batt

Siding Material/Framing Type						
	Lapped Wood			T1-11		
R-value of Foam Board	STD	INT	ADV	STD	INT	ADV
0	0.062	0.058	0.055	0.065	0.061	0.058
1	0.058	0.055	0.052	0.060	0.057	0.055
2	0.054	0.052	0.050	0.056	0.054	0.051
3	0.051	0.049	0.047	0.053	0.051	0.049
4	0.048	0.046	0.045	0.050	0.048	0.046
5	0.046	0.044	0.043	0.048	0.046	0.044
6	0.044	0.042	0.041	0.045	0.044	0.042
7	0.042	0.040	0.039	0.043	0.042	0.040
8	0.040	0.039	0.038	0.041	0.040	0.039
9	0.038	0.037	0.035	0.039	0.038	0.037
10	0.037	0.036	0.035	0.038	0.037	0.036
11	0.036	0.035	0.034	0.036	0.035	0.035
12	0.034	0.033	0.033	0.035	0.034	0.033

NOTE:

Nominal Batt R-value:
R-19 at 6 inch thickness

Installed Batt R-value:
R-18 in 5.5 inch cavity

2 x 6 Single Wood Stud: R-21 Batt

Siding Material/Framing Type						
	Lapped Wood			T1-11		
R-value of Foam Board	STD	INT	ADV	STD	INT	ADV
0	0.057	0.054	0.051	0.060	0.056	0.053
1	0.054	0.051	0.048	0.056	0.053	0.050
2	0.050	0.048	0.045	0.052	0.050	0.047
3	0.048	0.045	0.043	0.049	0.047	0.045
4	0.045	0.043	0.041	0.047	0.045	0.043
5	0.043	0.041	0.040	0.044	0.042	0.041
6	0.041	0.039	0.038	0.042	0.041	0.039
7	0.039	0.038	0.036	0.040	0.039	0.037
8	0.038	0.036	0.035	0.039	0.037	0.036
9	0.036	0.035	0.034	0.037	0.036	0.035
10	0.035	0.034	0.033	0.036	0.035	0.033
11	0.033	0.033	0.032	0.034	0.033	0.032
12	0.032	0.031	0.031	0.033	0.032	0.031

NOTE:

Nominal Batt R-value:
R-21 at 5.5 inch thickness

Installed Batt R-value:
R-21 in 5.5 inch cavity

PROPOSED

2 x 6 Single Wood Stud: R-22 Batt

Siding Material/Framing Type						
	Lapped Wood			T1-11		
R-value of Foam Board	STD	INT	ADV	STD	INT	ADV
0	0.059	0.055	0.052	0.062	0.058	0.054
1	0.055	0.052	0.049	0.057	0.054	0.051
2	0.052	0.049	0.047	0.054	0.051	0.048
3	0.049	0.046	0.044	0.050	0.048	0.046
4	0.046	0.044	0.042	0.048	0.046	0.044
5	0.044	0.042	0.041	0.045	0.043	0.042
6	0.042	0.040	0.039	0.043	0.042	0.040
7	0.040	0.039	0.037	0.041	0.040	0.038
8	0.038	0.037	0.036	0.039	0.038	0.037
9	0.037	0.036	0.035	0.038	0.037	0.035
10	0.035	0.034	0.033	0.036	0.035	0.034
11	0.034	0.033	0.032	0.035	0.034	0.033
12	0.033	0.032	0.031	0.034	0.033	0.032

NOTE:

Nominal Batt R-value:
R-22 at 6.75 inch thickness

Installed Batt R-value:
R-20 in 5.5 inch cavity

PROPOSED

2 x 6 Single Wood Stud: Two R-11 Batts

Siding Material/Framing Type						
	Lapped Wood			T1-11		
R-value of Foam Board	STD	INT	ADV	STD	INT	ADV
0	0.060	0.057	0.054	0.063	0.059	0.056
1	0.056	0.053	0.051	0.059	0.056	0.053
2	0.053	0.050	0.048	0.055	0.052	0.050
3	0.050	0.048	0.046	0.052	0.049	0.047
4	0.047	0.045	0.044	0.049	0.047	0.045
5	0.045	0.043	0.042	0.046	0.045	0.043
6	0.043	0.041	0.040	0.044	0.043	0.041
7	0.041	0.040	0.038	0.042	0.041	0.039
8	0.039	0.038	0.037	0.040	0.039	0.038
9	0.038	0.037	0.036	0.039	0.038	0.036
10	0.036	0.035	0.034	0.037	0.036	0.035
11	0.035	0.034	0.033	0.036	0.035	0.034
12	0.034	0.033	0.032	0.034	0.034	0.033

NOTE:

Nominal Batt R-value:
R-22 at 7 inch thickness

Installed Batt R-value:
R-18.9 in 5.5 inch cavity

2 x 8 Single Stud: R-25 Batt

NOTE:

Nominal Batt R-value:
R-25 at 8 inch thickness

Installed Batt R-value:
R-23.6 in 7.25 inch cavity

Siding Material/Framing Type						
R-value of Foam Board	Lapped Wood			T1-11		
	STD	INT	ADV	STD	INT	ADV
0	0.051	0.047	0.045	0.053	0.049	0.046
1	0.048	0.045	0.043	0.049	0.046	0.044
2	0.045	0.043	0.041	0.047	0.044	0.042
3	0.043	0.041	0.039	0.044	0.042	0.040
4	0.041	0.039	0.037	0.042	0.040	0.038
5	0.039	0.037	0.036	0.040	0.038	0.037
6	0.037	0.036	0.035	0.038	0.037	0.036
7	0.036	0.035	0.033	0.037	0.035	0.034
8	0.035	0.033	0.032	0.035	0.034	0.033
9	0.033	0.032	0.031	0.034	0.033	0.032
10	0.032	0.031	0.030	0.033	0.032	0.031
11	0.031	0.030	0.029	0.032	0.031	0.030
12	0.030	0.029	0.028	0.031	0.030	0.029

2 x 6: Strap Wall

	Siding Material/Frame Type			
	Lapped Wood		T1-11	
	STD	ADV	STD	ADV
R-19 + R-11 Batts	0.036	0.035	0.038	0.036
R-19 + R-8 Batts	0.041	0.039	0.042	0.040

2 x 6 + 2 x 4: Double Wood Stud

Batt Configuration			Siding Material/Frame Type			
			Lapped Wood		T1-11	
Exterior	Middle	Interior	STD	ADV	STD	ADV
R-19	_____	R-11	0.040	0.037	0.041	0.038
R-19	_____	R-19	0.034	0.031	0.035	0.032
R-19	R-8	R-11	0.029	0.028	0.031	0.029
R-19	R-11	R-11	0.027	0.026	0.028	0.027
R-19	R-11	R-19	0.024	0.023	0.025	0.023
R-19	R-19	R-19	0.021	0.020	0.021	0.020

2 x 4 + 2 x 4: Double Wood Stud

Batt Configuration			Siding Material/Frame Type			
			Lapped Wood		T1-11	
Exterior	Middle	Interior	STD	ADV	STD	ADV
R-11	_____	R-11	0.050	0.046	0.052	0.048
R-19	_____	R-11	0.039	0.037	0.043	0.039
R-11	R-8	R-11	0.037	0.035	0.036	0.036
R-11	R-11	R-11	0.032	0.031	0.033	0.032

PROPOSED

2 x 4 + 2 x 4: Double Wood Stud

Batt Configuration			Siding Material/Frame Type			
			Lapped Wood		T1-11	
R-13	R-13	R-13	0.029	0.028	0.029	0.028
R-11	R-19	R-11	0.026	0.026	0.027	0.026

Log Walls

Average Log Diameter, Inches	U-factor
6	0.148
8	0.111
10	0.089
12	0.074
14	0.063
16	0.056

NOTE:

R-value of wood:
R-1.25 per inch thickness

Average wall thickness
90% average log diameter

Stress Skin Panel

Panel Thickness, Inches	U-factor
3 1/2	0.071
5 1/2	0.048
7 1/4	0.037
9 1/4	0.030
11 1/4	0.025

NOTE:

R-value of expanded polystyrene: R-3.85 per inch

Framing: 6%
Spline: 8%

No thermal bridging between interior and exterior splines

Metal Stud Walls: The nominal R-values in Table 10-5A may be used for purposes of calculating metal stud wall section U-factors in lieu of the ASHRAE zone calculation method as provided in Chapter 24 of Standard RS-27.

~~((TABLE 10-5A~~

~~Overall Assembly U-Factors for Metal Stud Walls~~

Metal Framing	R-Value of Continuous Foam Board Insulation	Cavity Insulation					
		R-11	R-13	R-15	R-19	R-21	R-25
16" o.e.	R-0 (none)	U-0.14	U-0.13	U-0.12	U-0.10	U-0.097	U-0.091
	R-1	U-0.12	U-0.12	U-0.11	U-0.094	U-0.089	U-0.083
	R-2	U-0.11	U-0.10	U-0.099	U-0.086	U-0.081	U-0.077
	R-3	U-0.10	U-0.095	U-0.090	U-0.079	U-0.075	U-0.071
	R-4	U-0.091	U-0.087	U-0.082	U-0.073	U-0.070	U-0.067
	R-5	U-0.083	U-0.080	U-0.076	U-0.068	U-0.065	U-0.062
	R-6	U-0.077	U-0.074	U-0.071	U-0.064	U-0.061	U-0.059
	R-7	U-0.071	U-0.069	U-0.066	U-0.060	U-0.058	U-0.055
	R-8	U-0.067	U-0.064	U-0.062	U-0.057	U-0.055	U-0.053
	R-9	U-0.062	U-0.060	U-0.058	U-0.054	U-0.052	U-0.050
R-10	U-0.059	U-0.057	U-0.055	U-0.051	U-0.049	U-0.048	

24" o.e.	R-0 (none)	U-0.13	U-0.12	U-0.11	U-0.091	U-0.085	U-0.079
	R-1	U-0.11	U-0.10	U-0.098	U-0.084	U-0.078	U-0.073
	R-2	U-0.10	U-0.091	U-0.089	U-0.077	U-0.073	U-0.068

PROPOSED

R-3	U-0.092	U-0.083	U-0.082	U-0.072	U-0.068	U-0.064
R-4	U-0.084	U-0.077	U-0.076	U-0.067	U-0.063	U-0.060
R-5	U-0.078	U-0.071	U-0.070	U-0.063	U-0.060	U-0.057
R-6	U-0.072	U-0.067	U-0.066	U-0.059	U-0.056	U-0.054
R-7	U-0.067	U-0.063	U-0.062	U-0.056	U-0.053	U-0.051
R-8	U-0.063	U-0.059	U-0.058	U-0.053	U-0.051	U-0.048
R-9	U-0.059	U-0.056	U-0.055	U-0.050	U-0.048	U-0.046
R-10	U-0.056	U-0.053	U-0.052	U-0.048	U-0.046	U-0.044))

TABLE 10-5A

Default U-Factors and Effective R-Values for Metal Stud Walls and Default U-Factors for Metal Building

EFFECTIVE R-VALUES FOR METAL STUD AND INSULATED CAVITY ONLY

OVERALL ASSEMBLY U-FACTORS FOR METAL STUD WALLS

Nominal Wall Thickness, Inches	Nominal Insulation R-Value	Overall Assembly U-Factors	
		16" O.C.	24" O.C.
4	R-11	0.14	0.13
4	R-13	0.13	0.12
4	R-15	0.12	0.11
6	R-19	0.11	0.10
6	R-21	0.11	0.09
8	R-25	0.10	0.09

Cavity		Insulation		
Nominal Depth, Inches	Actual Depth, Inches	Nominal R-Value	Effective R-Value	
			16" O.C.	24" O.C.
any	any	R-0.91 (air)	0.79	0.91
4	3-1/2	R-11	5.5	6.6
4	3-1/2	R-13	6.0	7.2
4	3-1/2	R-15	6.4	7.8
6	5-1/2	R-19	7.1	8.6
6	5-1/2	R-21	7.4	9.0
8	7-1/4	R-25	7.8	9.6

PROPOSED

DEFAULT METAL BUILDING U-FACTORS

	R-10	R-11	R-13	R-19	R-24	R-30
Faced fiber glass blanket insulation rolled over and perpendicular to structural frame. Metal covering sheets fastened to the frame, holding insulation in place.	0.133	0.127	0.114	0.091	na	na
Faced fiber glass batt insulation suspended between structural frame. Metal covering sheets fastened directly to frame.	0.131	0.123	0.107	0.079	0.065	0.057
Faced fiber glass blanket insulation rolled over and perpendicular to structural frame. Rigid insulation blocks placed over insulation to align with structural frame.	0.102	0.096	0.084	0.065	na	na
Faced fiber glass batt insulation suspended between structural frame. Rigid insulation blocks placed over insulation to align with structural frame.	0.099	0.093	0.080	0.059	0.048	0.041

Concrete Masonry Walls: The nominal R-values in Table 10-5B may be used for purposes of calculating concrete masonry wall section U-factors in lieu of the ASHRAE isothermal planes calculation method as provided in Chapter 24 of Standard RS-27.

TABLE 10-5B
Default U-Factors for Concrete and Masonry Walls

8" CONCRETE MASONRY				
<u>WALL DESCRIPTION</u>	<u>CORE TREATMENT</u>			
	<u>Partial Grout with UngROUTED Cores</u>			<u>Solid Grout</u>
	<u>Empty</u>	<u>Loose-fill insulated</u>		
		<u>Perlite</u>	<u>Vermiculite</u>	
<u>Exposed Block, Both Sides</u>	<u>0.40</u>	<u>0.23</u>	<u>0.24</u>	<u>0.43</u>
<u>R-5 Interior Insulation, Wood Furring</u>	<u>0.14</u>	<u>0.11</u>	<u>0.12</u>	<u>0.15</u>
<u>R-6 Interior Insulation, Wood Furring</u>	<u>0.14</u>	<u>0.11</u>	<u>0.11</u>	<u>0.14</u>
<u>R-10.5 Interior Insulation, Wood Furring</u>	<u>0.11</u>	<u>0.09</u>	<u>0.09</u>	<u>0.11</u>
<u>R-8 Interior Insulation, Metal Clips</u>	<u>0.11</u>	<u>0.09</u>	<u>0.09</u>	<u>0.11</u>
<u>R-6 Exterior Insulation</u>	<u>0.12</u>	<u>0.10</u>	<u>0.10</u>	<u>0.12</u>
<u>R-10 Exterior Insulation</u>	<u>0.08</u>	<u>0.07</u>	<u>0.07</u>	<u>0.08</u>
<u>R-9.5 Rigid Polystyrene Integral Insulation, Two Webbed Block</u>	<u>0.11</u>	<u>0.09</u>	<u>0.09</u>	<u>0.12</u>

12" CONCRETE MASONRY				
<u>WALL DESCRIPTION</u>	<u>CORE TREATMENT</u>			
	<u>Partial Grout with UngROUTED Cores</u>			<u>Solid Grout</u>
	<u>Empty</u>	<u>Loose-fill insulated</u>		
		<u>Perlite</u>	<u>Vermiculite</u>	
<u>Exposed Block, Both Sides</u>	<u>0.35</u>	<u>0.17</u>	<u>0.18</u>	<u>0.33</u>
<u>R-5 Interior Insulation, Wood Furring</u>	<u>0.14</u>	<u>0.10</u>	<u>0.10</u>	<u>0.13</u>
<u>R-6 Interior Insulation, Wood Furring</u>	<u>0.13</u>	<u>0.09</u>	<u>0.10</u>	<u>0.13</u>
<u>R-10.5 Interior Insulation, Wood Furring</u>	<u>0.11</u>	<u>0.08</u>	<u>0.08</u>	<u>0.10</u>
<u>R-8 Interior Insulation, Metal Clips</u>	<u>0.10</u>	<u>0.08</u>	<u>0.08</u>	<u>0.09</u>
<u>R-6 Exterior Insulation</u>	<u>0.11</u>	<u>0.09</u>	<u>0.09</u>	<u>0.11</u>
<u>R-10 Exterior Insulation</u>	<u>0.08</u>	<u>0.06</u>	<u>0.06</u>	<u>0.08</u>
<u>R-9.5 Rigid Polystyrene Integral Insulation, Two Webbed Block</u>	<u>0.11</u>	<u>0.08</u>	<u>0.09</u>	<u>0.12</u>

8" CLAY BRICK				
<u>WALL DESCRIPTION</u>	<u>CORE TREATMENT</u>			
	<u>Partial Grout with UngROUTED Cores</u>			<u>Solid Grout</u>
	<u>Empty</u>	<u>Loose-fill insulated</u>		
		<u>Perlite</u>	<u>Vermiculite</u>	
<u>Exposed Block, Both Sides</u>	<u>0.50</u>	<u>0.31</u>	<u>0.32</u>	<u>0.56</u>
<u>R-5 Interior Insulation, Wood Furring</u>	<u>0.15</u>	<u>0.13</u>	<u>0.13</u>	<u>0.16</u>
<u>R-6 Interior Insulation, Wood Furring</u>	<u>0.15</u>	<u>0.12</u>	<u>0.12</u>	<u>0.15</u>
<u>R-10.5 Interior Insulation, Wood Furring</u>	<u>0.12</u>	<u>0.10</u>	<u>0.10</u>	<u>0.12</u>
<u>R-8 Interior Insulation, Metal Clips</u>	<u>0.11</u>	<u>0.10</u>	<u>0.10</u>	<u>0.11</u>
<u>R-6 Exterior Insulation</u>	<u>0.12</u>	<u>0.11</u>	<u>0.11</u>	<u>0.13</u>
<u>R-10 Exterior Insulation</u>	<u>0.08</u>	<u>0.08</u>	<u>0.08</u>	<u>0.09</u>

PROPOSED

6" CONCRETE POURED OR PRECAST				
WALL DESCRIPTION	CORE TREATMENT			
	Partial Grout with UngROUTED Cores			Solid Grout
	Empty	Loose-fill insulated		
		Perlite	Vermiculite	
Exposed Concrete, Both Sides	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.61</u>
R-5 Interior Insulation, Wood Furring	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.16</u>
R-6 Interior Insulation, Wood Furring	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.15</u>
R-10.5 Interior Insulation, Wood Furring	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.12</u>
R-8 Interior Insulation, Metal Clips	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.12</u>
R-6 Exterior Insulation	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.13</u>
R-10 Exterior Insulation	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.09</u>

Notes for Default Table 10-5B

1. Grouted cores at 40" x 48" on center vertically and horizontally in partial grouted walls.
2. Interior insulation values include 1/2" gypsum board on the inner surface.
3. Furring and stud spacing is 16" on center. Insulation is assumed to fill furring space and is not compressed.
4. Intermediate values may be interpolated using this table. Values not contained in this table may be computed using the procedures listed in Standard RS-27.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1006 Section 1006 Default U-factors for glazing and doors.

1006.1 ((Un~~tested~~)) Glazing and Doors without NFRC Certification: ((Un~~tested~~)) Glazing and doors that do not have NFRC certification shall be assigned the ((U~~-~~factors from Tables 10-6A, 10-6B, 10-6C, 10-6D, or 10-6E as appropriate.)) following U-factors:

TABLE 10-6

Other than Group R Occupancy: DEFAULT U-FACTORS FOR VERTICAL GLAZING, OVERHEAD GLAZING AND OPAQUE DOORS

Vertical Glazing	U-Factor	
	Any Frame	Vinyl/Wood Frame
Single	<u>1.45</u>	<u>1.45</u>
Double	<u>0.90</u>	<u>0.75</u>
1/2 Inch Air, Fixed	<u>0.75</u>	<u>0.60</u>
1/2 Inch Air, Low-e^(0.40), Fixed	<u>0.60</u>	<u>0.50</u>
1/2 Inch Argon, Low-e^(0.10), Fixed	<u>0.50</u>	<u>0.40</u>

Overhead Glazing	U-Factor	
	Any Frame	Vinyl/Wood Frame
Single	<u>2.15</u>	<u>2.15</u>
Double	<u>1.45</u>	<u>1.00</u>
Low-e^(0.40) or Argon	<u>1.40</u>	<u>0.95</u>
Low-e^(0.40)+ Argon	<u>1.30</u>	<u>0.85</u>
Low-e^(0.20) Air	<u>1.30</u>	<u>0.90</u>
Low-e^(0.20)+ Argon	<u>1.25</u>	<u>0.80</u>
Triple	<u>1.25</u>	<u>0.80</u>

Opaque Doors	U-Factor
Uninsulated Metal	<u>1.20</u>
Insulated Metal (Including Fire Door and Smoke Vent)	<u>0.60</u>
Wood	<u>0.50</u>

Notes:

Where a gap width is listed (i.e.: 1/2 inch), that is the minimum allowed. Where a low-emissivity emittance is listed (i.e.: 0.40, 0.20, 0.10), that is the maximum allowed. Where a gas other than air is listed (i.e.: Argon), the gas fill shall be a minimum of 90%. Where an operator type is listed (i.e.: Fixed), the default is only allowed for that operator type. Where a frame type is listed (i.e.: Wood/vinyl), the default is only allowed for that frame type. Wood/vinyl frame includes reinforced vinyl and aluminum-clad wood.

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TABLE 10-6A
Group R Occupancy: DEFAULT U-FACTORS FOR VERTICAL GLAZING

Description ^{1,2,3,4}			Frame Type ^{5,6}		
			Aluminum	Aluminum Thermal Break ⁷	Wood/Vinyl
Windows	Single		1.20	1.20	1.20
	Double, < 1/2"	Clear	0.92	0.75	0.63
		Clear+ Argon	0.87	0.71	0.60
		Low-e	0.85	0.69	0.58
		Low-e+Argon	0.79	0.62	0.53
	Double, ≥ 1/2"	Clear	0.86	0.69	0.58
		Clear+ Argon	0.83	0.67	0.55
		Low-e	0.78	0.61	0.51
		Low-e+Argon	0.75	0.58	0.48
	Triple,	Clear	0.70	0.53	0.43
		Clear+ Argon	0.69	0.52	0.41
		Low-e	0.67	0.49	0.40
		Low-e+Argon	0.63	0.47	0.37
	Garden Windows	Single		2.60	n.a.
Double		Clear	1.81	n.a.	1.61
		Clear+ Argon	1.76	n.a.	1.56
		Low-e	1.73	n.a.	1.54
		Low-e+Argon	1.64	n.a.	1.47

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- 1 <1/2"= a minimum dead air space of less than 0.5 inches between the panes of glass.
≥ 1/2"= a minimum dead air space of 0.5 inches or greater between the panes of glass.
Where no gap width is listed, the minimum gap width is 1/4".
- 2 Any low-e (emissivity) coating (0.1, 0.2 or 0.4).
- 3 U-factors listed for argon shall consist of sealed, gas-filled insulated units for argon, CO2, SF6, argon/SF6 mixtures and Krypton.
- 4 "Glass block" assemblies may use a U-factor of 0.51.
- 5 Insulated fiberglass framed products shall use wood/vinyl U-factors.
- 6 Aluminum clad wood windows shall use the U-factors listed for wood/vinyl windows.
- 7 Aluminum Thermal Break= An aluminum thermal break framed window shall incorporate the following minimum design characteristics:
 - a) The thermal conductivity of the thermal break material shall be not more than 3.6 Btu-in/h/ft²/°F;
 - b) The thermal break material must produce a gap in the frame material of not less than 0.210 inches; and,
 - c) All metal framing members of the products exposed to interior and exterior air shall incorporate a thermal break meeting the criteria in a) and b) above.

TABLE 10-6B'
Group R Occupancy: DEFAULT U-FACTORS FOR VERTICAL GLAZING
FOR SMALL BUSINESSES

DESCRIPTION ^{2,3,4,5,6}	FRAME TYPE ^{7,8}			
	ALUMINUM	ALUM. THERMAL BREAK ⁹	WOOD/VINYL	ALUM. CLAD WOOD/REINFORCED VINYL ¹⁰
Double, Clear 1/4"	0.82	0.66	0.56	0.59
Double, Clear 1/4"+ argon	0.77	0.63	0.53	0.56
Double, Low-e4 1/4"	0.76	0.61	0.52	0.54
Double, Low-e2 1/4"	0.73	0.58	0.49	0.51

TABLE 10-6B¹
Group R Occupancy: DEFAULT U-FACTORS FOR VERTICAL GLAZING
FOR SMALL BUSINESSES

DESCRIPTION ^{2,3,4,5,6}	FRAME TYPE ^{7,8}			
	ALUMINUM	ALUM. THERMAL BREAK ⁹	WOOD/VINYL	ALUM. CLAD WOOD/REINFORCED VINYL ¹⁰
Double, Low-e1 1/4"	0.70	0.55	0.47	0.49
Double, Low-e4 1/4"+ argon	0.70	0.55	0.47	0.49
Double, Low-e2 1/4"+ argon	0.66	0.52	0.43	0.46
Double, Low-e1 1/4"+ argon	0.64	0.50	0.41	0.43
Double, Clear 3/8"	0.78	0.63	0.54	0.57
Double, Clear 3/8"+ argon	0.75	0.60	0.51	0.54
Double, Low-e4 3/8"	0.72	0.57	0.48	0.51
Double, Low-e2 3/8"	0.69	0.54	0.45	0.48
Double, Low-e1 3/8"	0.66	0.51	0.43	0.46
Double, Low-e4 3/8"+ argon	0.68	0.53	0.44	0.47
Double, Low-e2 3/8"+ argon	0.63	0.49	0.41	0.44
Double, Low-e1 3/8"+ argon	0.61	0.47	0.39	0.41
Double, Clear 1/2"	0.75	0.60	0.50	0.54
Double, Clear 1/2"+ argon	0.72	0.58	0.48	0.51
Double, Low-e4 1/2"	0.68	0.53	0.44	0.47
Double, Low-e2 1/2"	0.64	0.50	0.41	0.44
Double, Low-e1 1/2"	0.61	0.47	0.39	0.42
Double, Low-e4 1/2"+ argon	0.65	0.50	0.42	0.44
Double, Low-e2 1/2"+ argon	0.60	0.46	0.37	0.40
Double, Low-e1 1/2"+ argon	0.58	0.43	0.35	0.38
Triple, Clear 1/4"	0.66	0.52	0.42	0.44
Triple, Clear 1/4"+ argon	0.63	0.49	0.39	0.42
Triple, Low-e4 1/4"	0.64	0.50	0.40	0.40
Triple, Low-e2 1/4"	0.62	0.48	0.39	0.41
Triple, Low-e1 1/4"	0.61	0.47	0.38	0.40
Triple, Low-e4 1/4"+ argon	0.60	0.46	0.37	0.39
Triple, Low-e2 1/4"+ argon	0.58	0.43	0.34	0.37
Triple, Low-e1 1/4" + argon	0.57	0.42	0.34	0.36
Triple, Clear 1/2"	0.61	0.46	0.37	0.40
Triple, Clear 1/2"+ argon	0.59	0.45	0.36	0.38
Triple, Low-e4 1/2"	0.58	0.43	0.35	0.37
Triple, Low-e2 1/2"	0.55	0.41	0.32	0.35
Triple, Low-e1 1/2"	0.54	0.39	0.31	0.33
Triple, Low-e4 1/2"+ argon	0.55	0.41	0.32	0.35
Triple, Low-e2 1/2"+ argon	0.52	0.38	0.30	0.32
Triple, Low-e1 1/2"+ argon	0.51	0.37	0.29	0.31

Footnotes to Table 10-6B

- ¹ Subtract 0.02 from the listed default U-factor for non-aluminum spacer. Acceptable spacer materials may include but is not limited to fiberglass, wood and butyl or other material with an equivalent thermal performance.

- 2 1/4"= a minimum dead air space of 0.25 inches between the panes of glass.
 3/8"= a minimum dead air space of 0.375 inches between the panes of glass.
 1/2"= a minimum dead air space of 0.5 inches between the panes of glass.
 Product with air spaces different than those listed above shall use the value for the next smaller air space; i.e. 3/4 inch= 1/2 inch U-factors, 7/16 inch= 3/8 inch U-factors, 5/16 inch= 1/4 inch U-factors.
- 3 Low-e4 (emissivity) shall be 0.4 or less.
 Low-e2 (emissivity) shall be 0.2 or less.
 Low-e1 (emissivity) shall be 0.1 or less.
- 4 U-factors listed for argon shall consist of sealed, gas-filled insulated units for argon, CO2, SF6, and argon/SF6 mixtures. The following conversion factor shall apply to Krypton gas-filled units: 1/4" or greater with krypton is equivalent to 1/2" argon.
- 5 Dividers placed between glazing: The U-factor listed shall be used where the divider has a minimum gap of 1/8 inch between the divider and lite of each inside glass surface. Add 0.03 to the listed U-factor for True Divided Lite windows.
- 6 "Glass block" assemblies may use a U-factor of 0.51.
- 7 Insulated fiberglass framed products shall use wood/vinyl U-factors.
- 8 Subtract 0.02 from the listed default values for solariums.
- 9 Aluminum Thermal Break= An aluminum thermal break framed window shall incorporate the following minimum design characteristics:
 - a) The thermal conductivity of the thermal break material shall be not more than 3.6 Btu-in/h/ft²/F°;
 - b) The thermal break material must produce a gap in the frame material of not less than 0.210 inches; and,
 - c) All metal framing members of the products exposed to interior and exterior air shall incorporate a thermal break meeting the criteria in a) and b) above.
- 10 Aluminum clad wood windows shall use the U-factors listed for Aluminum Clad Wood/Reinforced Vinyl windows. Vinyl clad wood window shall use the U-factors listed for Wood/Vinyl windows. Any vinyl frame window with metal reinforcement in more than one rail shall use the U-factors listed for Aluminum Clad Wood/Reinforced Vinyl window.

**((TABLE 10-6C
 DEFAULT U-FACTORS FOR WOOD AND STEEL DOORS**

Nominal Door Thickness, Inches	Description	No Storm Door	Wood Storm Door ^e	Metal Storm Door ^d
Wood Doors^b				
1-3/8	Panel door with 7/16 inch panels ^e	0.57	0.33	0.37
1-3/8	Hollow core flush door	0.47	0.30	0.32
1-3/8	Solid core flush door	0.39	0.26	0.28
1-3/4	Panel door with 7/16 inch panels ^e	0.57	0.33	0.36
1-3/4	Hollow core flush door	0.46	0.29	0.32
1-3/4	Panel door with 3/4 inch panels ^e	0.40	0.27	0.29
1-3/4	Panel door with 1-1/8 inch panels ^e	0.39	0.26	0.28
1-3/4	Solid core flush door	0.33	0.28	0.25
2-1/4	Solid core flush door	0.27	0.20	0.21
Steel Doors^b				
1-3/4	Fiberglass or mineral wool core w/ steel stiffeners, no thermal break ^f	0.60	—	—
1-3/4	Paper honeycomb core without thermal break ^f	0.56	—	—
1-3/4	Solid urethane foam core without thermal break ^e	0.40	—	—
1-3/4	Solid fire rated mineral fiberboard core without thermal break ^f	0.38	—	—
1-3/4	Polystyrene core without thermal break (18 gage commercial steel) ^f	0.35	—	—
1-3/4	Polyurethane core without thermal break (18 gage commercial steel) ^f	0.29	—	—
1-3/4	Polyurethane core without thermal break (24 gage commercial steel) ^f	0.29	—	—

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**((TABLE 10-6C
DEFAULT U-FACTORS FOR WOOD AND STEEL DOORS**

Nominal Door Thickness, Inches	Description	No Storm Door	Wood Storm Door ^a	Metal Storm Door ^d
1-3/4	Polyurethane core w/ thermal break & wood perimeter (24 gage commercial steel) ^f	0.20	—	—
1-3/4	Solid urethane foam core with thermal break	0.19	0.16	0.17

Note: All U-factors for exterior doors in this table are for doors with no glazing, except for the storm doors which are in addition to the main exterior door. Any glazing area in exterior doors should be included with the appropriate glass type and analyzed. Interpolation and moderate extrapolation are permitted for door thicknesses other than those specified.

- a Values are based on a nominal 32 by 80 in. door size with no glazing.
- b Outside air conditions: 15 mph wind speed, 0°F air temperature; inside air conditions: natural convection, 70°F air temperature.
- c Values for wood storm door are for approximately 50 percent glass area.
- d Values for metal storm door are for any percent glass area.
- e 55 percent panel area.
- f ASTM C-236 hotbox data on a nominal 3 by 7 ft door size with no glazing.

The U-factors in Table 6C are for exterior wood and steel doors. The values given for wood doors were calculated, and those for steel doors were taken from hotbox tests (Sabine et al. 1975; Yellot 1965) or from manufacturer's test reports. An outdoor surface conductance of 6.0 Btu/h·ft²·°F was used, and the indoor surface conductance was taken as 1.4 Btu/h·ft²·°F for vertical surfaces with horizontal heat flow. All values given are for exterior doors without glazing. If an exterior door contains glazing, refer to Table 10-6D:))

**TABLE 10-6C
Group R Occupancy: DEFAULT U-FACTORS FOR DOORS**

Door Type	No Glazing	Single Glazing	Double Glazing with 1/2 in. Airspace	Double Glazing with e=0.10, 1/2 in. Argon
SWINGING DOORS (Rough opening - 38 in. x 82 in.)				
<i>Slab Doors</i>				
Wood slab in wood frame ^a	0.46			
6% glazing (22 in. x 8 in. lite)	=	0.48	0.46	0.44
25% glazing (22 in. x 36 in. lite)	=	0.58	0.46	0.42
45% glazing (22 in. x 64 in. lite)	=	0.69	0.46	0.39
More than 50% glazing		Use Table 10-6A		
Insulated steel slab with wood edge in wood frame ^a	0.16			
6% glazing (22 in. x 8 in. lite)	=	0.21	0.19	0.18
25% glazing (22 in. x 36 in. lite)	=	0.39	0.26	0.23
45% glazing (22 in. x 64 in. lite)	=	0.58	0.35	0.26
More than 50% glazing		Use Table 10-6A		
Foam insulated steel slab with metal edge in steel frame ^b	0.37			
6% glazing (22 in. x 8 in. lite)	=	0.44	0.41	0.39
25% glazing (22 in. x 36 in. lite)	=	0.55	0.48	0.44
45% glazing (22 in. x 64 in. lite)	=	0.71	0.56	0.48
More than 50% glazing		Use Table 10-6A		
Cardboard honeycomb slab with metal edge in steel frame ^b	0.61			
<i>Style and Rail Doors</i>				
Sliding glass doors/French doors		Use Table 10-6A		
Site-Assembled Style and Rail Doors		Use Table 10-6A		

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<u>Door Type</u>	<u>No Glazing</u>	<u>Single Glazing</u>	<u>Double Glazing with 1/2 in. Airspace</u>	<u>Double Glazing with e=0.10, 1/2 in. Argon</u>
Aluminum in aluminum frame	=	1.32	0.93	0.79
Aluminum in aluminum frame with thermal break	=	1.13	0.74	0.63

REVOLVING DOORS (Rough opening - 82 in. x 84 in.)

Aluminum in aluminum frame				
Open	=	1.32	=	=
Closed	=	0.65	=	=

SECTIONAL OVERHEAD DOORS (Nominal - 10 ft x 10 ft)

Uninsulated steel (nominal U = 1.15) ^a	1.15	=	=	=
Insulated steel (nominal U = 0.11) ^a	0.24	=	=	=
Insulated steel with thermal break (nominal U = 0.08) ^a	0.13	=	=	=

- a. Thermally broken sill (add 0.03 for nonthermally broken sill)
- b. Nonthermally broken sill
- c. Nominal U-factors are through the center of the insulated panel before consideration of thermal bridges around the edges of the door sections and due to the frame.

**TABLE 10-6D
((DEFAULT U-FACTORS FOR GLAZED DOORS³))
Group R Occupancy: DEFAULT U-FACTORS FOR GLAZED DOORS
See Table 10-6C**

Description ^{2,3,4,5}	((Door Material			
	Insulated ⁶		Wood ⁷	
	Full Lite ^{4,9}	Half Lite ^{10,11}	Full Lite ³	Half Lite ¹⁰
Double, Clear 1/4"	0.39	0.31	0.47	0.42
Double, Clear 1/4" + argon	0.37	0.30	0.45	0.41
Double, Low-e4 1/4"	0.36	0.30	0.44	0.41
Double, Low-e2 1/4"	0.35	0.29	0.43	0.40
Double, Low-e1 1/4"	0.24	0.28	0.41	0.39
Double, Low-e4 1/4" + argon	0.33	0.28	0.41	0.39
Double, Low-e2 1/4" + argon	0.31	0.26	0.39	0.38
Double, Low-e1 1/4" + argon	0.31	0.26	0.38	0.37
Double, Clear 3/8"	0.37	0.30	0.45	0.41
Double, Clear 3/8" + argon	0.36	0.29	0.44	0.41
Double, Low-e4 3/8"	0.34	0.28	0.42	0.40
Double, Low-e2 3/8"	0.33	0.28	0.41	0.39
Double, Low-e1 3/8"	0.21	0.26	0.38	0.37
Double, Low-e4 3/8" + argon	0.32	0.27	0.40	0.38
Double, Low-e2 3/8" + argon	0.29	0.25	0.37	0.37
Double, Low-e1 3/8" + argon	0.29	0.25	0.36	0.36
Double, Clear 1/2"	0.36	0.29	0.44	0.41
Double, Clear 1/2" + argon	0.34	0.28	0.42	0.40
Double, Low-e4 1/2"	0.32	0.27	0.40	0.38
Double, Low-e2 1/2"	0.30	0.26	0.38	0.37
Double, Low-e1 1/2"	0.29	0.25	0.36	0.36
Double, Low-e4 1/2" + argon	0.30	0.26	0.38	0.37
Double, Low-e2 1/2" + argon	0.28	0.25	0.36	0.36

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TABLE 10-6D
((DEFAULT U FACTORS FOR GLAZED DOORS²))
Group R Occupancy: DEFAULT U-FACTORS FOR GLAZED DOORS
See Table 10-6C

Description ^{2,3,4,5}	((Door Material			
	Insulated ⁶		Wood ⁷	
	Full Lite ^{4,9}	Half Lite ^{10,11}	Full Lite ³	Half Lite ¹⁰
Double, Low-e1 1/2" + argon	0.28	0.24	0.34	0.35
Triple, Clear 1/4"	0.31	0.26	0.39	0.38
Triple, Clear 1/4" + argon	0.29	0.25	0.37	0.37
Triple, Low-e4 1/4"	0.30	0.26	0.38	0.37
Triple, Low-e2 1/4"	0.29	0.25	0.37	0.36
Triple, Low-e4 1/4" + argon	0.27	0.24	0.35	0.35
Triple, Low-e2 1/4" + argon	0.26	0.24	0.34	0.35

Footnotes to Table 10-6D

- 1 Subtract 0.02 from the listed default U-factor for insulated spacers. Insulated spacer material includes fiberglass, wood and butyl or other material with an equivalent Thermal performance.
- 2 1/4" = a minimum dead air space of 0.25 inches between the panes of glass.
 3/8" = a minimum dead air space of 0.375 inches between the panes of glass.
 1/2" = a minimum dead air space of 0.5 inches between the panes of glass.
 Products with air spaces different than those listed above shall use the value for next smaller air space; i.e. 3/4 inch = 1/2 inch U-factors, 7/16 inch = 3/8 inch U-factors, 5/16 inch = 1/4 inch U-factors.
- 3 Low-e4 (emissivity) shall be 0.4 or less.
 Low-e2 (emissivity) shall be 0.2 or less.
 Low-e1 (emissivity) shall be 0.1 or less.
- 4 U-factors listed for argon shall consist of sealed, gas-filled, insulated units for argon, CO2, SF6 and argon/SF6 mixtures.
 The following conversion factor shall apply to Krypton gas-filled units:
 1/4 inch or greater airspace of Krypton gas fill = 1/2 inch air space Argon gas fill.
- 5 Dividers placed between glazing: The U-factors listed shall be used where the divider has a minimum gap of 1/8 inch between the divider and lite of each inside glass surface. Add 0.03 to the listed U-factor for True Divided Lite windows.
- 6 Insulated = Any urethane insulated foam core door with a thermal break. Thermal Break = A thermal break door shall incorporate the following design characteristics:
 - a) The thermal conductivity of the thermal break material shall be not more than 3.6 Btu-in/h-ft²-°F; and
 - b) The thermal break material shall not be less than 0.210 inches.
- 7 Wood = any wood door.
- 8 Full Lite = A door that consists of more than 50% glazing.
- 9 Add 0.05 to the listed U-factor for Full Lite values if the insulated door does not have a thermal break.
- 10 Half Lite = A door that consists of 50% or less glazing.
- 11 Add 0.06 to the listed U-factor for Half Lite values if the insulated door does not have a thermal break.))

TABLE 10-6E
Group R Occupancy: DEFAULT U-FACTORS FOR OVERHEAD GLAZING

Glazing Type	Frame Type			
	Aluminum without Thermal Break	Aluminum with Thermal Break	Reinforced Vinyl/ Aluminum-Clad Wood or Vinyl	Wood or Vinyl-Clad Wood/ Vinyl without Reinforcing
Single Glazing glass	U-1.58	U-1.51	U-1.40	U-1.18
acrylic/polycarb	U-1.52	U-1.45	U-1.34	U-1.11

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TABLE 10-6E
Group R Occupancy: DEFAULT U-FACTORS FOR OVERHEAD GLAZING

Glazing Type	Frame Type			
	Aluminum without Thermal Break	Aluminum with Thermal Break	Reinforced Vinyl/ Aluminum-Clad Wood or Vinyl	Wood or Vinyl-Clad Wood/ Vinyl without Reinforcing
Double Glazing				
air	U-1.05	U-0.89	U-0.84	U-0.67
argon	U-1.02	U-0.86	U-0.80	U-0.64
Double Glazing, e=0.20				
air	U-0.96	U-0.80	U-0.75	U-0.59
argon	U-0.91	U-0.75	U-0.70	U-0.54
Double Glazing, e=0.10				
air	U-0.94	U-0.79	U-0.74	U-0.58
argon	U-0.89	U-0.73	U-0.68	U-0.52
Double Glazing, e=0.05				
air	U-0.93	U-0.78	U-0.73	U-0.56
argon	U-0.87	U-0.71	U-0.66	U-0.50
Triple Glazing				
air	U-0.90	U-0.70	U-0.67	U-0.51
argon	U-0.87	U-0.69	U-0.64	U-0.48
Triple Glazing, e=0.20				
air	U-0.86	U-0.68	U-0.63	U-0.47
argon	U-0.82	U-0.63	U-0.59	U-0.43
Triple Glazing, e=0.20 on 2 surfaces				
air	U-0.82	U-0.64	U-0.60	U-0.44
argon	U-0.79	U-0.60	U-0.56	U-0.40
Triple Glazing, e=0.10 on 2 surfaces				
air	U-0.81	U-0.62	U-0.58	U-0.42
argon	U-0.77	U-0.58	U-0.54	U-0.38
Quadruple Glazing, e=0.10 on 2 surfaces				
air	U-0.78	U-0.59	U-0.55	U-0.39
argon	U-0.74	U-0.56	U-0.52	U-0.36
krypton	U-0.70	U-0.52	U-0.48	U-0.32

1. U-factors are applicable to both glass and plastic, flat and domed units, all spacers and gaps.
2. Emissivities shall be less than or equal to the value specified.
3. Gap fill shall be assumed to be air unless there is a minimum of 90% argon or krypton.
4. Aluminum frame with thermal break is as defined in footnote 9 to Table 10-6B.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1007 Section 1007 Ceilings.

1007.1 General: Table 10-7 lists heat-loss coefficients for the opaque portion of exterior ceilings below vented

attics, vaulted ceilings, and roof decks in units ((of Btu/hr•°F per square foot)) Btu/h•ft²•°F of ceiling.

They are derived from procedures listed in Standard ((RS-4)) RS-27, listed in Chapter 7. Ceiling U-factors are modified for the buffering effect of the attic, assuming an

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indoor temperature of 65° F and an outdoor temperature of 45° F.

1007.2 Component Description: The three types of ceilings are characterized as follows:

Ceilings Below a Vented Attic: Attic insulation is assumed to be blown-in, loose-fill fiberglass with a K-value of 2.6 hr•ft²•°F/Btu per inch. Full bag count for specified R-value is assumed in all cases. Ceiling dimensions for flat ceiling calculations are forty-five by thirty feet, with a gabled roof having a 4/12 pitch. The attic is assumed to vent naturally at the rate of three air changes per hour through soffit and ridge vents. A void fraction of 0.002 is assumed for all attics with insulation baffles. Standard-framed, un baffled attics assume a void fraction of 0.008.

Attic framing is either standard or advanced. Standard framing assumes tapering of insulation depth around the perimeter with resultant decrease in thermal resistance. An increased R-value is assumed in the center of the ceiling due to the effect of piling leftover insulation. Advanced framing assumes full and even depth of insulation extending to the outside edge of exterior walls. Advanced framing does not change from the default value.

U-factors for flat ceilings below vented attics with standard framing may be modified with the following table:

Roof Pitch	U-Factor for Standard Framing	
	R-30	R-38
4/12	.036	.031
5/12	.035	.030
6/12	.034	.029
7/12	.034	.029

Roof Pitch	U-Factor for Standard Framing	
	R-30	R-38
8/12	.034	.028
9/12	.034	.028
10/12	.033	.028
11/12	.033	.027
12/12	.033	.027

Vented scissiors truss attics assume a ceiling pitch of 2/12 with a roof pitch of either 4/12 or 5/12. Unbaffled standard framed scissiors truss attics are assumed to have a void fraction of 0.016.

Vaulted Ceilings: Insulation is assumed to be fiberglass batts installed in roof joist cavities. In the vented case, at least 1.5-inches between the top of the batts and the underside of the roof sheathing is left open for ventilation in each cavity. A ventilation rate of ((three)) 3.0 air changes per hour is assumed. In the unvented or dense pack case, the ceiling cavity is assumed to be fully packed with insulation, leaving no space for ventilation.

Roof Decks: Rigid insulation is applied to the top of roof decking with no space left for ventilation. Roofing materials are attached directly on top of the insulation. Framing members are often left exposed on the interior side.

Metal Truss Framing: Overall system tested values for the roof/ceiling U_o for metal framed truss assemblies from approved laboratories shall be used, when such data is acceptable to the building official.

Alternatively, the U_o for roof/ceiling assemblies using metal truss framing may be obtained from Tables 10-7A, 10-7B, 10-7C, 10-7D and 10-7E.

**TABLE 10-7
DEFAULT U-FACTORS FOR CEILINGS**

Ceilings Below Vented Attics

Flat Ceiling	Standard Frame	Advanced Frame
	Baffled	
R-19	0.049	0.047
R-30	0.036	0.032
R-38	0.031	0.026
R-49	0.027	0.020
R-60	0.025	0.017
Scissiors Truss		
R-30 (4/12 roof pitch)	0.043	0.031
R-38 (4/12 roof pitch)	0.040	0.025
R-49 (4/12 roof pitch)	0.038	0.020
R-30 (5/12 roof pitch)	0.039	0.032
R-38 (5/12 roof pitch)	0.035	0.026
R-49 (5/12 roof pitch)	0.032	0.020
Vaulted Ceilings		
	16" O.C.	24" O.C.

PROPOSED

PROPOSED

			Standard Frame	Advanced Frame
Vented				
R-19	2x10 joist		0.049	0.048
R-30	2x12 joist		0.034	0.033
R-38	2x14 joist		0.027	0.027
Unvented				
R-30	2x10 joist		0.034	0.033
R-38	2x12 joist		0.029	0.027
R-21 + R-21	2x12 joist		0.026	0.025
Roof Deck				
			4x Beams, 48" O.C.	
R-12.5	2"	Rigid insulation	0.064	
R-21.9	3.5"	Rigid insulation	0.040	
R-37.5	6"	Rigid insulation	0.025	
R-50	8"	Rigid insulation	0.019	

Table 10-7A
Steel Truss¹ Framed Ceiling U_o

Cavity R-value	Truss Span (ft)												
	12	14	16	18	20	22	24	26	28	30	32	34	36
19	0.1075	0.0991	0.0928	0.0878	0.0839	0.0807	0.0780	0.0757	0.0737	0.0720	0.0706	0.0693	0.0681
30	0.0907	0.0823	0.0760	0.0710	0.0671	0.0638	0.0612	0.0589	0.0569	0.0552	0.0538	0.0525	0.0513
38	0.0844	0.0759	0.0696	0.0647	0.0607	0.0575	0.0548	0.0525	0.0506	0.0489	0.0474	0.0461	0.0449
49	0.0789	0.0704	0.0641	0.0592	0.0552	0.0520	0.0493	0.0470	0.0451	0.0434	0.0419	0.0406	0.0395

Table 10-7B
Steel Truss¹ Framed Ceiling U_o with R-3 Sheathing²

Cavity R-value	Truss Span (ft)												
	12	14	16	18	20	22	24	26	28	30	32	34	36
19	0.0809	0.0763	0.0728	0.0701	0.0679	0.0661	0.0647	0.0634	0.0623	0.0614	0.0606	0.0599	0.0592
30	0.0641	0.0595	0.0560	0.0533	0.0511	0.0493	0.0478	0.0466	0.0455	0.0446	0.0438	0.0431	0.0424
38	0.0577	0.0531	0.0496	0.0469	0.0447	0.0430	0.0415	0.0402	0.0392	0.0382	0.0374	0.0367	0.0361
49	0.0523	0.0476	0.0441	0.0414	0.0393	0.0375	0.0360	0.0348	0.0337	0.0328	0.0319	0.0312	0.0306

Table 10-7C
Steel Truss¹ Framed Ceiling U_o with R-5 Sheathing²

Cavity R-value	Truss Span (ft)												
	12	14	16	18	20	22	24	26	28	30	32	34	36
19	0.0732	0.0697	0.0670	0.0649	0.0633	0.0619	0.0608	0.0598	0.0590	0.0583	0.0577	0.0571	0.0567
30	0.0564	0.0529	0.0502	0.0481	0.0465	0.0451	0.0440	0.0430	0.0422	0.0415	0.0409	0.0403	0.0399
38	0.0501	0.0465	0.0438	0.0418	0.0401	0.0388	0.0376	0.0367	0.0359	0.0351	0.0345	0.0340	0.0335
49	0.0446	0.0410	0.0384	0.0363	0.0346	0.0333	0.0322	0.0312	0.0304	0.0297	0.0291	0.0285	0.0280

Table 10-7D
Steel Truss¹ Framed Ceiling U_o with R-10 Sheathing²

Cavity R-value	Truss Span (ft)												
	12	14	16	18	20	22	24	26	28	30	32	34	36
19	0.0626	0.0606	0.0590	0.0578	0.0569	0.0561	0.0555	0.0549	0.0545	0.0541	0.0537	0.0534	0.0531
30	0.0458	0.0437	0.0422	0.0410	0.0401	0.0393	0.0387	0.0381	0.0377	0.0373	0.0369	0.0366	0.0363
38	0.0394	0.0374	0.0359	0.0347	0.0337	0.0330	0.0323	0.0318	0.0313	0.0309	0.0305	0.0302	0.0299
49	0.0339	0.0319	0.0304	0.0292	0.0283	0.0275	0.0268	0.0263	0.0258	0.0254	0.0251	0.0247	0.0245

Table 10-7E Steel Truss ¹ Framed Ceiling U _o with R-15 Sheathing ²													
Cavity R-value	Truss Span (ft)												
	12	14	16	18	20	22	24	26	28	30	32	34	36
19	0.0561	0.0550	0.0541	0.0535	0.0530	0.0526	0.0522	0.0519	0.0517	0.0515	0.0513	0.0511	0.0509
30	0.0393	0.0382	0.0373	0.0367	0.0362	0.0358	0.0354	0.0351	0.0349	0.0347	0.0345	0.0343	0.0341
38	0.0329	0.0318	0.0310	0.0303	0.0298	0.0294	0.0291	0.0288	0.0285	0.0283	0.0281	0.0279	0.0278
49	0.0274	0.0263	0.0255	0.0249	0.0244	0.0239	0.0236	0.0233	0.0230	0.0228	0.0226	0.0225	0.0223

1 - Assembly values based on 24 inch on center truss spacing; 11 Truss member connections penetrating insulation (4 at the eaves, 7 in the interior space); 1/2 inch drywall ceiling; all truss members are 2x4 "C" channels with a solid web.
2 - Ceiling sheathing installed between bottom chord and drywall.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1008 Section 1008 Air infiltration.

1008.1 General: Tables 10-8 and ~~((40-9)) 10-8A~~ list effective air change rates and heat capacities for heat loss due to infiltration for Group R occupancy.

Estimated seasonal average infiltration rate in air changes per hour (ACH) is given for standard air-leakage control (see section 502.4 of this code for air leakage requirements for Group R occupancy). The effective air-change rate shall be used in calculations for compliance under either the Component Performance or Systems Analysis approaches.

Heat loss due to infiltration shall be computed using the following equation:

$$Q_{infil} = ACH_{eff} * HCP$$

where: Q_{infil} = Heat loss due to air infiltration

ACH_{eff} = the effective air infiltration rate in Table 10-8

HCP = the Heat Capacity Density Product for the appropriate elevation or climate zone as given below.

**TABLE 10-8
ASSUMED EFFECTIVE AIR CHANGES
PER HOUR**

Air-Leakage Control Package	Air Changes per Hour	
	Natural	Effective
Standard	0.35	0.35

**TABLE ~~((40-9)) 10-8A~~
DEFAULT HEAT CAPACITY/DENSITY PRODUCT FOR AIR**

Zone	Average Elevation	Heat Capacity/Density
1	Mean Sea Level	0.0180 Btu/h•°F
2	2000	0.0168 Btu/h•°F
3	3000	0.0162 Btu/h•°F

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1009 Section 1009 Mass.

1009.1 General: ~~((Table))~~ Tables 10-9 and 10-10 list ~~((s))~~ default ~~((mass values))~~ mass values for ~~((residential))~~ concrete masonry construction ~~((types))~~. ~~((ACH))~~ Calculations are based on standard ASHRAE values for heat stor-

age capacity as listed in Standard ~~((RS-1))~~ **RS-27**, Chapter 24.

Thermal capacity of furniture is ignored, as is heat storage beyond the first four inches of mass thickness. All mass is assumed to be in direct contact with the conditioned space. Concrete separated from the heated volume by other materials must multiply the listed concrete mass value by the result of the following formula:

PROPOSED

$\ln(R\text{-value}) \times (-.221) + 0.5$

Where:

$\ln =$ Natural log

R-value = R-value of material covering concrete

Note: All default values for covered concrete slabs have been adjusted according to this procedure.

1009.2 Mass Description: Mass is divided into two types: Structural and additional.

Structural Mass: Includes heat-storage capacity of all standard building components of a typical residential structure, including floors, ceilings, and interior and exterior walls in Btu/ft²•°F of floor area. It also assumes exterior wall, interior wall and ceiling surface area approximately equals three times the floor area.

Additional Mass: Includes any additional building material not part of the normal structure, which is added specifically to increase the building's thermal-storage capability. This category includes masonry fireplaces, water or trombe walls, and extra layers of sheetrock. Coefficients are in Btu/ft²•°F of surface area of material exposed to conditioned space. The coefficient for water is Btu/°F•gallon.

1009.3 Component Description: Light frame assumes one inch thick wood flooring with five-eighths inch sheetrock on ceilings and interior walls, and walls consisting of either five-eighths inch sheetrock or solid logs. Slab assumes a four-inch concrete slab on or below grade, with five-eighths inch sheetrock on exterior and interior walls and ceiling, and with separate values for interior or exterior wall insulation. Adjustments for slab covering is based on R-value of material. Additional mass values are based on the density multiplied by the specific heat of the material adjusted for listed thickness.

**TABLE 10-9
HEAT CAPACITY**

	Partial Grout	Solid Grout
<u>8" CMU</u>	<u>9.65</u>	<u>15.0</u>
<u>12" CMU</u>	<u>14.5</u>	<u>23.6</u>
<u>8" Brick</u>	<u>10.9</u>	<u>16.4</u>
<u>6" Concrete</u>	<u>NA</u>	<u>14.4</u>

**TABLE 10-10
DEFAULT MASS VALUES**

Structural Mass M-value	Btu/ft²•°F floor area
Light Frame:	
Joisted/post & beam floor, sheetrock walls and ceilings	3.0
Joisted/post & beam floor, log walls, sheetrock ceilings	4.0
Slab With Interior Wall Insulation:	
Slab, no covering or tile, sheetrock walls and ceilings	10.0
Slab, hardwood floor covering, sheetrock walls and ceilings	7.0
Slab, carpet and pad, sheetrock walls and ceilings	5.0
Slab With Exterior Wall Insulation:	
Slab, no covering or tile, sheetrock walls and ceilings	12.0
Slab, hardwood floor covering, sheetrock walls and ceilings	9.0
Slab, carpet and pad, sheetrock walls and ceilings	7.0
Additional Mass M-Value:	
Btu/ft²•°F surface area	
Gypsum wallboard, 1/2 inch thickness	0.54
Gypsum wallboard, 5/8 inch thickness	0.68
Hardwood floor	1.40
Concrete/Brick, 4 inch-thickness	10.30
Concrete/Brick, 6 inch-thickness	15.40

PROPOSED

Structural Mass M-value

Btu/ft²•°F floor area

Btu/°F•gallon

Water, 1 gallon

8.0

**CHAPTER 12
DEFINITIONS**

Note: For nonresidential definitions, see Chapter 2.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1132 Alterations and repairs. Alterations and repairs to buildings or portions thereof originally constructed subject to the requirements of this Code shall conform to the provisions of this Code without the use of the exception in Section 1130. Other alterations and repairs may be made to existing buildings and moved buildings without making the entire building comply with all of the requirements of this Code for new buildings, provided the following requirements are met:

1132.1 Building Envelope: Alterations or repairs shall comply with nominal R-values and glazing requirements in Table 13-1 or 13-2.

EXCEPTIONS:

1. Storm windows installed over existing glazing.
2. Glass replaced in existing sash and frame provided that glazing is of equal or lower U-factor.
3. For solar heat gain coefficient compliance, glazing with a solar heat gain coefficient equal to or lower than that of the other existing glazing.
4. Existing roof/ceiling, wall or floor cavities exposed during construction provided that these cavities are insulated to full depth with insulation having a minimum nominal value of R-3.0 per inch installed per Sections 1311 and 1313.
5. Existing walls and floors without framing cavities, provided that any new cavities added to existing walls and floors comply with Exception 4.
6. Existing roofs where the roof membrane is being replaced and
 - a. The roof sheathing or roof insulation is not exposed; or
 - b. If there is existing roof insulation below the deck.

In no case shall the energy efficiency of the building be decreased.

1132.2 Building Mechanical Systems: Those parts of systems which are altered or replaced shall comply with Chapter 14 of this Code.

1132.3 Lighting and Motors: Tenant improvements, alterations or repairs where 60 percent or more of the fixtures in a use (as defined in Table 15-1) within a tenant space or in an entire floor (whichever is smaller) are new shall comply with Sections 1531 and 1532. Where less than 60 percent of the fixtures are new, the installed lighting wattage shall be maintained or reduced. Where 60 percent or more of the lighting fixtures in a suspended ceiling are new, and the existing insulation is on the suspended ceiling, the roof/ceiling assembly shall be insulated according to the provisions of Chapter 13 Section 1311.2.

Where new wiring is being installed to serve added fixtures and/or fixtures are being relocated to a new circuit, controls shall comply with Sections 1513.1 through 1513.5. Where a new lighting panel (or a moved lighting panel) with all new raceway and conductor wiring from the panel to the fixtures is being installed, controls shall comply with Section 1513.6.

Those motors which are altered or replaced shall comply with Section 1511.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1312 Glazing and doors.

1312.1 Standard Procedure for Determination of Glazing and Door U-Factors: U-Factors for glazing and doors shall be determined, certified and labeled in accordance with Standard RS-31 by a certified independent agency licensed by the National Fenestration Rating Council (NFRC). Compliance shall be based on the Residential or the Nonresidential Model Size. Product samples used for U-factor determinations shall be production line units or representative of units as purchased by the consumer or contractor. Unlabeled glazing and doors shall be assigned the default U-factor in Section 2006.

EXCEPTION: Field glazed site built fenestration systems U-factors determined by an NFRC accredited simulation laboratory are acceptable. Simulations shall be done in accordance with NFRC Standard 100. Simulation reports shall be submitted with building permit submittal.

1312.2 Solar Heat Gain Coefficient and Shading Coefficient: Solar Heat Gain Coefficient (SHGC), shall be determined, certified and labeled in accordance with the National Fenestration Rating Council (NFRC) Standard by a certified, independent agency, licensed by the NFRC.

EXCEPTION: Shading coefficients (SC) shall be an acceptable alternate for compliance with solar heat gain coefficient requirements. Shading coefficients for glazing shall be taken from Chapter 29 of RS-27 or from the manufacturer's test data.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1313 Moisture control.

1313.1 Vapor Retarders: Vapor retarders shall be installed on the warm side (in winter) of insulation as required by this section.

EXCEPTION: Vapor retarder installed with not more than 1/3 of the nominal R-value between it and the conditioned space.

PROPOSED

1313.2 Roof/Ceiling Assemblies: Roof/ceiling assemblies where the ventilation space above the insulation is less than an average of twelve inches shall be provided with a vapor retarder. (For enclosed attics and enclosed rafter spaces see Section 1505.3 of the Washington State Building Code.) Roof/ceiling assemblies without a vented airspace, allowed only where neither the roof deck nor the roof structure are made of wood, shall provide a continuous vapor retarder with taped seams.

EXCEPTION: Vapor retarders need not be provided where all of the insulation is installed between the roof membrane and the structural roof deck.

1313.3 Walls: Walls separating conditioned space from unconditioned space shall be provided with a vapor retarder.

1313.4 Floors: Floors separating conditioned space from unconditioned space shall be provided with a vapor retarder.

1313.5 Crawl Spaces: A ground cover of six mil (0.006 inch thick) black polyethylene or approved equal shall be laid over the ground within crawl spaces. The ground cover shall be overlapped twelve inches minimum at the joints and shall extend to the foundation wall.

EXCEPTION: The ground cover may be omitted in crawl spaces if the crawl space has a concrete slab floor with a minimum thickness of three and one-half inches.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1322 Opaque envelope. Roof/ceilings, opaque exterior walls, opaque doors, floors over unconditioned space, below grade walls, slab on grade floors, and radiant floors enclosing conditioned spaces shall be insulated according to Section 1311 and Tables 13-1 or 13-2. Compliance with nominal R-values shall be demonstrated for the thermal resistance of the added insulation in framing cavities and/or insulated sheathing only. Nominal R-values shall not include the thermal transmittance of other building materials or air films.

For metal frame assemblies used in spaces with electric resistance space heat, compliance shall be demonstrated with the component U-factor for the overall assembly based on the assemblies in Chapter 10.

EXCEPTIONS:

1. Opaque smoke vents are not required to meet insulation requirements.
2. The perimeter edge of an above grade floor slab which penetrates the exterior wall may be left uninsulated provided that the wall insulation is increased by R-2 above that required in Tables 13-1 and 13-2.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1323 Glazing. Glazing shall comply with Section 1312 and Tables 13-1 or 13-2. All glazing shall be, at a minimum, double glazing.

EXCEPTIONS:

1. Vertical glazing located on the display side of the street level story of a retail occupancy provided the glazing ((is double-glazed with a minimum 1/2-inch airspace and)

a. is double-glazed with a minimum 1/2 inch airspace and with a low-e coating having a maximum emittance of e-0.40 or has an area weighted U-factor of 0.60 or less. (When this exception is used, there are no SHGC requirements) and,

b. does not exceed 75 percent of the gross exterior wall area of the ((street level story which does not exceed 20 feet in height-)) display side of the street level story. However, if the display side of the street level story exceeds 20 feet in height, then this exception may only be used for the first 20 feet of that story.

When this exception is utilized, separate calculations shall be performed for these sections of the building envelope and these values shall not be averaged with any others for compliance purposes. The 75 percent area may be exceeded on the street level, if the additional glass area is provided from allowances from other areas of the building.

2. Single glazing for ornamental, security, or architectural purposes shall be included in the percentage of the total glazing area, U-factor calculation and SHGC as allowed in the Tables 13-1 or 13-2. The maximum area allowed for the total of all single glazing is one percent of the gross exterior wall floor area.

1323.1 Area: The percentage of total glazing (vertical and overhead) area relative to the gross exterior wall area shall not be greater than the appropriate value from Tables 13-1 or 13-2 for the vertical glazing U-factor, overhead glazing U-factor and solar heat gain coefficient selected.

1323.2 U-Factor: The area-weighted average U-factor of vertical glazing shall not be greater than that specified in Tables 13-1 or 13-2 for the appropriate area and solar heat gain coefficient. The area-weighted average U-factor of overhead glazing shall not be greater than that specified in Tables 13-1 or 13-2 for the appropriate area and solar heat gain coefficient. U-factors for glazing shall be determined in accordance with Section 1312.

1323.3 Solar Heat Gain Coefficient: The area-weighted average solar heat gain coefficient of all glazing shall not be greater than that specified in Tables 13-1 or 13-2 for the appropriate area and U-factor.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1331 General. Buildings or structures whose design heat loss rate (UA_p) and solar heat gain coefficient rate ($SHGC \cdot A_p$) are less than or equal to the target heat loss rate (UA_t) and solar heat gain coefficient rate ($SHGC \cdot A_t$) shall be considered in compliance with this section. The stated U-factor, F-factor or allowable area of any component assembly, listed in Tables 13-1 or 13-2, such as roof/ceiling, opaque wall, opaque door, glazing, floor over conditioned space, slab on grade floor, radiant floor or opaque floor may be increased and the U-factor or F-factor for other components decreased, provided that the total heat gain or loss for the entire building envelope does not exceed the total resulting from compliance to the U-factors, F-factors or allowable areas specified in this section.

EXCEPTION:

For buildings or structures utilizing the other space heat type (including heat pumps and VAV) compliance path, for the gross opaque wall, opaque door and glazing (vertical and overhead) area only, compliance may also be shown using the ENVSTD diskette version 2.1 ((~~or later of Standard RS-9~~)) of ASHRAE/IESNA Standard 90.1-1989, or an

approved alternative, with the following additional requirements:

1. Only the Exterior Wall Requirements portion of the ENVSTD computer program may be used under this exception.
2. Overhead glazing shall be added to vertical glazing, and shall be input as 1/4 north, 1/4 east, 1/4 south and 1/4 west facing.
3. Lighting loads shall be determined according to Table 15-1.
4. Equipment loads shall be determined from Table 3-1 of Standard RS-29.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1334 Solar heat gain coefficient rate calculations. Solar heat gain coefficient shall comply with Section 1323.3. The target SHGCA_t and the proposed SHGCA_p shall be calculated using Equation 13-3 and 13-4 and the corresponding areas and SHGCs from Table 13-1 or 13-2.

**Equation 13-1:
Target UA_t**

$UA_t = U_{rat}A_{rat} + U_{ograt}A_{ograt} + U_{ort}A_{ort} + U_{ogort}A_{ogort} + U_{wt}A_{wt} + U_{vgt}A_{vgt} + U_{dt}A_{dt} + U_{ft}A_{ft} + F_{st}P_{st} + U_{bgwt}A_{bgwt}$

UA_t = The target combined specific heat transfer of the gross roof/ceiling assembly, exterior wall and floor area.

Where:

U_{rat} = The thermal transmittance value for roofs over attics found in Table 13-1 or 13-2.

U_{ograt} = The thermal transmittance for overhead glazing found in Table 13-1 or 13-2 which corresponds to the proposed total glazing area as a percent of gross exterior wall area.

U_{ort} = The thermal transmittance value for other roofs found in Table 13-1 or 13-2.

U_{ogort} = The thermal transmittance for overhead glazing found in Table 13-1 or 13-2 which corresponds to the proposed total glazing area as a percent of gross exterior wall area.

U_{wt} = The thermal transmittance value for opaque walls found in Table 13-1 or 13-2.

U_{vgt} = The thermal transmittance value for vertical glazing found in Table 13-1 or 13-2 which corresponds to the proposed total glazing area as a percent of gross exterior wall area.

U_{dt} = The thermal transmittance value for opaque doors found in Table 13-1 or 13-2.

U_{ft} = The thermal transmittance value for floors over unconditioned space found in Table 13-1 or 13-2.

F_{st} = The F-factor for slab-on-grade and radiant slab floors found in Table 13-1 or 13-2.

U_{bgwt} = The thermal transmittance value for opaque walls found in Table 13-1 or 13-2.

A_{dt} = The proposed opaque door area, A_d .

A_{ft} = The proposed floor over unconditioned space area, A_f .

P_{st} = The proposed lineal feet of slab-on-grade and radiant slab floor perimeter, P_s .

A_{bgwt} = The proposed below grade wall area, A_{bgw} .

and;

if the total amount of glazing area as a percent of gross exterior wall area does not exceed the maximum allowed in Table 13-1 or 13-2:

A_{rat} = The proposed roof over attic area, A_{ra} .

A_{ograt} = The proposed overhead glazing area in roofs over attics, A_{ogra} .

A_{ort} = The proposed other roof area, A_{or} .

A_{ogort} = The proposed overhead glazing area in other roofs, A_{ogor} .

A_{wt} = The proposed opaque above grade wall area, A_w .

A_{vgt} = The proposed vertical glazing area, A_{vg} .

or;

if the total amount of glazing area as a percent of gross exterior wall area exceeds the maximum allowed in Table 13-1 or 13-2:

A_{rat} = The greater of:
the proposed roof over attic area, and
the gross roof over attic area minus A_{ograt} .

PROPOSED

A_{ograt}	=	The lesser of: proposed overhead glazing area in roofs over attics, and the maximum allowed glazing area from Table 13-1 or 13-2.
A_{oron}	=	The greater of: the proposed other roof area, and the gross other roof area minus A_{ogon} .
A_{ogort}	=	The lesser of: the proposed overhead glazing area in other roofs, and the maximum allowed glazing area from Table 13-1 or 13-2 minus A_{ograt} .
A_{wt}	=	The greater of: proposed opaque above grade wall area, and the gross exterior above grade wall area minus A_{di} minus A_{vgt} .
A_{vgt}	=	The lesser of: the proposed vertical glazing area, and the maximum allowed glazing area from Table 13-1 or 13-2 minus A_{ograt} minus A_{ogort} .

EQUATION 13-2

Proposed UA_p

$$UA_p = U_{ra}A_{ra} + U_{or}A_{or} + U_{og}A_{og} + U_wA_w + U_dA_d + U_{vg}A_{vg} + U_fA_f + F_sP_s + U_{bgw}A_{bgw}$$

Where:

- UA_p = The combined proposed specific heat transfer of the gross exterior wall, floor and roof/ceiling assembly area.
- U_{ra} = The thermal transmittance of the roof over attic area.
- A_{ra} = Opaque roof over attic area.
- U_{or} = The thermal transmittance of the other roof area.
- A_{or} = Opaque other roof area.
- U_{og} = The thermal transmittance for the overhead glazing
- A_{og} = Overhead glazing area.
- U_w = The thermal transmittance of the opaque wall area.
- A_w = Opaque above grade wall area (not including opaque doors).
- U_{vg} = The thermal transmittance of the vertical glazing area.
- A_{vg} = Vertical glazing area.
- U_d = The thermal transmittance value of the opaque door area.
- A_d = Opaque door area.
- U_f = The thermal transmittance of the floor over unconditioned space area.
- A_f = Floor area over unconditioned space.
- F_s = Slab-on-grade or radiant floor component F-factor.
- P_s = Lineal feet of slab-on-grade or radiant floor perimeter.
- U_{bgw} = The thermal transmittance value of the below grade wall area.
- A_{bgw} = Below grade wall area as defined in Tables 13-1 or 13-2.

NOTE: Where more than one type of wall, window, roof/ceiling, door and skylight is used, the U and A terms for those items shall be expanded into sub-elements as:

$$U_{w1}A_{w1} + U_{w2}A_{w2} + U_{w3}A_{w3} + \dots \text{etc.}$$

PROPOSED

EQUATION 13-3

Target SHGCA_t

$$SHGCA_t = SHGC_t (A_{ograt} + A_{ogort} + A_{vgt})$$

Where:

SHGCA_t = The target combined specific heat gain of the target glazing area.

SHGC_t = The solar heat gain coefficient for glazing found in Table 13-1 or 13-2 which corresponds to the proposed total glazing area as a percent of gross exterior wall area, and

A_{ograt}, A_{ogort}, and A_{vgt} are defined under Equation 13-1.

EQUATION 13-4

Proposed SHGCA_p

$$SHGCA_p = SHGC_{og}A_{og} + SHGC_{vg}A_{vg}$$

Where:

SHGCA_p = The combined proposed specific heat gain of the proposed glazing area.

SHGC_{og} = The solar heat gain coefficient of the overhead glazing.

A_{og} = The overhead glazing area.

SHGC_{vg} = The solar heat gain coefficient of the vertical glazing.

A_{vg} = The vertical glazing area.

**TABLE 13-1
BUILDING ENVELOPE REQUIREMENTS FOR CLIMATE ZONE 1
MINIMUM INSULATION R-VALUES OR
MAXIMUM COMPONENT U-FACTORS FOR ZONE 1**

Building Components

Space Heat Type	Components					
	Roofs Over Attic	All Other Roofs	Opaque Walls ^{1,2}	Opaque Doors	Floor Over Uncond Space	Slab On Grade ⁵
1. Electric resistance heat	R-38 or U=0.031	R-30 or U=0.034	R-19 or U=0.062(??)	U=0.60	R-30 or U=0.029	R-10 or F=0.54
2. All others including Heat pumps and VAV	R-30 or U=0.036	R-21 or U=0.050	R-11 or U=0.14	U=0.60	R-19 or U=0.056	R-10 or F=0.54

* Compliance with nominal prescriptive R-values requires wood framing.

PROPOSED

**MAXIMUM GLAZING AREAS AND U-FACTORS AND
MAXIMUM GLAZING SOLAR HEAT GAIN COEFFICIENTS
FOR ZONE 1**

Glazing

Maximum Glazing Area as % of Wall	0% to 15%			>15% to 20%			>20% to 30%			>30% to 40%		
	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴
	VG	OG		VG	OG		VG	OG		VG	OG	
1. Electric resistance heat	0.40	0.80	1.0	0.40	0.80	1.0	PRESCRIPTIVE PATH NOT ALLOWED					
2. All others including Heat pumps and VAV	0.90	1.45	1.0	0.75	1.40	1.0	0.60	1.30	0.65	0.50	1.25	0.45

Footnotes

1. Below Grade Walls:

When complying by the prescriptive approach, Section 1322:

- a) walls insulated on the interior shall use opaque wall values,
- b) walls insulated on the exterior shall use a minimum of R-10 insulation,
- c) those portions of below grade walls and footings that are more than 10 feet below grade, and not included in the gross exterior wall area, may be left uninsulated.

When complying by the component performance approach, Section 1331:

- a) walls insulated on the interior shall use the opaque wall values when determining U_{bgwt} ,
- b) walls insulated on the exterior shall use a target U-factor of $U=0.070$ for U_{bgwt} ,
- c) those portions of below grade walls and footings that are more than 10 feet below grade, and not included in the gross exterior wall area, need not be included when determining A_{bgwt} and A_{bgw} .

- 2. Concrete Masonry Walls:** If the area weighted heat capacity of the total opaque above grade wall is a minimum of 9.0 Btu/ft² • °F, then the U-factor may be increased to 0.19 for interior insulation and 0.25 for integral and exterior insulation for insulation position as defined in Chapter 12. Individual walls with heat capacities less than 9.0 Btu/ft² • °F and below grade walls shall meet opaque wall requirements listed above. Glazing shall comply with the following:

Maximum Glazing Area as % of Wall	0 to 10 %			>10 to 15 %			>15% to 20 %			>20% to 25 %		
	Maximum U-Factor		Max. SHGC ⁴									
	VG	OG		VG	OG		VG	OG		VG	OG	
1. Electric resistance heat	0.40	0.80	1.0	0.40	0.80	1.0	0.40	0.80	1.0	NOT ALLOWED		
2. All others including Heat pumps and VAV	0.90	1.45	1.0	0.75	1.40	1.0	0.65	1.30	0.80	0.60	1.30	0.65

- 3. ~~(Metal Stud Walls: For metal stud construction U=0.11:)~~ Reserved.
- 4. **SHGC (Solar Heat Gain Coefficient per Section 1312.2):** May substitute Maximum Shading Coefficient (SC) for SHGC (See Section 1210 for definition of Shading Coefficient).
- 5. **Radiant Floors:** Where insulation is required under the entire slab, radiant floors shall use a minimum of R-10 insulation or F=0.55 maximum. Where insulation is not required under the entire slab, radiant floors shall use R-10 perimeter insulation according to Section 1311.6 or F=0.78 maximum.

**TABLE 13-2
BUILDING ENVELOPE REQUIREMENTS
FOR CLIMATE ZONE 2**

**MINIMUM INSULATION R-VALUES OR
MAXIMUM COMPONENT U-FACTORS FOR ZONE 2**

Building Components

Space Heat Type	Components					
	Roofs Over Attic	All Other Roofs	Opaque Walls ^{1,2}	Opaque Doors	Floor Over Uncond Space	Slab On Grade
1. Electric resistance heat	R-38 or U=0.031	R-30 or U=0.034	R-24 or U=0.044(??)	U=0.60	R-30 or U=0.029	R-10 or F=0.54
2. All others including Heat pumps and VAV	R-38 or U=0.031	R-25 or U=0.040	R-19 or U=0.11	U=0.60	R-21 or U=0.047	R-10 or F=0.54

* Compliance with nominal prescriptive R-values requires wood framing.

PROPOSED

**MAXIMUM GLAZING AREAS AND U-FACTORS AND
MAXIMUM GLAZING SOLAR HEAT GAIN COEFFICIENTS
FOR ZONE 2**

Glazing

Maximum Glazing Area as % of Wall	0% to 15%		>15% to 20%		>20% to 25%		>25% to 30%					
	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		
	VG	OG		VG	OG		VG	OG		VG	OG	
1. Electric resistance heat	0.40	0.80	1.0	0.40	0.80	1.0	PRESCRIPTIVE PATH NOT ALLOWED					
2. All others including Heat pumps and VAV	0.90	1.45	1.0	0.75	1.40	1.0	0.60	1.30	0.60	0.50	1.25	0.50

- Footnotes**
- Below Grade Walls:**
 - When complying by the prescriptive approach, Section 1322:
 - walls insulated on the interior shall use opaque wall values,
 - walls insulated on the exterior shall use a minimum of R-12 insulation,
 - those portions of below grade walls and footings that are more than 10 feet below grade, and not included in the gross exterior wall area, may be left uninsulated.
 - When complying by the component performance approach, Section 1331:
 - walls insulated on the interior shall use the opaque wall values when determining U_{bgwt} ,
 - walls insulated on the exterior shall use a target U-factor of $U=0.061$ for U_{bgwt} ,
 - those portions of below grade walls and footings that are more than 10 feet below grade, and not included in the gross exterior wall area, need not be included when determining A_{bgwt} and A_{bgw} .
 - Concrete Masonry Walls:** If the area weighted heat capacity of the total opaque above grade wall is a minimum of 9.0 Btu/ft² • °F, then the U-factor may be increased to 0.19 for interior insulation and 0.25 for integral and exterior insulation for insulation position as defined in Chapter 12. Individual walls with heat capacities less than 9.0 Btu/ft² • °F and below grade walls shall meet opaque wall requirements listed above. Glazing shall comply with the following:

Maximum Glazing Area as % of Wall	0 to 5 %		>5 to 7 %		>7% to 10 %		>10% to 15 %					
	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		Max. SHGC ⁴	Maximum U-Factor		
	VG	OG		VG	OG		VG	OG		VG	OG	
1. Electric resistance heat	0.40	0.80	1.0	0.40	0.80	1.0	0.40	0.80	1.0	NOT ALLOWED		
2. All others including Heat pumps and VAV	0.90	1.45	1.0	0.60	1.30	0.70	0.50	1.25	0.50	0.40	0.80	0.40

- ~~(Metal Stud Walls: For metal stud construction U=0.10:)~~ **Reserved.**
 - SHGC (Solar Heat Gain Coefficient per Section 1312.2):** May substitute Maximum Shading Coefficient (SC) for SHGC (See Section 1210 for definition of Shading Coefficient).
 - Radiant Floors:** Where insulation is required under the entire slab, radiant floors shall use a minimum of R-10 insulation or F=0.55 maximum. Where insulation is not required under the entire slab, radiant floors shall use R-10 perimeter insulation according to Section 1311.6 or F=0.78 maximum.
- Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1401 Scope. This section covers the determination of requirements, system and component performance, control requirements and duct construction.

(EXCEPTION: ~~Special applications, including but not limited to hospitals, laboratories, thermally sensitive equipment, and rooms designed to comply with the special construction and fire protection requirements of NFPA 75, "Standard for the Protection of Electronic Computer/Data Processing Equipment" may be exempt from the requirements of this section when approved by the building official. Exemptions shall be specific on a case-by-case basis and allowed only to the extent necessary to accommodate the special applications:)~~

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1410 General requirements. The building mechanical system shall comply with Sections 1411 through 1415, Sections 1440 through 1442 and Sections 1450 through 1454, and with one of the following paths:

- Simple Systems (Packaged Unitary Equipment) Sections 1420 through 1424.
- Complex Systems Sections 1430 through 1438.
- Systems Analysis. See Section 1141.4.

PROPOSED

FIGURE 14A
Mechanical Systems Compliance Paths

Section Number	Subject	Simple Systems Path	Complex Systems Path	Systems Analysis Option
1410	General Requirements	X	X	X
1411	HVAC Equipment Performance Requirements	X	X	X
1412	Controls	X	X	X
1413	Air Economizers	X	X	X
1414	Ducting Systems	X	X	X
1415	Piping Systems	X	X	X
1416	Completion Requirements	X	X	X
1420	Simple Systems (Packaged Unitary Equipment)	X		
1421	System Type	X		
1422	Controls	X		
1423	Economizers	X		
1424	Separate Air Distribution Systems	X		
1430	Complex Systems		X	
1431	System Type		X	
1432	Controls		X	
1433	Economizers		X	
1434	Separate Air Distribution Systems		X	
1435	Simultaneous Heating and Cooling		X	
1436	Heat Recovery		X	
1437	Electric Motor Efficiency		X	
1438	Variable Flow Systems		X	
RS-29	Systems Analysis			X
1440	Service Water Heating	X	X	X
1441	Water Heater Installation	X	X	X
1442	Shut Off Controls	X	X	X
1450	Heated Pools	X	X	X
1451	General	X	X	X
1452	Pool Water Heaters	X	X	X
1453	Controls	X	X	X
1454	Pool Covers	X	X	X

PROPOSED

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1411 HVAC equipment performance requirements.

1411.1 General: Equipment shall have a minimum performance at the specified rating conditions not less than the values shown in Tables 14-1 through 14-3. If a certification program exists for a product covered in Tables 14-1 through 14-3, and it includes provisions for verification and challenge of equipment efficiency ratings, then the product shall be listed in the certification program.

1411.2 Rating Conditions: Cooling equipment shall be rated at ARI test conditions and procedures when available. Where no applicable procedures exist, data shall be furnished by the equipment manufacturer.

1411.3 Combination Space and Service Water Heating: For combination space and service water heaters with a principal function of providing space heat, the Combined Annual Efficiency (CAE) may be calculated by using ASHRAE Standard 124-1991. Storage water heaters used in combination space heat and water heat applications shall have either an Energy Factor (EF) or a Combined Annual Efficiency (CAE) of not less than the following:

	Energy Factor (EF)	Combined Annual Efficiency (CAE)
< 50 gallon storage	0.58	0.71
50 to 70 gallon storage	0.57	0.71
> 70 gallon storage	0.55	0.70

1411.4 Packaged Electric Heating and Cooling Equipment: Packaged electric equipment providing both heating and cooling with a total cooling capacity greater than 20,000 Btu/h shall be a heat pump.

EXCEPTION: Unstaffed equipment shelters or cabinets used solely for personal wireless service facilities.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1412 Controls.

1412.1 Temperature Controls: Each system shall be provided with at least one temperature control device. Each zone shall be controlled by individual thermostatic controls responding to temperature within the zone. At a minimum, each floor of a building shall be considered as a separate zone.

1412.2 Deadband Controls: When used to control both comfort heating and cooling, zone thermostatic controls shall be capable of a deadband of at least 5 degrees F within which the supply of heating and cooling energy to the zone is shut off or reduced to a minimum.

EXCEPTIONS:

1. Special occupancy, special usage, or code requirements where dead-band controls are not appropriate.
2. Buildings complying with Section 1141.4, if in the proposed building energy analysis, heating and cooling thermostat setpoints are set to the same temperature between 70 degrees F and 75 degrees F inclusive, and assumed to be constant throughout the year.
3. Thermostats that require manual changeover between heating and cooling modes.

1412.3 Humidity Controls: If a system is equipped with a means for adding moisture, a humidistat shall be provided.

1412.4 Setback and Shut-Off: HVAC systems shall be equipped with automatic controls capable of accomplishing a reduction of energy use through control setback or equipment shutdown during periods of non-use or alternate use of the spaces served by the system. The automatic controls shall have a minimum seven-day clock and be capable of being set for seven different day types per week.

EXCEPTIONS:

1. Systems serving areas which require continuous operation at the same temperature setpoint.
2. Equipment with full load demands of 2 Kw (6,826 Btu/h) or less may be controlled by readily accessible manual off-hour controls.

1412.4.1 Dampers: Outside air intakes, exhaust outlets and relief outlets serving conditioned spaces shall be equipped with motorized dampers which close automatically when the system is off or upon power failure. Stair and elevator shaft vents shall be equipped with motorized dampers that are capable of being automatically closed during normal building

operation and are interlocked to open as required by fire and smoke detection systems.

EXCEPTIONS:

1. Systems serving areas which require continuous operation.
2. Combustion air intakes.
3. Gravity (nonmotorized) dampers are acceptable in buildings less than 40 feet above finished grade in height.

1412.4.2 Optimum Start Controls: Heating and cooling systems with design supply air capacities exceeding 10,000 cfm shall have optimum start controls. Optimum start controls shall be designed to automatically adjust the start time of an HVAC system each day to bring the space to desired occupied temperature levels immediately before scheduled occupancy. The control algorithm shall, as a minimum, be a function of the difference between space temperature and occupied setpoint and the amount of time prior to scheduled occupancy.

1412.5 Heat Pump Controls: Unitary air cooled heat pumps shall include microprocessor controls that minimize supplemental heat usage during start-up, set-up, and defrost conditions. These controls shall anticipate need for heat and use compression heating as the first stage of heat. Controls shall indicate when supplemental heating is being used through visual means (e.g., LED indicators).

1412.6 Combustion Heating Equipment Controls: Combustion heating equipment with a capacity over 225,000 Btu/h shall have modulating or staged combustion control.

EXCEPTIONS:

1. Boilers.
2. Radiant heaters.

1412.7 Balancing: Each air supply outlet or air or water terminal device shall have a means for balancing, including but not limited to, dampers, temperature and pressure test connections and balancing valves.

1412.8 Enclosed Parking Garage Ventilation Controls: Garage ventilation fan systems with a total capacity greater than 30,000 cfm shall have both (a) and (b). Smaller systems shall have either (a) or (b).

a. An automatic control, with one or more sensors, that is capable of staging fans or modulating fan volume as required to maintain carbon monoxide (CO) concentration below a level of 50 ppm as stated in ASHRAE Standard 62. This option only applies to garages used predominantly by gasoline powered vehicles.

b. An automatic control that is capable of shutting off fans or reducing fan volume during periods when the garage is not in use. The system shall be equipped with at least one of the following:

i. An automatic timeclock that can start and stop the system under different schedules for seven different day-types per week, is capable of retaining programming and time setting during loss of power for a period of at least 10 h, and includes an accessible manual override that allows temporary operation of the system for up to 2 h.

ii. An occupant sensor.

PROPOSED

See the Washington State Ventilation and Indoor Air Quality Code, Section 304.1, for other requirements for parking garage ventilation.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1414 Ducting systems.

1414.1 Sealing: Duct work which is designed to operate at pressures above 1/2 inch water column static pressure shall be sealed in accordance with Standard RS-18. Extent of sealing required is as follows:

1. Static pressure: 1/2 inch to 2 inches; seal transverse joints.
2. Static pressure: 2 inches to 3 inches; seal all transverse joints and longitudinal seams.
3. Static pressure: Above 3 inches; seal all transverse joints, longitudinal seams and duct wall penetrations.

Duct tape and other pressure sensitive tape shall not be used as the primary sealant where ducts are designed to operate at static pressures of 1 inch W.C. or greater.

1414.2 Insulation: Ducts and plenums that are constructed and function as part of the building envelope, by separating interior space from exterior space, shall meet all applicable requirements of Chapter 13. These requirements include insulation installation, moisture control, air leakage, and building envelope insulation levels. Unheated equipment rooms with combustion air louvers must be isolated from the conditioned space by insulating interior surfaces to a minimum of R-11 and any exterior envelope surfaces per Chapter 13. Outside air ducts serving individual supply air units with less than 2,800 cfm of total supply air capacity shall be insulated to a minimum of R-7 and are not considered building envelope. Other outside air duct runs are considered building envelope until they,

1. connect to the heating or cooling equipment, or
2. are isolated from the exterior with an automatic shut-off damper complying with Section 1412.4.1.

Once outside air ducts meet the above listed requirements, any runs within conditioned space (~~((must))~~) shall comply with Table 14-5 requirements.

Other ducts and plenums shall be thermally insulated per Table 14-5.

EXCEPTIONS:

1. Within the HVAC equipment.
2. Exhaust air ducts not subject to condensation.

OPTION 1:

3. Exposed ductwork within a ~~((space))~~ zone that serves that ~~((space only))~~ zone.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1414 Ducting systems.

1414.1 Sealing: Duct work which is designed to operate at pressures above 1/2 inch water column static pressure shall be sealed in accordance with Standard RS-18. Extent of sealing required is as follows:

1. Static pressure: 1/2 inch to 2 inches; seal transverse joints.
2. Static pressure: 2 inches to 3 inches; seal all transverse joints and longitudinal seams.
3. Static pressure: Above 3 inches; seal all transverse joints, longitudinal seams and duct wall penetrations.

Duct tape and other pressure sensitive tape shall not be used as the primary sealant where ducts are designed to operate at static pressures of 1 inch W.C. or greater.

1414.2 Insulation: Ducts and plenums that are constructed and function as part of the building envelope, by separating interior space from exterior space, shall meet all applicable requirements of Chapter 13. These requirements include insulation installation, moisture control, air leakage, and building envelope insulation levels. Unheated equipment rooms with combustion air louvers must be isolated from the conditioned space by insulating interior surfaces to a minimum of R-11 and any exterior envelope surfaces per Chapter 13. Outside air ducts serving individual supply air units with less than 2,800 cfm of total supply air capacity shall be insulated to a minimum of R-7 and are not considered building envelope. Other outside air duct runs are considered building envelope until they,

1. connect to the heating or cooling equipment, or
2. are isolated from the exterior with an automatic shut-off damper complying with Section 1412.4.1.

Once outside air ducts meet the above listed requirements, any runs within conditioned space (~~((must))~~) shall comply with Table 14-5 requirements.

Other ducts and plenums shall be thermally insulated per Table 14-5.

EXCEPTIONS:

1. Within the HVAC equipment.
2. Exhaust air ducts not subject to condensation.

OPTION 2:

3. Exposed ductwork within a ~~((space))~~ zone that serves that ~~((space))~~ zone only.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1415 Piping systems.

1415.1 Insulation: Piping shall be thermally insulated in accordance with Table 14-6.

EXCEPTION: Piping installed within unitary HVAC equipment.

PROPOSED

Cold water pipes outside the conditioned space shall be insulated in accordance with Washington State Plumbing Code (chapter 51-26 WAC).

NEW SECTION

WAC 51-11-1416 Completion requirements.

1416.1 Drawings: Construction documents shall require that within 90 days after the date of system acceptance, record drawings of the actual installation be provided to the building owner. Record drawings shall include as a minimum the location and performance data on each piece of equipment, general configuration of duct and pipe distribution system, including sizes, and the terminal air and water design flow rates.

1416.2 Manuals: Construction documents shall require an operating manual and maintenance manual be provided to the building owner. The manual shall be in accordance with industry accepted standards and shall include, at a minimum, the following:

1. Submittal data stating equipment size and selected options for each piece of equipment requiring maintenance.
2. Operation and maintenance manuals for each piece of equipment requiring maintenance, except equipment not furnished as part of the project. Required routine maintenance actions shall be clearly identified.
3. Names and addresses of at least one service agency.
4. HVAC controls system maintenance and calibration information, including wiring diagrams, schematics, and control sequence descriptions. Desired or field determined set points shall be permanently recorded on control drawings at control devices, or, for digital control systems, in programming comments.

5. A complete narrative of how each system is intended to operate including suggested set points.

1416.3 System Balancing

1416.3.1 General: Construction documents shall require that all HVAC systems be balanced in accordance with generally accepted engineering standards. Air and water flow rates shall be measured and adjusted to deliver final flow rates within 10% of design rates, except variable flow distribution systems need not be balanced upstream of the controlling device (for example, VAV box or control valve). Construction documents shall require a written balance report be provided to the owner.

1416.3.2 Air System Balancing: Air systems shall be balanced in a manner to first minimize throttling losses then, for fans with system power of greater than 1 hp, fan speed shall be adjusted to meet design flow conditions.

1416.3.3 Hydronic System Balancing: Hydronic systems shall be proportionately balanced in a manner to first minimize throttling losses, then the pump impeller shall be trimmed or pump speed shall be adjusted to meet design flow conditions. Each hydronic system shall have either the abil-

ity to measure pressure across the pump, or test ports at each side of each pump.

EXCEPTIONS:

1. Pumps with pump motors of 10 hp or less.
2. When throttling results in no greater than 5% of the nameplate horsepower draw above that required if the impeller were trimmed.

1416.4 Systems Commissioning

1416.4.1 Simple Systems: For simple systems, as defined in Section 1421, and for warehouses and semiheated spaces, HVAC control systems shall be tested to ensure that control devices, components, equipment and systems are calibrated, adjusted and operate in accord with approved plans and specifications. Sequences of operation shall be functionally tested to ensure they operate in accord with approved plans and specifications. A complete report of test procedures and results shall be prepared and filed with the owner. Drawing notes shall require commissioning in accordance with this paragraph.

1416.4.2 Other Systems: All other HVAC control systems, and other automatically controlled systems for which energy consumption, performance, or mode of operation are regulated by this code, shall be tested to ensure that control devices, equipment and systems are calibrated, adjusted and operate in accord with approved plans and specifications. Sequences of operation shall be functionally tested to ensure they operate in accord with approved plans and specifications.

1416.4.2.1 Documentation: Drawing notes shall require commissioning in accordance with this section. Drawing notes may refer to specifications for further commissioning requirements. Plans and specifications shall require tests mandated by this section be performed and the results recorded. Plans and specifications shall require preparation of preliminary and final reports of test procedures and results as described in 1416.4.2.2. Plans and specifications shall identify the following for each test:

1. Equipment and systems to be tested, including the extent of sampling tests,
2. Functions to be tested (for example calibration, economizer control, etc.),
3. Conditions under which the test shall be performed (for example winter design conditions, full outside air, etc.),
4. Measurable criteria for acceptable performance.

1416.4.2.2 Commissioning Reports

1416.4.2.2.1 Preliminary Commissioning Report: A preliminary commissioning report of test procedures and results shall be prepared. The preliminary report shall identify:

1. Deficiencies found during testing required by this section which have not been corrected at the time of report preparation and the anticipated date of correction.
2. Deferred tests which cannot be performed at the time of report preparation due to climatic conditions.

3. Climatic conditions required for performance of the deferred tests, and the anticipated date of each deferred test.

1416.4.2.2.2 Final Commissioning Report: A complete report of test procedures and results shall be prepared and filed with the owner.

1416.4.2.3 Acceptance: Buildings or portions thereof, required by this code to comply with this section, shall not be issued a final certificate of occupancy until such time that the building official determines that the preliminary commissioning report required by this section has been completed.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1423 Economizers. Economizers meeting the requirements of Section 1413 shall be installed on single package unitary fan-cooling units having a supply capacity of greater than 1,900 cfm or a total cooling capacity greater than 54,000 Btu/h.

The total capacity of all units without economizers shall not exceed 240,000 Btu/h per building, or 10% of its aggregate cooling (economizer) capacity, whichever is greater. That portion of the equipment serving Group R occupancy is not included in determining the total capacity of all units without economizer in a building.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1433 Economizers. Economizers meeting the requirements of Section 1413 shall be installed on the following systems:

- a. Single package unitary fan-cooling units with a supply capacity of greater than 1,900 cfm or a total cooling capacity greater than 54,000 Btu/h.
- b. Other individual fan-cooling units with a supply capacity of greater than 2,800 cfm or a total cooling capacity greater than 84,000 Btu/h.

The total capacity of all units smaller than a. or b. above without economizers installed after July 1, 1994, shall not exceed 240,000 Btu/h per building, or 10% of its aggregate cooling (~~(economizer)~~) capacity, whichever is greater. That portion of the equipment serving Group R occupancy is not included in determining the total capacity of all units without economizer in a building.

EXCEPTIONS:

1. Systems with air or evaporatively cooled condensers and that either one of the following (~~can be demonstrated to the satisfaction of the enforcing agency~~):
 - a. Special outside air filtration and treatment, for the reduction and treatment of unusual outdoor contaminants, makes an air economizer infeasible.
 - b. The use of outdoor air cooling affects the operation of other systems (such as (~~humidification, dehumidification, and~~) supermarket refrigeration systems) so as to increase the overall building energy consumption.
2. Systems for which at least 75 percent of the annual energy used for mechanical cooling is provided from site-recovery or site-solar energy source.

3. A (~~water~~) liquid (e.g. water, glycol, etc.) economizer system, which is capable of cooling supply air by indirect evaporation. Such a system shall be designed and capable of being controlled to provide 100 percent of the expected system cooling load at outside air temperatures of 50 degrees F dry-bulb/45 degrees F wet-bulb and below. For this calculation, all factors including solar and internal load shall be the same as those used for peak load calculations, except for the outside air temperatures.
4. Systems in which a liquid (e.g. water, glycol, etc.) economizer system is used and where dehumidification requirements cannot be met using outside air temperatures of 50°F dry-bulb / 45°F wet-bulb, but which satisfy 100% of the expected system cooling load at outside air temperatures of 45°F dry-bulb / 40°F wet-bulb as calculated in accordance with the procedures in Exception 3.
5. For spaces with a design heat-generating equipment load of greater than 30 Watts/ft² (such as electronic data centers), systems that utilize a liquid (e.g. water, glycol, etc.) for heat rejection and incorporate a liquid economizer circuit (such as a supplemental cooling coil or plate exchanger). Such a system shall be designed and capable of being controlled to provide 100% of the expected system cooling load at outside air temperatures of 35°F dry-bulb and below. For this calculation, all factors including solar and internal load shall be the same as those used for peak load calculations, except for the outside air temperatures.
6. For spaces with a design heat-generating equipment load of greater than 30 Watts/ft² (such as electronic data centers), systems with equipment having a refrigeration performance at standard rating conditions at least 15% higher than each of the applicable requirements (e.g. EER, IPLV, COP) in Tables 14-1 and 14-2.
7. Systems serving office buildings (90% minimum conditioned square footage is office occupancy) and complying with all of the following criteria:
 - a. Consist of multiple water source heat pumps connected to a common water loop having a gas- or oil-fired central boiler or furnace providing heat to the loop and having a central cooling tower providing cooling to the loop.
 - b. Have a minimum of 60% air economizer.
 - c. Have water source heat pumps with an EER at least 15% higher for cooling than each of the applicable requirements (e.g. EER, IPLV, COP) in Tables 14-1 and 14-2.
 - d. Have a gas- or oil-fired central boiler or furnace efficiency of 90% minimum, and
 - e. Provide heat recovery with a minimum 50% heat recovery effectiveness to preheat the outside air supply, and with a bypass duct to remove the heat recovery coil from the airstream when heat recovery is not necessary. Fifty percent heat recovery effectiveness shall mean an increase in the outside air supply temperature at design heating conditions of one half the difference between the outdoor design air temperature and 65°F. Provision shall be made to bypass or control the heat recovery system to permit air economizer operation as required by Section 1433. Heat recovery energy may be provided from any site-recovered or site-solar source.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1435 Simultaneous heating and cooling.

Systems which provide heating and cooling simultaneously to a zone are prohibited. Zone thermostatic and humidistatic controls shall be capable of operating in sequence the supply of heating and cooling energy to the zone. Such controls shall prevent:

- a. Reheating for temperature control.
- b. Recooling for temperature control.
- c. Mixing or simultaneous supply of air that has been previously mechanically heated and air that has been previously cooled, either by economizer systems (~~(, for all air in excess of that required by the~~

Washington State Ventilation and Indoor Air Quality Code (WAC 51-13))) or by mechanical refrigeration.

- d. Other simultaneous operation of heating and cooling systems to the same zone.
- e. Reheating for humidity control.

EXCEPTIONS:

- (1. ~~Variable air volume systems which have fan-powered terminal units on the perimeter zones controlled to utilize plenum heat prior to new energy being used for morning warm-up, and which, during periods of occupancy, are designed to reduce the air supply to each zone to a minimum before reheating, recooling, or mixing takes place. The minimum volume of air from the main supply duct shall be no greater than the minimum required to meet ventilation requirements of the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13).~~
- 2. ~~Zones having special pressurization relationships or cross-contamination requirements.~~
- 3. ~~Where at least 75 percent of the energy for reheating or for providing warm air in mixing systems is provided from a site-recovered or site solar energy source.~~
- 4. ~~Zones where specific humidity levels are required.~~
- 5. ~~Zones with a peak supply air quantity of 300 cfm or less.)~~
 - 1. ~~Zones for which the volume of air that is reheated, recooled, or mixed is no greater than the larger of the following:~~
 - i. ~~The volume of air required to meet the ventilation requirements of the Washington State Ventilation and Indoor Air Quality Code for the zone. For variable air volume systems, the minimum volume controller shall be certified by the manufacturer to be able to maintain this minimum flow rate within 10%. A copy of the manufacturer's certification, along with installation and calibration requirements shall be included with plans submitted for permit.~~
 - ii. ~~0.4 cfm/ft² of the zone conditioned floor area, provided that the temperature of the primary system air is, by design or through reset controls, 0-12°F below the design space heating temperature when outside air temperatures are below 60°F for reheat systems and the cold deck of mixing systems and 0-12°F above design space temperature when outside air temperatures are above 60°F for recooling systems and the hot deck of mixing systems. For multiple zone systems, each zone need not comply with this exception provided the average of all zones served by the system that have both heating and cooling ability comply.~~
 - iii. ~~300 cfm. This exception is for zones whose peak flow rate totals no more than 10% of the total fan system flow rate.~~
 - iv. ~~Any higher rate that can be demonstrated, to the satisfaction of the building official, to reduce overall system annual energy usage by offsetting reheat/recool energy losses through a reduction in outdoor air intake in accordance with the multiple space requirements defined in ASHRAE Standard 62.~~
 - 2. ~~Zones where special pressurization relationships, cross-contamination requirements, or code-required minimum circulation rates are such that variable air volume systems are impractical.~~
 - 3. ~~Zones where at least 75% of the energy for reheating or for providing warm air in mixing systems is provided from a site-recovered (including condenser heat) or site solar energy source.~~
 - 4. ~~Zones where specific humidity levels are required to satisfy process needs, such as computer rooms, museums, surgical suites, and buildings with refrigerating systems, such as supermarkets, refrigerated warehouses, and ice arenas.~~

OPTION 1:

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1438 Variable flow systems and system criteria. For fans and pumps greater than 10 horsepower, where the application involves variable flow, there shall be

1. ~~variable frequency drives or ((variable flow devices installed. Acceptable variable flow devices include variable inlet vanes, variable blade pitch, and variable fan geometry. Throttling))~~

2. other controls and devices that will result in fan motor demand of no more than 0.45 HP/1000 CFM at 50% of design air volume for fans when static pressure set point equals 1/3 of the total design static pressure, based on manufacturer's test data; and 30% of design wattage at 50% of design water flow for pumps, based on manufacturer's test data. Variable inlet vanes, throttling valves (dampers), scroll dampers or bypass circuits shall not be allowed.

OPTION 2:

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1438 Variable flow systems and system criteria. For fans and pumps greater than 10 horsepower, where the application involves variable flow, there shall be

1. ~~variable frequency drives or ((variable flow devices installed. Acceptable variable flow devices include variable inlet vanes, variable blade pitch, and variable fan geometry. Throttling valves (dampers), scroll dampers or bypass circuits shall not be allowed.))~~

2. other controls and devices that will result in fan motor demand of no more than 0.45 HP/1000 CFM at 50% of design air volume for fans when static pressure set point equals 1/3 of the total design static pressure, based on manufacturer's test data; and 30% of design wattage at 50% of design water flow for pumps, based on manufacturer's test data.

NEW SECTION

WAC 51-11-1439 Exhaust hoods.

1439.1 Kitchen Hoods. Individual kitchen exhaust hoods larger than 5000 cfm shall be provided with make-up air sized so that at least 50% of exhaust air volume be (a) unheated or heated to no more than 60°F and (b) uncooled or cooled without the use of mechanical cooling.

EXCEPTIONS:

- 1. Where hoods are used to exhaust ventilation air which would otherwise exfiltrate or be exhausted by other fan systems.
- 2. Certified grease extractor hoods that require a face velocity no greater than 60 fpm.

1439.2 Fume Hoods. Each fume hood in buildings with fume hood systems having a total exhaust rate greater than 15,000 cfm shall include at least one of the following features:

(a) Variable air volume hood exhaust and room supply systems capable of reducing exhaust and make-up air volume to 50% or less of design values.

(b) Direct make-up (auxiliary) air supply equal to at least 75% of the exhaust rate, heated no warmer than 2°F below room set point, cooled to no cooler than 3°F above room set point, no humidification added, and no simultaneous heating and cooling used for dehumidification control.

- (c) Heat recovery systems to precondition make-up air in accordance with Section 1436, without using any exception.
- (d) Constant volume fume hood designed and installed to operate at less than 50 fpm face velocity.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1454 Pool covers. Heated pools shall be equipped with a vapor retardant pool cover on or at the water surface. Pools heated to more than 90 degrees F shall have a pool cover with a minimum insulation value of R-12.

NEW SECTION

WAC 51-11-1443 Pipe insulation. Piping shall be thermally insulated in accordance with Section 1415.1.

TABLE 14-1
Standard Rating Conditions and Minimum Performance for
Air Cooled Unitary Air Conditioners, Heat Pumps, Packaged Terminal Air Conditioners,
Warm Air Furnaces, Duct Furnaces and Unit Heaters

Equipment Type & Rating	Category	Sub-category & Rating Conditions	Minimum Rating		Standard
			Steady State	Seasonal or Part Load	
Air Conditioners and Heat Pumps Cooling Ratings	$((\leq)) \leq 65,000$ Btu/h Cooling Capacity	Split Systems Single Package	NA NA	10.0 SEER 9.7 SEER	ARI 210/240- ((1989)) 94
	$((>)) \geq 65,000$ and $((\leq)) \leq 135,000$ Btu/h Cooling Capacity	((All Unitary)) <u>Air Conditioners</u> ((Standard Ratings:-)) <u>Heat Pumps</u>	((8-9)) 10.3 EER ((95°F db)) 10.1 EER	((8-3)) 10.6 IPLV ((80°F db)) 10.4 IPLV	
	$((>)) \geq 135,000$ and ((\leq 760,000)) $< 240,000$ Btu/h ¹ Cooling Capacity	Air Conditioners Heat Pumps	((8-5)) 9.7 EER ((8-5)) 9.3 EER	((7-5)) 9.9 IPLV ((7-5)) 9.5 IPLV	ARI 340/360- ((1986)) 93 ARI 240/360-93
	$> 240,000$ and $< 760,000$ Btu/h Cooling Capacity	<u>Air Conditioners</u> <u>Heat Pumps</u>	9.5 EER 9.0 EER	9.7 IPLV 9.2 IPLV	
	$((>)) \geq 760,000$ Btu/h ¹ Cooling Capacity	Air Conditioners Heat Pumps	((8-2)) 9.2 EER ((8-7)) 9.0 EER	((7-5)) 9.4 IPLV ((7-5)) 9.2 IPLV	
Packaged Term. Air Conditioners & Heat Pumps Cooling Ratings	All Capacities	Air Conditioners ((and)) Heat Pumps Standard/Low Temp[:]	((10-0)) 12.5 - ((0-16)) 0.213 x Cap/1000 ³ EER 12.3 - 0.213 x Cap/1000 EER 95°F	((12-2)) 14.7 - ((0-20)) 0.213 x Cap/1000 ^{2,3} EER 14.5 - 0.213 x Cap/1000 EER 82°F	ARI 310/380- ((1990)) 93
Heat Pump Heating Ratings	$((\leq)) \leq 65,000$ Btu/h Cooling Capacity	Split Systems Single Package		6.8 HSPF 6.6 HSPF	ARI 210/240 ((1989)) 94
	$((>)) \geq 65,000$ and $((\leq)) \leq 135,000$ Btu/h Cooling Capacity	All Unitary Standard Ratings:	((3-0)) 3.2 COP 47°F db/43°F wb	((2-0)) 2.2 COP 17°F db/15°F wb	
	$((>)) \geq 135,000$ Btu/h Cooling Capacity	Standard Ratings[:]	((2-9)) 3.1 COP 47°F db/43°F wb	2.0 COP 17°F db/15°F wb	ARI ((365-1986)) 340/360-93
Packaged Term. Heat Pumps Heating Ratings	All Capacities	Heat Pumps ((Standard Ratings[:]))	((2-9)) 3.2 - (0.026 x Cap/1000) ³ [EER] [COP] ((47°F db/43°F wb))		ARI ((380-1990)) 310/380-93

PROPOSED

Equipment Type & Rating	Category	Sub-category & Rating Conditions	Minimum Rating		Standard
			Steady State	Seasonal or Part Load	
Warm Air Furnaces & Combination Furnace/A.C.	<225,000 Btu/h	Gas and Oil Fired Seasonal Ratings[.]	80% E _t ⁴	78% AFUE ⁵	DOE 10 CFR Part430 AppN
	((≥) ≥225,000 Btu/h	((Gas, Max Rating ⁶) Gas Fired (Gas, Min Rating ⁶))	80% ((E _t ⁴)) E _c ⁵	NA ((NA))	ANSI Z21.47-((1983)) 1993
	((≥) ≥225,000 Btu/h	((Oil, Max Rating ⁶) Oil-Fired (Oil, Min Rating ⁶))	81% E _t ⁴ ((81% E _t ⁴))	NA ((NA))	UL 727-((1986)) 94
Warm-Air Duct Furnaces and Unit Heaters	All Size Gas Duct Furnaces	((Max)) Rated Capacity ⁶ ((Min Rated Capacity ⁶))	((78% E _t ⁴) 80% E _c ⁵ ((75% E _t ⁴))	NA ((NA))	ANSI Z83.9-((1986)) 1990
	All Size Gas Unit Heaters	((Max)) Rated Capacity ⁶ ((Min Rated Capacity ⁶))	((78% E _t ⁴) 80% E _c ⁵ ((74% E _t ⁴))	NA ((NA))	ANSI Z83.8-((1985)) 1990
	All Size Oil Unit Heaters	((Max)) Rated Capacity ⁶ ((Min Rated Capacity ⁶))	((81% E _t ⁴) 80% E _c ⁵ ((81% E _t ⁴))	NA ((NA))	UL 731-((1988)) 95

1. For units that have a heating section other than electric resistance heat, deduct 0.2 from all required EER's and IPLV's.
2. For multi-capacity equipment the minimum performance shall apply to each step provided Multi-capacity refers to manufacturer published rating for more than one capacity mode allowed by the product's controls.
3. Capacity (Cap) means the rated cooling capacity of the product in Btu/h in accordance with the cited ARI standard. If the unit's capacity is less than 7,000 Btu/h, use 7,000 Btu/h in the calculation. If the unit's capacity is greater than 15,000 Btu/h, use 15,000 Btu/h in the calculation.
4. These values apply to non-NAECA equipment. See referenced standard for definition of Thermal efficiency (Et), (100% flue losses).
5. E_c= combustion efficiency (100% less flue losses). See test procedure for detailed discussion.

TABLE 14-2
Standard Rating Conditions and Minimum Performance for
Water and Evaporatively Cooled Unitary Air Conditioners, Heat Pumps, Water Source and Ground Source
Heat Pumps, Condensing Units, and Water Chilling Packages

Equipment Type & Rating	Category	Sub-category & Rating Conditions	Minimum Rating		Standard
			Steady State	Seasonal or Part Load	
((Evaporatively Cooled A/Cs & Heat Pumps Cooling Ratings	≤65,000 Btu/h Cooling Capacity	Standard Conditions ¹ :	9.3 EER	8.5 IPLV	ARI 210/240-1989
	>65,000 and ≤135,000 Btu/h Cooling Capacity	Outdoor Conditions: 95°F db/75°F wb	10.5 EER	9.7 IPLV	CTI 201-1986
Water Source Heat Pump Cooling Ratings	≤65,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water[.]	9.3 EER 85°F cwt ²	10.2 EER 75°F cwt ²	ARI 320-1986
	>65,000 and ≤135,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water[.]	10.5 EER 85°F cwt ²	NA	CTI 201-1986
Ground Water Heat Pump Cooling Ratings	<135,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water[.]	11.0 EER 70°F cwt ²	11.5 EER 50°F cwt ²	ARI 325-1985
Water Cooled Unitary Air Conditioners Cooling Ratings	≤65,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water[.]	9.3 EER 85°F cwt ²	8.3 IPLV 75°F cwt ²	ARI 210/240-1989
	>65,000 and ≤135,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water[.]	10.5 EER 85°F cwt ²	NA	CTI 201-1986
Water/Evap Cooled Air Cond. and Heat Pumps Cooling Ratings	>135,000 Btu/h Cooling Capacity	Standard Conditions ¹ :	9.6 EER	9.0 IPLV	ARI 360-1986 CTI 201-1986

PROPOSED

Equipment Type & Rating	Category	Sub-category & Rating Conditions	Minimum Rating		Standard
			Steady State	Seasonal or Part Load	
Air and Water/Evap-Cooled Condensing Units Cooling Ratings ³	>135,000 Btu/h Cooling Capacity	Air-Cooled	9.9 EER	11.0 IPLV	ARI 365-1987 CTI 201-1986
		Water/Evap-Cooled	12.9 EER	12.9 IPLV	
Air and Water Cooled-Water Chilling Packages Cooling Ratings	<150 Tons	Water-Cooled	3.8 COP	3.9 IPLV	ARI 550-90 ARI 590-86pN CTI 201-1986
	≥150 and <300 Tons		4.2 COP	4.5 IPLV	
	≥300 Tons		5.2 COP ⁴	5.3 IPLV ⁴	
	<150 Tons	Air-Cooled with Condenser	2.7 COP	2.8 IPLV	
	≥150 Tons		2.5 COP	2.5 IPLV	
	All Capacities	Air-Cooled Condenserless	3.1 COP	3.2 IPLV	
Water & Ground-Water Source Heat Pumps Heating Ratings	<135,000 Btu/h Cooling Capacity	Water Source Standard Conditions ^{1,2}	3.8 COP 70°F ewt ²	NA NA	ARI 320-1986
		Ground Water Source Standard Conditions ^{1,2}	3.4 COP 70°F ewt ²	3.0 COP 50°F ewt ²	ARI 325-1985))
Water & Evaporatively Cooled A/Cs	<65,000 Btu/h Cooling Capacity	Split System and Single Package	12.1 EER	11.2 IPLV	ARI 210/240-94 ARI 340/360-93
	>65,000 and <135,000 Btu/h Cooling Capacity	Split System and Single Package	11.5 EER	10.6 IPLV	
	>135,000 Btu/h Cooling Capacity	Split System and Single Package	11.0 EER	10.3 IPLV	
Water Source Heat Pump Cooling Ratings	<17,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water	11.2 EER 86°F ewt ²	NA	ARI/ISO 13256-1
	>17,000 and <135,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water	12.0 EER 86°F ewt ²	NA	
Ground Water Source Heat Pump (Cooling)	<135,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water	16.2 EER 59°F ewt ²	NA	ARI/ISO 13256-1
Ground Source Heat Pump (Cooling)	<135,000 Btu/h Cooling Capacity	Standard Conditions ¹ : Entering Water	13.4 EER 77°F ewt ²	NA	ARI/ISO 13256-1
Air and Water/Evap. Cooled Condensing Units Cooling Ratings ³	≥135,000 Btu/h Cooling Capacity	Air Cooled	10.1 EER	11.2 IPLV	ARI 365-94
		Water/Evap. Cooled	13.1 EER	13.1 IPLV	
Water Cooled, Water Chilling Packages	All Capacities	Reciprocating	4.2 COP	4.65 IPLV	ARI 550-92 ARI 550-92 or ARI 590-92
	<150 Tons	Water Cooled, Rotary, Screw and Scroll	4.45 COP	4.5 IPLV	
	>150 Tons and <300 Tons		4.9 COP 5.5 COP	4.95 IPLV 5.6 IPLV	
	≥300 Tons	Water Cooled, Centrifugal	5.0 COP 5.55 COP 6.10 COP	5.0 IPLV 5.55 IPLV 6.10 IPLV	
Air Cooled Water Chilling Packages	All Capacities	Air Cooled with condenser	2.8 COP	2.8 IPLV	
	All Capacities	Air Cooled, condenserless	3.1 COP	3.1 IPLV	
Water & Ground-Water Source Heat Pumps Heating Ratings	<135,000 Btu/h Cooling Capacity	Water Source Standard Conditions ¹ :	4.2 COP 68°F ewt ²	NA NA	ARI/ISO 13256-1
		Ground Water Source Standard Conditions ¹ :	3.6 COP 50°F ewt ²	NA	ARI/ISO 13256-1
		Ground Source Standard Conditions	3.1 COP 32°F ewt ²	NA	ARI/ISO 13256-1

1. Standard Indoor Conditions: 80°F dry bulb and 67°F wet bulb.
2. ewt: Entering Water Temperature for water cooled heat pumps and air conditioners.
3. Condensing unit requirements are based on single - number rating defined in paragraph 5.1.3.2 of ARI Standard 365.
- ((4. These requirements are reduced to 4.7 COP and 4.8 IPLV, where refrigerants with ozone depletion factors of 0.05 or less are used. No reduction is allowed for standard design systems analyzed under RS-29.))

TABLE 14-3
Standard Rating Conditions and Minimum Performance,
Gas- and Oil-Fired Boilers

Reference	Category	Rating Condition	Minimum Performance
((DOE Test Procedure 10 CFR, Part 430 AppN	Gas-Fired <300,000 Btu/h	Seasonal Rating	AFUE 80% ^{1,3}
	Oil-Fired <300,000 Btu/h	Seasonal Rating	AFUE 80% ¹
ANSI Z21.13-87 H.I. Htg. Boiler Std. 86 ASME PTC4.1-64 U.L. 795-73	Gas-Fired ≥300,000 Btu/h	1. Max. Rated Capacity ² Steady-State	E _c ⁴ 80%
		2. Min. Rated Capacity ² Steady-State	E _c ⁴ 80%
U.L. 726-75 H.I. Htg. Boiler Std. 86 ASME PTC4.1-64	Oil-Fired ≥300,000 Btu/h	1. Max. Rated Capacity ² Steady-State	E _c ⁴ 83%
		2. Min. Rated Capacity ² Steady-State	E _c ⁴ 83%
H.I. Htg. Boiler Std. 86 ASME PTC4.1-64	Oil-Fired (Residual) ≥300,000 Btu/h	1. Max. Rated Capacity ² Steady-State	E _c ⁴ 83%
		2. Min. Rated Capacity ² Steady-State	E _c ⁴ 83%))
DOE Test Procedure 10 CFR, Part 430 AppN	Gas-Fired <300,000 Btu/h	Seasonal Rating, Hot Water	AFUE 80% ^{1,3}
H.I. Htg. Boiler Std. 86	Gas-Fired >300,000 Btu/h & <2,500,000 Btu/h	Seasonal Rating, Steam	AFUE 75%
		1. Max. Rated Capacity ² Steady-State	E _c ⁴ 75%
	Gas-Fired >2,500,000 Btu/h	1. Rated Capacity ² Steady-State, Hot Water or Steam	E _c ⁴ 80%
DOE Test Procedure 10 CFR, Part 430, AppN	Oil-Fired <300,000 Btu/h	Seasonal Rating	AFUE 80% ¹
U.L. 726-75 H.I. Htg. Boiler Std. 86	Oil-Fired >300,000 Btu/h & <2,500,000 Btu/h	1. Max. Rated Capacity ² Steady-State	E _c ⁴ 78%
	Oil-Fired >2,500,000 Btu/h	Rated Capacity ² Steady-State, Hot Water or Steam	E _c ⁴ 83%
H.I. Htg. Boiler Std. 86	Oil-Fired (Residual) >300,000 Btu/h and <2,500,000	1. Rated Capacity ² Steady-State	E _c ⁴ 78%
	Oil-Fired (Residual) >2,500,000 Btu/h	2. Rated Capacity ² Steady-State, Hot Water or Steam	E _c ⁴ 83%

1. To be consistent with National Appliance Energy Conservation Act of 1987 (P.L. 100-12).
2. Provided and allowed by the controls.
3. Except for gas-fired steam boilers for which minimum AFUE is 75%.
4. E_c = combustion efficiency, 100% - flue losses. E_t = Thermal efficiency. See reference document for detailed information.

TABLE 14-4
Energy Efficient Electric Motors
Minimum Nominal Full-Load Efficiency

Synchronous Speed (RPM)	Open Motors			Closed Motors		
	3,600	1,800	1,200	3,600	1,800	1,200
HP	Efficiency	Efficiency	Efficiency	Efficiency	Efficiency	Efficiency
1.0	-	82.5	80.0	75.5	82.5	80.0
1.5	82.5	84.0	84.0	82.5	84.0	85.5
2.0	84.0	84.0	85.5	84.0	84.0	86.5
3.0	84.0	86.5	86.5	85.5	87.5	87.5
5.0	85.5	87.5	87.5	87.5	87.5	87.5
7.5	87.5	88.5	88.5	88.5	89.5	89.5
10.0	88.5	89.5	90.2	89.5	89.5	89.5
15.0	89.5	91.0	90.2	90.2	91.0	90.2
20.0	90.2	91.0	91.0	90.2	91.0	90.2
25.0	91.0	91.7	91.7	91.0	92.4	91.7
30.0	91.0	92.4	92.4	91.0	92.4	91.7
40.0	91.7	93.0	93.0	91.7	93.0	93.0
50.0	92.4	93.0	93.0	92.4	93.0	93.0
60.0	93.0	93.6	93.6	93.0	93.6	93.6
75.0	93.0	94.1	93.6	93.0	94.1	93.6
100.0	93.0	94.1	94.1	93.6	94.5	94.1
125.0	93.6	94.5	94.1	94.5	94.5	94.1
150.0	93.6	95.0	94.5	94.5	95.0	95.0
200.0	94.5	95.0	94.5	95.0	95.0	95.0

TABLE 14-5
Duct Insulation

Duct Type	Duct Insulation	Insulation R-Value	Other Requirements
Supply, Return	Not within conditioned space: On exterior of building, on roof, in attic, in enclosed ceiling space, in walls, in garage, in crawl spaces	R-7	Approved weather proof barrier
Outside air intake	Within conditioned space	R-7	See Section 1414.2
Supply, Return, Outside air intake	Not within conditioned space: in concrete, in ground	R-5.3	
Supply with supply air temperature <55°F or >105°F	Within conditioned space	R-3.3	

Note: Requirements apply to both supply and return ducts, whether heated or mechanically cooled. Mechanically cooled ducts requiring insulation shall have a vapor retarder, with a perm rating not greater than 0.5 and all joints sealed.

PROPOSED

**TABLE 14-6
Minimum Pipe Insulation (inches)¹**

Fluid Design Operating Temp. Range, °F	Insulation Conductivity		Nominal Pipe Diameter (in.)					
	Conductivity Range Btu • in. / (h • ft ² • °F)	Mean Rating Temp. °F	Runouts ² up to 2	1 and less	>1 to 2	>2 to 4	>4 to 6	>6
Heating systems (Steam, Steam Condensate[,] and Hot water)			Nominal Insulation Thickness					
Above 350	0.32-0.34	250	1.5	2.5	2.5	3.0	3.5	3.5
251-350	0.29-0.31	200	1.5	2.0	2.5	2.5	3.5	3.5
201-250	0.27-0.30	150	1.0	1.5	1.5	2.0	2.0	3.5
141-200	0.25-0.29	125	0.5	1.5	1.5	1.5	1.5	1.5
105-140	0.24-0.28	100	0.5	1.0	1.0	1.0	1.5	1.5
Domestic and Service Hot Water Systems								
105 and Greater	0.24-0.28	100	0.5	1.0	1.0	1.5	1.5	1.5
Cooling Systems (Chilled Water, Brine[,] and Refrigerant)								
40-55	0.23-0.27	75	0.5	0.5	0.75	1.0	1.0	1.0
Below 40	0.23-0.27	75	1.0	1.0	1.5	1.5	1.5	1.5

1. Alternative Insulation Types. Insulation thicknesses in Table 14-6 are based on insulation with thermal conductivities within the range listed in Table 14-6 for each fluid operating temperature range, rated in accordance with ASTM C 335-84 at the mean temperature listed in the table. For insulation that has a conductivity outside the range shown in Table 14-6 for the applicable fluid operating temperature range at the mean rating temperature shown (when rounded to the nearest 0.01 Btu • in./ (h • ft² • °F)), the minimum thickness shall be determined in accordance with the following equation:

$$T = PR \left[\left(\left(1 + \frac{t}{PR} \right)^{K/k} - 1 \right) \right]$$

Where

T= Minimum insulation thickness for material with conductivity K, inches.

PR= Pipe actual outside radius, inches[.]

t= Insulation thickness from Table 14-6, inches

K= conductivity of alternate material at the mean rating temperature indicated in Table 14-6 for the applicable fluid temperature range, Btu • in./ (h • ft² • °F)

k= the lower value of the conductivity range listed in Table 14-6 for the applicable fluid temperature range, Btu • in./ (h • ft² • °F)

2. Runouts to individual terminal units not exceeding 12 ft. in length.

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

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1512 Exempt lighting.

1512.1 Exempt Spaces: The following rooms, spaces, and areas, are exempt from the lighting power requirements in Sections 1520 and 1530 but shall comply with all other requirements of this chapter.

1. Areas in which medical or dental tasks are performed.
 2. High risk security areas or any area identified by building officials as requiring additional lighting.
 3. Spaces designed for primary use by the visually impaired, hard of hearing (lip-reading) or by senior citizens.
 4. Food preparation areas.
 5. Outdoor manufacturing, greenhouses, and processing areas.
 6. Electrical/mechanical equipment rooms.
 7. Outdoor athletic facilities.
 8. Inspection and restoration areas in galleries and museums.
- stage areas and dance floors in entertainment facilities.

9. The sanctuary portion of a house of worship, defined as the space or room where the worship service takes place. Classrooms, meeting rooms, offices and multipurpose rooms that are part of the same facility are not exempt.

1512.2 Exempt Lighting Equipment: The following lighting equipment and tasks are exempt from the lighting requirements of Section 1520 and need not be included when calculating the installed lighting power under Section 1530 but shall comply with all other requirements of this chapter. All other lighting in areas that are not exempted by Section 1512.2, where exempt tasks and equipment are used, shall comply with all of the requirements of this chapter.

1. Special lighting needs for research.
2. Emergency lighting that is automatically OFF during normal building operation.
3. Lighting integral to signs, and permanently ballasted lighting fixtures for walkways and pathways.
4. Lighting that is part of machines, equipment or furniture.
5. Lighting that is used solely for indoor plant growth during the hours of 10:00 p.m. to 6:00 a.m.
6. Lighting for theatrical productions, television broadcasting (including sports facilities), audio-visual presentations, and special effects lighting for ties.

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7. Lighting for art exhibits, non-retail displays, portable plug in display fixtures, and show case lighting.
8. Exterior lighting for public monuments.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1513 Lighting controls. Lighting, including exempt lighting in Section 1512, shall comply with this section. Where occupancy sensors are cited, they shall have the features listed in 1513.6.1. Where automatic time switches are cited, they shall have the features listed in 1513.6.2.

1513.1 Local Control and Accessibility: Each space, enclosed by walls or ceiling-height partitions, shall be provided with lighting controls located within that space. The lighting controls, whether one or more, shall be capable of turning off all lights within the space. The controls shall be readily accessible, at the point of entry/exit, to personnel occupying or using the space.

EXCEPTIONS: The following lighting controls may be centralized in remote locations:

1. Lighting controls for spaces which must be used as a whole.
2. Automatic controls.
3. Controls requiring trained operators.
4. Controls for safety hazards and security.

1513.2 Area Controls: The maximum lighting power that may be controlled from a single switch or automatic control shall not exceed that which is provided by a twenty ampere circuit loaded to not more than eighty percent. A master control may be installed provided the individual switches retain their capability to function independently. Circuit breakers may not be used as the sole means of switching.

EXCEPTIONS:

1. Industrial or manufacturing process areas, as may be required for production.
2. Areas less than five percent of footprint for footprints over 100,000 square feet.

1513.3 Daylight Zone Control: All daylighted zones, as defined in Chapter 12, both under overhead glazing and adjacent to vertical glazing, shall be provided with individual controls, or daylight-or occupant-sensing automatic controls, which control the lights independent of general area lighting.

Contiguous daylight zones adjacent to vertical glazing are allowed to be controlled by a single controlling device provided that they do not include zones facing more than two adjacent cardinal orientations (i.e. north, east, south, west). Daylight zones under overhead glazing more than 15 feet from the perimeter shall be controlled separately from daylight zones adjacent to vertical glazing.

EXCEPTION: Daylight spaces enclosed by walls or ceiling height partitions and containing 2 or fewer light fixtures are not required to have a separate switch for general area lighting.

1513.4 Display, Exhibition, and Specialty Lighting Controls: All display, exhibition, or specialty lighting shall be controlled independently of general area lighting.

1513.5 Automatic Shut-Off Controls, Exterior: Exterior lighting not intended for 24-hour continuous use shall be

automatically switched by timer, photocell, or a combination of timer and photocell. Automatic time switches must also have program back-up capabilities, which prevent the loss of program and time settings for at least 10 hours, if power is interrupted.

1513.6 Automatic Shut-Off Controls, Interior: Office buildings greater than ~~((25,000))~~ 5,000 sq. ft. and all school classrooms shall be equipped with separate automatic controls to shut off the lighting during unoccupied hours. Automatic controls may be an occupancy sensor, time switch, or other device capable of automatically shutting off lighting.

EXCEPTIONS:

1. Areas that must be continuously illuminated, or illuminated in a manner requiring manual operation of the lighting.
2. Emergency lighting systems.
3. Switching for industrial or manufacturing process facilities as may be required for production.

1513.6.1 Occupancy Sensors: Occupancy sensors shall be capable of automatically turning off all the lights in an area, no more than 30 minutes after the area has been vacated.

1513.6.2 Automatic Time Switches: Automatic time switches shall have a minimum 7 day clock and be capable of being set for 7 different day types per week and incorporate an automatic holiday "shut-off" feature, which turns off all loads for at least 24 hours and then resumes normally scheduled operations. Automatic time switches shall also have program back-up capabilities, which prevent the loss of program and time settings for at least 10 hours, if power is interrupted.

Automatic time switches shall incorporate an over-ride switching device which:

- a. is readily accessible;
- b. is located so that a person using the device can see the lights or the areas controlled by the switch, or so that the area being illuminated is annunciated; and
- c. is manually operated;
- d. allows the lighting to remain on for no more than two hours when an over-ride is initiated; and
- e. controls an area not exceeding 5,000 square feet or 5 percent of footprint for footprints over 100,000 square feet, whichever is greater.

1513.7 Commissioning Requirements: For lighting controls which include daylight or occupant sensing automatic controls, automatic shut-off controls, occupancy sensors, or automatic time switches, the lighting controls shall be tested to ensure that control devices, components, equipment and systems are calibrated, adjusted and operate in accord with approved plans and specifications. Sequences of operation shall be functionally tested to ensure they operate in accord with approved plans and specifications. A complete report of test procedures and results shall be prepared and filed with the owner. Drawing notes shall require commissioning in accordance with this paragraph.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1521 Prescriptive interior lighting requirements. Spaces for which the Unit Lighting Power

Allowance in Table 15-1 is 0.8 watts per square foot or greater may use unlimited numbers of lighting fixtures and lighting energy, provided that the installed lighting fixtures ~~((are))~~ comply with all four of the following criteria:

- a. one- or two-lamp (but not three- or more lamp);
- b. non-lensed, fluorescent fixtures;
- c. fitted with type T-1, T-2, T-4, T-5, T-6, T-8 ~~((or PL type))~~ or compact fluorescent lamps from 5 to 50 watts (but not T-10 or T-12 lamps); and
- d. electronic ballasts (electronic ballasts that screw into medium base sockets do not comply with this section).

EXCEPTION:

- 1. Up to a total of 5 percent of installed lighting fixtures need not be ballasted and may use any type of lamp.
- 2. Clear safety lenses are allowed in food prep and serving areas and patient care areas in otherwise compliant fixtures.
- 3. Exit lights are not included in the count of fixtures provided that they do not exceed 5 Watts per fixture and are light emitting diode (LED) type or T-1 fluorescent type only. (See the Uniform Fire Code for face illumination footcandle requirements and other requirements.)

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-1530 Lighting power allowance option.

The installed lighting wattage shall not exceed the lighting power allowance. Lighting wattage includes lamp and ballast wattage. Wattage for fluorescent lamps and ballasts shall be tested per ANSI Standard C82.2-1984.

The wattage used for any unballasted fixture shall be the maximum UL listed wattage for that fixture regardless of the lamp installed. The wattage used for track lighting shall be:

- a. for line voltage track, 50 watts per lineal foot of track or actual luminare wattage, whichever is greater
- b. for low voltage track, 25 watts per lineal foot of track or the VA rating of the transformer, whichever is greater.

No credit towards compliance with the lighting power allowances shall be given for the use of any controls, automatic or otherwise.

Exit lights that are 5 Watts or less per fixture shall not be included in the lighting power allowance calculations. Other exit lights shall be included in the lighting power allowance calculations.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1531 Interior lighting power allowance.

The interior lighting power allowance shall be calculated by multiplying the gross interior floor area, in square feet, by the appropriate unit lighting power allowance, in watts per square foot, for the use as specified in Table 15-1. Accessory uses, including corridors, lobbies and toilet facilities shall be included with the primary use.

~~((If multiple uses are intended,))~~ The lighting power allowance for each ((type of)) use shall be separately calculated and summed to obtain the interior lighting power allowance.

In cases where a lighting plan for only a portion of a building is submitted, the interior lighting power allowance shall be based on the gross interior floor area covered by the plan. Plans submitted for common areas only, including corridors, lobbies and toilet facilities shall use the lighting power allowance for common areas in Table 15-1.

When insufficient information is known about the specific use of the space, the allowance shall be based on the apparent intended use of the space.

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-1532 Exterior lighting power allowance.

The exterior lighting power allowance shall be the sum of the calculated allowances for parking, outdoor areas and building exteriors. The lighting allowance for covered parking, open parking and outdoor areas that are illuminated shall be 0.20 watts per square foot. The lighting allowance for building exteriors shall be calculated either by multiplying the building facade area by 0.25 watts per square foot or multiplying the building perimeter in feet by 7.5 watts per linear foot.

EXCEPTIONS:

- 1. Group ~~((M))~~ U occupancy accessory to Group R-3 occupancy.
- 2. For covered parking, 0.30 w/sf may be used for the lighting provided that the ceilings and walls are painted or stained with a reflectance value of 0.70 or higher.

TABLE 15-1
Unit Lighting Power Allowance (LPA)

Use ¹	LPA ² (watts/sq. ft.)
Painting, welding, carpentry, machine shops	2.3
Barber shops, beauty shops	2.0
Hotel banquet/conference/exhibition hall ^{3,4}	2.0
Laboratories	2.0
Aircraft repair hangars	1.5
Cafeterias, fast food establishments ⁵	1.5
Factories, workshops, handling areas	1.5
Gas stations, auto repair shops ⁶	1.5
Institutions	1.5
Libraries ⁵	1.5
Nursing homes <u>and hotel/motel guest rooms</u>	1.5
<u>Retail¹⁰, retail banking</u>	<u>1.5</u>
Wholesale stores (pallet rack shelving)	1.5
Mall concourses	1.4
Schools buildings <u>(Group E occupancy only)</u> , school classrooms, day care centers	1.35
Laundries	1.3
Office buildings, office/administrative areas in facilities of other use types (including but not limited to schools, hospitals, institutions, museums, banks, churches) ^{5,7,11}	1.2

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Use ¹	LPA ² (watts/sq. ft.)
Police and fire stations ⁸	1.2
Atria (atriums)	1.0
Assembly spaces ⁹ , auditoriums, gymnasias ⁹ , theaters	1.0
<u>Group R-1 common areas</u>	<u>1.0</u>
Process plants	1.0
Restaurants/bars ⁵	1.0
((Retail A ^{4a})	1.0
Retail B ^{4a} , Retail banking	1.5))
Locker and/or shower facilities	0.8
Warehouses ¹¹ , storage areas	0.5
Aircraft storage hangars	0.4
Parking garages	See Section 1532
Plans Submitted for Common Areas Only⁷	
((Common area, corridors, lobbies)) Main floor building lobbies ³ (except mall concourses)	((0.8)) 1.2
Common areas, corridors, toilet facilities and wash-rooms, elevator lobbies	0.8

Footnotes for Table 15-1

- In cases in which a general use and a specific use are listed, the specific use shall apply. In cases in which a use is not mentioned specifically, the *Unit Power Allowance* shall be determined by the building official. This determination shall be based upon the most comparable use specified in the table. See Section 1512 for exempt areas.
- The watts per square foot may be increased, by two percent per foot of ceiling height above twenty feet, unless specifically directed otherwise by subsequent footnotes.
- Watts per square foot of room may be increased by two percent per foot of ceiling height above twelve feet.
- For all other spaces, such as seating and common areas, use the *Unit Light Power Allowance* for assembly.
- Watts per square foot of room may be increased by two percent per foot of ceiling height above nine feet.
- Includes pump area under canopy.
- In cases in which a lighting plan is submitted for only a portion of a floor, a *Unit Lighting Power Allowance* of 1.35 may be used for usable office floor area and 0.80 watts per square foot shall be used for the common areas, which may include elevator space, lobby area and rest rooms. Common areas, as herein defined do not include mall concourses.
- For the fire engine room, the *Unit Lighting Power Allowance* is 1.0 watts per square foot.
- For indoor sport tournament courts with adjacent spectator seating, the *Unit Lighting Power Allowance* for the court area is 2.6 watts per square foot.
- ((For both Retail A and Retail B, light)) Display window illumination installed within 2 feet of the window lighting for free-standing display where the lighting moves with the display, and building showcase illumination ((and display window illumination installed within two feet of the window are exempt.
Retail A allows a *Unit Lighting Power Allowance* of 1.0 watts per square foot. Ceiling mounted adjustable tungsten-halogen and HID merchandise display illuminaries are exempt.
Retail B allows a *Unit Lighting Power Allowance* of 1.5 watts per square foot, including all ceiling mounted merchandise display luminaries)) where the lighting is enclosed within the showcase are exempt.

An additional 1.5 W/ft² of merchandise display luminaires are exempt provided that they comply with all three of the following:

(a) located on ceiling-mounted track or directly on or recessed into the ceiling itself (not on the wall).

(b) adjustable in both the horizontal and vertical axes (vertical axis only is acceptable for fluorescent and other fixtures with two points of track attachment).

(c) fitted with tungsten halogen, fluorescent, or high intensity discharge lamps.

This additional lighting power is allowed only if the lighting is actually installed.

- Provided that a floor plan, indicating rack location and height, is submitted, the square footage for a warehouse may be defined, for computing the interior *Unit Lighting Power Allowance*, as the floor area not covered by racks plus the vertical face area (access side only) of the racks. The height allowance defined in footnote 2 applies only to the floor area not covered by racks.

**CHAPTER 17
STANDARDS**

Note: For nonresidential standards, see chapter 7.

**CHAPTER 20
DEFAULT HEAT-LOSS COEFFICIENTS**

Note: For nonresidential defaults, see chapter 10.

REFERENCE STANDARD ((COMMERCIAL)) NON-RESIDENTIAL BUILDING DESIGN BY SYSTEMS ANALYSIS

AMENDATORY SECTION (Amending WSR 93-21-052, filed 10/18/93, effective 4/1/94)

WAC 51-11-99902 Section 2—General principles and requirements.

2.1 Energy Analysis: Compliance with this Standard will require an analysis of the annual energy usage, hereinafter called an annual energy analysis.

A building designed in accordance with this Standard will be deemed as complying with this Code, if

a. The calculated annual energy consumption is not greater than that of a corresponding "standard design," as defined below and in Section 3,

and;

b. Whose enclosure elements and energy-consuming systems comply with Sections 1310 through 1314, 1410 through ((1415)) 1416, 1440 through 1442, 1450 through 1454 and 1510 through 1513. Buildings shall only vary from those requirements in Sections 1330 through 1334, 1432 through 1438 and 1530 through 1532 where those variations have been accurately and completely modeled. Where variations are not specifically analyzed, the building shall comply with these requirements.

For a proposed building design to be considered similar to a "standard design," it shall utilize the same energy source(s) for the same functions and have equal floor area and the same ratio of envelope area to floor area, environ-

mental requirements, occupancy, climate data and usage operational schedule. Inputs to the energy analysis relating to occupancy and usage shall correspond to the expected occupancy and usage of the building.

Except as noted below, the systems identified, and, to the extent possible, the assumptions made in assigning energy inputs to each system, shall be the same for the standard design and the proposed design. When electrically driven heat pumps, other than multiple units connected to a common water loop, are employed to provide all or part of the heat for the proposed design, the standard design shall also, for the purposes of the analysis, assume that electrically driven heat pump, in conformance with Chapter 14 of the Code and having capacity at least as great as those used in the proposed design are employed.

2.2 Design: The standard design and the proposed design shall be designed on a common basis as specified herein:

a. The comparison shall be expressed as kBtu input per square foot of conditioned floor area per year at the building site. Buildings which use electricity as the only fuel source, comparisons may be expressed in kWh. When converting electricity in kWh to kBtu a multiplier of 3.413 kWh/kBtu shall be used.

b. If the proposed design results in an increase in consumption of one energy source and a decrease in another energy source, even though similar sources are used for similar purposes, the difference in each energy source shall be converted to equivalent energy units for purposes of comparing the total energy used.

2.3 Analysis Procedure: The analysis of the annual energy usage of the standard and the proposed building and system design shall meet the following criteria:

a. The building heating/cooling load calculation procedure used for annual energy consumption analysis shall be detailed to permit the evaluation of effect of factors specified in Section 2.4.

b. The calculation procedure used to simulate the operation of the building and its service systems through a full-year operating period shall be detailed to permit the evaluation of the effect of system design, climatic factors, operational characteristics and mechanical equipment on annual energy usage. Manufacturer's data or comparable field test data shall be used when available in the simulation of systems and equipment. The calculation procedure shall be based upon 8,760 hours of operation of the building and its service systems and shall utilize the design methods, specified in Standards RS-27, -11, -12 and -13 listed in Chapter 7 and 17 of the Code or in other programs approved by the building official.

2.4 Calculation Procedure: The calculation procedure shall cover the following items:

a. Design requirements—Design heating conditions and design cooling conditions as defined in Chapter 12 of the Code.

b. Climatic data—Coincident hourly data for temperatures, solar radiation, wind and humidity of typical days in the year representing seasonal variation.

c. Building data—Orientation, size, shape, mass, air and heat transfer characteristics.

d. Operational characteristics—Temperature, humidity, ventilation, illumination and control mode for occupied and unoccupied hours.

e. Mechanical equipment—Design capacity and part load profile.

f. Building loads—Internal heat generation, lighting, equipment and number of people during occupied and unoccupied periods.

((EXCEPTION: Proposed designs having an area of 25,000 square feet or less are exempt from the full-year energy analysis described in section 2.3(b). However, comparison of energy consumption between the proposed design and the standard design shall be provided based on one of the programs suggested in Section 4.2 for these buildings.))

2.5 Documentation: All analyses submitted shall be accompanied by an energy analysis comparison report. The report shall provide technical detail on the two building and system designs and on the data used in and resulting from the comparative analysis to verify that both the analysis and the designs meet the criteria of Section 1.

The calculation procedure for the standard design and the proposed design shall separately identify the calculated annual energy consumption for each different occupancy type, if possible, for each of the following end uses:

- a. Interior lighting;
- b. Parking lighting;
- c. Exterior lighting;
- d. Space heating;
- e. Space cooling;
- f. Interior ventilation/fans;
- g. Parking ventilation/fans;
- h. Exhaust fans;
- i. Service water heating;
- j. Elevators;
- k. Appliances.

Energy consumption of the following items shall be included but is not required to be separated out by each individual item.

- a. Office equipment;
- b. Refrigeration other than comfort cooling;
- c. Cooking; and
- d. Any other energy-consuming equipment.

The specifications of the proposed building project used in the analysis shall be as similar as is reasonably practical to those in the plans submitted for a building permit.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-99903 Section 3—Specific modeling assumptions.

The specific modeling assumptions consist of methods and assumptions for calculating the standard energy consumption for the standard building and the proposed energy

consumption of the proposed design. In order to maintain consistency between the standard and the proposed design energy consumptions, the input assumptions in this section shall be used.

"Prescribed" assumptions shall be used without variation. "Default" assumptions shall be used unless the designer can demonstrate that a different assumption better characterizes the building's use over its expected life. Any modification of a default assumption shall be used in modeling both the standard building and the proposed design unless the designer demonstrates a clear cause to do otherwise.

3.1 Orientation and Shape: The standard building shall consist of the same number of stories and gross floor area for each story as the proposed design. Each floor shall be oriented exactly as the proposed design. The geometric form shall be the same as the proposed design.

3.2 Internal Loads: Internal loads shall be modeled as noted in the following parts of Section 3.2. The systems specified for calculating the standard energy consumption in Section 3.2 are intended only as constraints in calculating the consumption. They are not intended as requirements or recommendations for systems to be used in the proposed building or for the calculation of the proposed energy consumption.

3.2.1 Occupancy: Occupancy schedules shall be default assumptions. The same assumptions shall be made in computing proposed energy consumption as were used in calculating the standard energy consumption. Occupancy levels vary by building type and time of day. Table 3-1 establishes the density presented as ft²/person of conditioned floor area that will be used by each building type. Table 3-2 establishes the percentage of the people that are in the building by hours of the day for each building type.

3.2.2 Lighting: The interior and exterior lighting power allowance for calculating the standard energy consumption shall be determined from Sections 1531 and 1532. The lighting power used to calculate the proposed energy consumption shall be the actual lighting power of the proposed lighting design. Exempt lighting in the standard design shall be equal to the exempt lighting in the proposed design.

Lighting levels in buildings vary based on the type of uses within buildings, by area and by time of day. Table 3-2 contains the lighting energy profiles which establish the percentage of the lighting load that is switched ON in each prototype or reference building by hour of the day. These profiles are default assumptions and can be changed if required when calculating the standard energy consumption to provide, for example, a 12 hour rather than an 8 hour work day or to reflect the use of automatic lighting controls. The lighting schedules used in the standard and proposed designs shall be identical and shall reflect the type of controls to be installed in the proposed design. The controls in the proposed design shall comply with the requirements in Section 1513 and no credit shall be given for the use of any additional controls, automatic or otherwise.

3.2.3 Receptacle: Receptacle loads and profiles are default assumptions. The same assumptions shall be made in calcu-

lating proposed energy consumption as were used in calculating the standard energy consumption. Receptacle loads include all general service loads that are typical in a building. These loads should include additional process electrical usage but exclude HVAC primary or auxiliary electrical usage. Table 3-1 establishes the density in W/ft² to be used. The receptacle energy profiles shall be the same as the lighting energy profiles in Table 3-2. This profile establishes the percentage of the receptacle load that is switched ON by hour of the day and by building type.

3.3 Envelope

3.3.1 Insulation and Glazing: Glazing area and U-factor of the standard building envelope shall be determined by using the Target UA requirements of Equation 13-1 and U-factor values in Table 13-1 or 13-2. The glazing solar heat gain coefficient (SHGC) or shading coefficient of the standard building shall be the lesser of 0.65 and the SHGC required by Table 13-1 or 13-2 for the vertical or overhead glazing area for the appropriate wall type. The opaque area U-factors of the standard building shall be determined by using the Target UA requirements from Equation 13-1 including the appropriate mass for walls. The insulation characteristics and glazing area are prescribed assumptions for the standard building for calculating the standard energy consumption. In the calculation of the proposed energy consumption of the proposed design, the envelope characteristics of the proposed design shall be used. The standard design shall use the maximum glazing areas listed in Tables 13-1 or 13-2 for the appropriate use. The distribution of vertical glazing in the gross wall area of the standard design shall be equal to the distribution of vertical glazing in the proposed design or shall constitute an equal percentage of gross wall area on all sides of the standard building. The distribution of overhead glazing in the gross roof/ceiling area of the standard design shall be equal to the distribution of overhead glazing in the proposed design. The distribution of doors in the gross opaque wall area of the standard design shall be identical to the distribution of doors in the proposed design.

3.3.2 Infiltration: For standard and proposed buildings, infiltration assumptions shall be equal.

3.3.3 Envelope and Ground Absorptivities: For the standard building, absorptivity assumptions shall be default assumptions for computing the standard energy consumption and default assumptions for computing the proposed energy consumption. The solar absorptivity of opaque elements of the building envelope shall be assumed to be 70 percent. The solar absorptivity of ground surfaces shall be assumed to be 80 percent (20 percent reflectivity).

3.3.4 Window Treatment: No draperies or blinds shall be modeled for the standard or proposed building.

3.3.5 Shading: For standard building and the proposed design, shading by permanent structures and terrain shall be taken into account for computing energy consumption whether or not these features are located on the building site. A permanent fixture is one that is likely to remain for the life

of the proposed design. Credit may be taken for external shading devices that are part of the proposed design.

3.4 HVAC Systems and Equipment: For the standard building, the HVAC system used shall be the system type used in the proposed design. If the proposed HVAC system type does not comply with Sections 1432 through 1438, the standard design system shall comply in all respects with those sections.

Exception: When approved by the building official, a prototype HVAC system may be used, if the proposed design system cannot be modified to comply with Sections 1422 and 1432 through 1438, as a standard design. Use of prototype HVAC systems shall only be permitted for the building types listed below. For mixed-use buildings, the floor space of each building type is allocated within the floor space of the standard building. The specifications and requirements for the HVAC systems of prototype buildings shall be those in Table 3-3.

- | | |
|-------------------------|-------------------------|
| 1. assembly | 6. restaurant |
| 2. health/institutional | 7. retail (mercantile) |
| 3. hotel/motel | 8. school (educational) |
| 4. light manufacturing | 9. warehouse (storage) |
| 5. office (business) | |

3.4.1 HVAC Zones: HVAC zones for calculating the standard energy consumption and proposed energy consumption shall consist of at least four perimeter and one interior zone per floor, with at least one perimeter zone facing each orientation. The perimeter zones shall be fifteen feet in width or one-third the narrow dimension of the building when this dimension is between 30 and 45 feet inclusive or half the narrow dimension of the building when this dimension is less than thirty feet.

Exceptions:

1. Building types such as assembly or warehouse may be modeled as a single zone if there is only one space.
2. Thermally similar zones, such as those facing one orientation on different floors, may be grouped together for the purposes of either the standard or proposed building simulation.

3.4.2 Process Equipment Sizing: Process sensible and latent loads shall be equal in calculating both the standard energy consumption and the proposed energy consumption. The designer shall document the installation of process equipment and the size of process loads.

3.4.3 HVAC Equipment Sizing: The equipment shall be sized to include the capacity to meet the process loads. For calculating the proposed energy consumption, actual air flow rates and installed equipment size shall be used in the simulation. Equipment sizing in the simulation of the proposed design shall correspond to the equipment intended to be selected for the design and the designer shall not use equipment sized automatically by the simulation tool.

Equipment sizing for the standard design shall be based on the same as the proposed design or lesser sizing ratio of installed system capacity to the design load for heating and for cooling.

Chilled water systems for the standard building shall be modeled using a reciprocating chiller for systems with total cooling capacities less than 175 tons, and centrifugal chillers for systems with cooling capacities of 175 tons or greater. For systems with cooling capacities of 600 tons or more the standard energy consumption shall be calculated using two centrifugal chillers, lead/lag controlled. Chilled water shall be assumed to be controlled at a constant 44 degree F temperature rise, from 44 degrees F to 56 degrees F, operating at 65 percent combined impeller and motor efficiency. Condenser water pumps shall be sized using a 10 degree F temperature rise, operating at 60 percent combined impeller and motor efficiency. The cooling tower shall be an open circuit, centrifugal blower type sized for the larger of 85 degrees F leaving water temperature or 10 degrees F approach to design wet-bulb temperature. The tower shall be controlled to provide a 65 degrees F leaving water temperature whenever weather conditions permit, floating up to design leaving water temperature at design conditions.

3.4.4 ((Variable Speed*)) Fans: The ((energy)) power of the combined fan system per air volume at design conditions (w/cfm) of the proposed design shall be equal to that of the standard design.

Variable air volume fan systems in the standard building shall be variable speed.

3.5 Service Water Heating: The service water heating loads for prototype buildings are defined in terms of Btu/person-hour in Table 3-1. The values in the table refer to energy content of the heated water. The service water heating loads from Table 3-1 are default for all buildings. The same service-water-heating load assumptions shall be made in calculating proposed energy consumption as were used in calculating the standard energy consumption. The service water heating system for the standard building shall be modeled as closely as possible as if it were designed in accordance with ((the ASHRAE Handbook, 1995 HVAC Systems and Applications Volume)) **RS-11** and meeting all the requirements of Sections 1440 through 1442.

3.6 Controls

3.6.1: All occupied conditioned spaces in standard and proposed design buildings in all climates shall be simulated as being both heated and cooled.

Exceptions:

1. If a building or portion of a building is to be provided with only heating or cooling, both the standard building and the proposed design shall be simulated using the same assumptions.
2. If warehouses are not intended to be mechanically cooled, both the standard and proposed energy consumption shall be modeled assuming no mechanical cooling.

3.6.2: Space temperature controls for the standard building, shall be set at 70 degrees F for space heating and 75 degrees F for space cooling, with a deadband in accordance with Section 1412.2. The system shall be OFF during off-hours according to the appropriate schedule in Table 3-2, except that the heating system shall cycle ON if any space should drop below the night setback setting 55 degrees F. There shall be no similar setpoint during the cooling season. Lesser dead-

band ranges may be used in calculating the proposed energy consumption.

Exceptions:

1. Setback shall not be modeled in determining either the standard or proposed energy consumption if setback is not realistic for the proposed design such as a facility being operated 24 hours/day. For instance, health facilities need not have night setback during the heating season.
2. If deadband controls are not to be installed, the proposed energy consumption shall be calculated with both heating and cooling thermostat setpoints set to the same value between 70 degrees F and 75 degrees F inclusive, assumed to be constant for the year.

3.6.3: When providing for outdoor air ventilation when calculating the standard energy consumption, controls shall be assumed to close the outside air intake to reduce the flow of outside air to 0.0 cfm during "setback" and "unoccupied" periods. Ventilation using inside air may still be required to maintain scheduled setback temperature. Outside air ventilation, during occupied periods, shall be as required by the Washington State Ventilation and Indoor Air Quality Code chapter 51-13 WAC.

3.6.4: If humidification is to be used in the proposed design, the same level of humidification and system type shall be used in the standard building.

3.6.5: There shall be no credit in the proposed design for control of parking garage ventilation.

TABLE 3-1
Acceptable Occupancy Densities, Receptacle Power Densities and Service Hot Water Consumption¹

Building Type	Occupancy Density ² Sq. Ft./Person (Btu/h·ft ²)	Receptacle Power Density ³ Watts/Sq. Ft. (Btu/h·ft ²)	Service Hot Water Quantities ⁴ Btu/h·person
Assembly	50 (4.60)	0.25 (0.85)	215
Health/Institutional	200 (1.15)	1.00 (3.41)	135
Hotel/Motel	250 (0.92)	0.25 (0.85)	1,110
Light Manufacturing	750 (0.31)	0.20 (0.68)	225
Office	275 (0.84)	0.75 (2.56)	175
Parking Garage	N.A.	N.A.	N.A.
Restaurant	100 (2.30)	0.10 (0.34)	390
Retail	300 (0.77)	0.25 (0.85)	135
School	75 (3.07)	0.50 (1.71)	215
Warehouse	15,000 (0.02)	0.10 (0.34)	225

1. The occupancy densities, receptacle power densities and service hot water consumption values are from ASHRAE Standard 90.1-1989 and addenda.
2. Values are in square feet of conditioned floor area per person. Heat generation in Btu per person per hour is 230 sensible and 190 latent. Figures in parentheses are equivalent Btu per hour per square foot.
3. Values are in Watts per square foot of conditioned floor area. Figures in parentheses are equivalent Btu per hour per square foot. These values are the minimum acceptable. If other process loads are not input (such as for computers, cooking, refrigeration, etc.), it is recommended that receptacle power densities be increased until total process energy consumption is equivalent to 25% of the total.
4. Values are in Btu per person per hour.

TABLE 3-2A
Assembly Occupancy¹

Hour of Day (time)	Schedule for Occupancy Percent of Maximum Load			Schedule for Lighting Receptacle Percent of Maximum Load			Schedule for HVAC System			Schedule for Service Hot Water Percent of Maximum Load			Schedule for Elevator Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	5	5	5	off	off	off	0	0	0	0	0	0
2 (1-2am)	0	0	0	5	5	5	off	off	off	0	0	0	0	0	0
3 (2-3am)	0	0	0	5	5	5	off	off	off	0	0	0	0	0	0
4 (3-4am)	0	0	0	5	5	5	off	off	off	0	0	0	0	0	0
5 (4-5am)	0	0	0	5	5	5	off	off	off	0	0	0	0	0	0
6 (5-6am)	0	0	0	5	5	5	on	off	off	0	0	0	0	0	0
7 (6-7am)	0	0	0	40	5	5	on	on	on	0	0	0	0	0	0
8 (7-8am)	0	0	0	40	30	30	on	on	on	0	0	0	0	0	0
9 (8-9am)	20	20	10	40	30	30	on	on	on	0	0	0	0	0	0
10 (9-10am)	20	20	10	75	50	30	on	on	on	5	5	5	0	0	0
11 (10-11am)	20	20	10	75	50	30	on	on	on	5	5	5	0	0	0
12 (11-12pm)	80	60	10	75	50	30	on	on	on	35	20	10	0	0	0
13 (12-1pm)	80	60	10	75	50	65	on	on	on	5	0	0	0	0	0
14 (1-2pm)	80	60	70	75	50	65	on	on	on	5	0	0	0	0	0
15 (2-3pm)	80	60	70	75	50	65	on	on	on	5	0	0	0	0	0
16 (3-4pm)	80	60	70	75	50	65	on	on	on	5	0	0	0	0	0

PROPOSED

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
17 (4-5pm)	80	60	70	75	50	65	on	on	on	5	0	0	0	0	0
18 (5-6pm)	80	60	70	75	50	65	on	on	on	0	0	0	0	0	0
19 (6-7pm)	20	60	70	75	50	65	on	on	on	0	0	0	0	0	0
20 (7-8pm)	20	60	70	75	50	65	on	on	on	0	65	65	0	0	0
21 (8-9pm)	20	60	70	75	50	65	on	on	on	0	30	30	0	0	0
22 (9-10pm)	20	80	70	75	50	65	on	on	on	0	0	0	0	0	0
23 (10-11pm)	10	10	20	25	50	5	on	on	on	0	0	0	0	0	0
24 (11-12am)	0	0	0	5	5	5	off	off	off	0	0	0	0	0	0
Total/Day	710	750	700	1155	800	845	1800	1700	1700	70	125	115	0	0	0
Total/Week		50.50	hours		74.20	hours			124	hours		5.9	hours	0	hours
Total/Year		2633	hours		3869	hours			6465	hours		308	hours	0	hours

Wk= Weekday

- Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-2B
Health Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
2 (1-2am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
3 (2-3am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
4 (3-4am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
5 (4-5am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
6 (5-6am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
7 (6-7am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0
8 (7-8am)	10	10	0	50	20	5	on	on	on	17	1	1	2	2	0
9 (8-9am)	50	30	5	90	40	10	on	on	on	58	20	1	75	46	2
10 (9-10am)	80	40	5	90	40	10	on	on	on	66	28	1	100	70	2
11 (10-11am)	80	40	5	90	40	10	on	on	on	78	30	1	100	70	2
12 (11-12pm)	80	40	5	90	40	10	on	on	on	82	30	1	100	70	2
13 (12-1pm)	80	40	5	90	40	10	on	on	on	71	24	1	75	51	2
14 (1-2pm)	80	40	5	90	40	10	on	on	on	82	24	1	100	51	2
15 (2-3pm)	80	40	5	90	40	10	on	on	on	78	23	1	100	51	2
16 (3-4pm)	80	40	5	90	40	10	on	on	on	74	23	1	100	51	2
17 (4-5pm)	80	40	0	30	40	5	on	on	on	63	23	1	100	51	0
18 (5-6pm)	50	10	0	30	40	5	on	on	on	41	10	1	100	25	0
19 (6-7pm)	30	10	0	30	10	5	on	on	on	18	1	1	52	2	0
20 (7-8pm)	30	0	0	30	10	5	on	on	on	18	1	1	52	0	0
21 (8-9pm)	20	0	0	30	10	5	on	on	on	18	1	1	52	0	0
22 (9-10pm)	20	0	0	30	10	5	on	on	on	10	1	1	28	0	0
23 (10-11pm)	0	0	0	30	10	5	on	on	on	1	1	1	0	0	0
24 (11-12am)	0	0	0	10	10	5	on	on	on	1	1	1	0	0	0

PROPOSED

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
Total/Day	850	380	40	1060	550	160	2400	2400	2400	783	249	24	1136	540	16
Total/Week		46.70	hours		60.10	hours		168	hours		41.88	hours		62.36	hours
Total/Year		2435	hours		3134	hours		8760	hours		2148	hours		3251	hours

Wk= Weekday

1. Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-2C
Hotel/Motel Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	90	90	70	20	20	30	on	on	on	20	20	25	40	44	55
2 (1-2am)	90	90	70	15	20	30	on	on	on	15	15	20	33	35	55
3 (2-3am)	90	90	70	10	10	20	on	on	on	15	15	20	33	35	43
4 (3-4am)	90	90	70	10	10	20	on	on	on	15	15	20	33	35	43
5 (4-5am)	90	90	70	10	10	20	on	on	on	20	20	20	33	35	43
6 (5-6am)	90	90	70	20	10	20	on	on	on	25	25	30	33	35	43
7 (6-7am)	70	70	70	40	30	30	on	on	on	50	40	50	42	40	52
8 (7-8am)	40	50	70	50	30	40	on	on	on	60	50	50	42	32	52
9 (8-9am)	40	50	50	40	40	40	on	on	on	55	50	50	52	45	65
10 (9-10am)	20	30	50	40	40	30	on	on	on	45	50	55	52	45	65
11 (10-11am)	20	30	50	25	30	30	on	on	on	40	45	50	40	42	53
12 (11-12pm)	20	30	30	25	25	30	on	on	on	45	50	50	51	60	60
13 (12-1pm)	20	30	30	25	25	30	on	on	on	40	50	40	51	65	53
14 (1-2pm)	20	30	20	25	25	20	on	on	on	35	45	40	51	65	51
15 (2-3pm)	20	30	20	25	25	20	on	on	on	30	40	30	51	65	50
16 (3-4pm)	30	30	20	25	25	20	on	on	on	30	40	30	51	65	44
17 (4-5pm)	50	30	30	25	25	20	on	on	on	30	35	30	63	65	64
18 (5-6pm)	50	50	40	25	25	20	on	on	on	40	40	40	80	75	62
19 (6-7pm)	50	60	40	60	60	50	on	on	on	55	55	50	86	80	65
20 (7-8pm)	70	60	60	80	70	70	on	on	on	60	55	50	70	80	63
21 (8-9pm)	70	60	60	90	70	80	on	on	on	50	50	40	70	75	63
22 (9-10pm)	80	70	80	80	70	60	on	on	on	55	55	50	70	75	63
23 (10-11pm)	90	70	80	60	60	50	on	on	on	45	40	40	45	55	40
24 (11-12am)	90	70	80	30	30	30	on	on	on	25	30	20	45	55	40
Total/Day	1390	1390	1300	855	785	810	2400	2400	2400	915	930	900	1217	1303	1287
Total/Week		96.40	hours		58.70	hours		168.0	hours		64.05	hours		86.75	hours
Total/Year		5026	hours		3061	hours		8760	hours		3340	hours		4523	hours

Wk= Weekday

1. Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

PROPOSED

TABLE 3-2D
Light Manufacturing Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
2 (1-2am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
3 (2-3am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
4 (3-4am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
5 (4-5am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
6 (5-6am)	0	0	0	10	5	5	off	off	off	8	8	7	0	0	0
7 (6-7am)	10	10	5	10	10	5	on	on	off	7	7	4	0	0	0
8 (7-8am)	20	10	5	30	10	5	on	on	off	19	11	4	35	16	0
9 (8-9am)	95	30	5	90	30	5	on	on	off	35	15	4	69	14	0
10 (9-10am)	95	30	5	90	30	5	on	on	off	38	21	4	43	21	0
11 (10-11am)	95	30	5	90	30	5	on	on	off	39	19	4	37	18	0
12 (11-12pm)	95	30	5	90	30	5	on	on	off	47	23	6	43	25	0
13 (12-1pm)	50	10	5	80	15	5	on	on	off	57	20	6	58	21	0
14 (1-2pm)	95	10	5	90	15	5	on	on	off	54	19	9	48	13	0
15 (2-3pm)	95	10	5	90	15	5	on	on	off	34	15	6	37	8	0
16 (3-4pm)	95	10	5	90	15	5	on	on	off	33	12	4	37	4	0
17 (4-5pm)	95	10	5	90	15	5	on	on	off	44	14	4	46	5	0
18 (5-6pm)	30	5	5	50	5	5	on	on	off	26	7	4	62	6	0
19 (6-7pm)	10	5	0	30	5	5	on	off	off	21	7	4	20	0	0
20 (7-8pm)	10	0	0	30	5	5	on	off	off	15	7	4	12	0	0
21 (8-9pm)	10	0	0	20	5	5	on	off	off	17	7	4	4	0	0
22 (9-10pm)	10	0	0	20	5	5	on	off	off	8	9	7	4	0	0
23 (10-11pm)	5	0	0	10	5	5	off	off	off	5	5	4	0	0	0
24 (11-12am)	5	0	0	5	5	5	off	off	off	5	5	4	0	0	0
Total/Day	920	200	60	1040	280	120	1600	1200	0	537	256	113	555	151	0
Total/Week		48.60	hours		56.00	hours		92.00	hours		30.54	hours		29.26	hours
Total/Year		2534	hours		2920	hours		4797	hours		1592	hours		1526	hours

Wk= Weekday

1.Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-2E
Office Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
2 (1-2am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
3 (2-3am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
4 (3-4am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0

PROPOSED

PROPOSED

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
5 (4-5am)	0	0	0	5	5	5	off	off	off	5	5	4	0	0	0
6 (5-6am)	0	0	0	10	5	5	off	off	off	8	8	7	0	0	0
7 (6-7am)	10	10	5	10	10	5	on	on	off	7	7	4	0	0	0
8 (7-8am)	20	10	5	30	10	5	on	on	off	19	11	4	35	16	0
9 (8-9am)	95	30	5	90	30	5	on	on	off	35	15	4	69	14	0
10 (9-10am)	95	30	5	90	30	5	on	on	off	38	21	4	43	21	0
11 (10-11am)	95	30	5	90	30	5	on	on	off	39	19	4	37	18	0
12 (11-12pm)	95	30	5	90	30	5	on	on	off	47	23	6	43	25	0
13 (12-1pm)	50	10	5	80	15	5	on	on	off	57	20	6	58	21	0
14 (1-2pm)	95	10	5	90	15	5	on	on	off	54	19	9	48	13	0
15 (2-3pm)	95	10	5	90	15	5	on	on	off	34	15	6	37	8	0
16 (3-4pm)	95	10	5	90	15	5	on	on	off	33	12	4	37	4	0
17 (4-5pm)	95	10	5	90	15	5	on	on	off	44	14	4	46	5	0
18 (5-6pm)	30	5	5	50	5	5	on	on	off	26	7	4	62	6	0
19 (6-7pm)	10	5	0	30	5	5	on	off	off	21	7	4	20	0	0
20 (7-8pm)	10	0	0	30	5	5	on	off	off	15	7	4	12	0	0
21 (8-9pm)	10	0	0	20	5	5	on	off	off	17	7	4	4	0	0
22 (9-10pm)	10	0	0	20	5	5	on	off	off	8	9	7	4	0	0
23 (10-11pm)	5	0	0	10	5	5	off	off	off	5	5	4	0	0	0
24 (11-12am)	5	0	0	5	5	5	off	off	off	5	5	4	0	0	0
Total/Day	920	200	60	1040	280	120	1600	1200	0	537	256	113	555	151	0
Total/Week		48.60	hours		56.00	hours		92.00	hours		30.54	hours		29.26	hours
Total/Year		2534	hours		2920	hours		4797	hours		1592	hours		1526	hours

Wk= Weekday

1. Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-2F
Parking Garage Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)				100	100	100									
2 (1-2am)				100	100	100									
3 (2-3am)				100	100	100									
4 (3-4am)				100	100	100									
5 (4-5am)				100	100	100									
6 (5-6am)				100	100	100									
7 (6-7am)				100	100	100									
8 (7-8am)				100	100	100									
9 (8-9am)				100	100	100									
10 (9-10am)				100	100	100				Based					
11 (10-11am)				100	100	100				on					

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
12 (11-12pm)	N/A			100	100	100	likely			N/A			other		
13 (12-1pm)				100	100	100	use						occupancies		
14 (1-2pm)				100	100	100									
15 (2-3pm)				100	100	100									
16 (3-4pm)				100	100	100									
17 (4-5pm)				100	100	100									
18 (5-6pm)				100	100	100									
19 (6-7pm)				100	100	100									
20 (7-8pm)				100	100	100									
21 (8-9pm)				100	100	100									
22 (9-10pm)				100	100	100									
23 (10-11pm)				100	100	100									
24 (11-12am)				100	100	100									
Total/Day				2400	2400	2400									
Total/Week					168	hours									
Total/Year					8760	hours									

Wk= Weekday

1. Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-2G
Restaurant Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	15	30	20	15	20	20	on	on	on	20	20	25	0	0	0
2 (1-2am)	15	25	20	15	15	15	on	on	on	15	15	20	0	0	0
3 (2-3am)	5	5	5	15	15	15	on	on	on	15	15	20	0	0	0
4 (3-4am)	0	0	0	15	15	15	off	off	off	0	0	0	0	0	0
5 (4-5am)	0	0	0	15	15	15	off	off	off	0	0	0	0	0	0
6 (5-6am)	0	0	0	20	15	15	off	off	off	0	0	0	0	0	0
7 (6-7am)	0	0	0	40	30	30	off	off	off	0	0	0	0	0	0
8 (7-8am)	5	0	0	40	30	30	on	off	off	60	0	0	0	0	0
9 (8-9am)	5	0	0	60	60	50	on	off	off	55	0	0	0	0	0
10 (9-10am)	5	5	0	60	60	50	on	on	off	45	50	0	0	0	0
11 (10-11am)	20	20	10	90	80	70	on	on	on	40	45	50	0	0	0
12 (11-12pm)	50	45	20	90	80	70	on	on	on	45	50	50	0	0	0
13 (12-1pm)	80	50	25	90	80	70	on	on	on	40	50	40	0	0	0
14 (1-2pm)	70	50	25	90	80	70	on	on	on	35	45	40	0	0	0
15 (2-3pm)	40	35	15	90	80	70	on	on	on	30	40	30	0	0	0
16 (3-4pm)	20	30	20	90	80	70	on	on	on	30	40	30	0	0	0
17 (4-5pm)	25	30	25	90	80	60	on	on	on	30	35	30	0	0	0
18 (5-6pm)	50	30	35	90	90	60	on	on	on	40	40	40	0	0	0

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Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
19 (6-7pm)	80	70	55	90	90	60	on	on	on	55	55	50	0	0	0
20 (7-8pm)	80	90	65	90	90	60	on	on	on	60	55	50	0	0	0
21 (8-9pm)	80	70	70	90	90	60	on	on	on	50	50	40	0	0	0
22 (9-10pm)	50	65	35	90	90	60	on	on	on	55	55	50	0	0	0
23 (10-11pm)	35	55	20	50	50	50	on	on	on	45	40	40	0	0	0
24 (11-12am)	20	35	20	30	30	30	on	on	on	25	30	20	0	0	0
Total/Day	750	740	485	1455	1365	1115	2000	1800	1700	790	730	625	0	0	0
Total/Week		49.75	hours		97.55	hours		135	hours		53.05	hours		0	hours
Total/Year		2594	hours		5086	hours		7039	hours		2766	hours		0	hours

Wk= Weekday

1. Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-2H
Retail Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	5	5	5	off	off	off	4	11	7	0	0	0
2 (1-2am)	0	0	0	5	5	5	off	off	off	5	10	7	0	0	0
3 (2-3am)	0	0	0	5	5	5	off	off	off	5	8	7	0	0	0
4 (3-4am)	0	0	0	5	5	5	off	off	off	4	6	6	0	0	0
5 (4-5am)	0	0	0	5	5	5	off	off	off	4	6	6	0	0	0
6 (5-6am)	0	0	0	5	5	5	off	off	off	4	6	6	0	0	0
7 (6-7am)	0	0	0	5	5	5	on	on	off	4	7	7	0	0	0
8 (7-8am)	10	10	0	20	10	5	on	on	off	15	20	10	12	9	0
9 (8-9am)	20	20	0	50	30	10	on	on	on	23	24	12	22	21	0
10 (9-10am)	50	50	10	90	60	10	on	on	on	32	27	14	64	56	11
11 (10-11am)	50	60	20	90	90	40	on	on	on	41	42	29	74	66	13
12 (11-12pm)	70	80	20	90	90	40	on	on	on	57	54	31	68	68	35
13 (12-1pm)	70	80	40	90	90	60	on	on	on	62	59	36	68	68	37
14 (1-2pm)	70	80	40	90	90	60	on	on	on	61	60	36	71	69	37
15 (2-3pm)	70	80	40	90	90	60	on	on	on	50	49	34	72	70	39
16 (3-4pm)	80	80	40	90	90	60	on	on	on	45	48	35	72	69	41
17 (4-5pm)	70	80	40	90	90	60	on	on	on	46	47	37	73	66	38
18 (5-6pm)	50	60	20	90	90	40	on	on	off	47	46	34	68	58	34
19 (6-7pm)	50	20	10	60	50	20	on	on	off	42	44	25	68	47	3
20 (7-8pm)	30	20	0	60	30	5	on	on	off	34	36	27	58	43	0
21 (8-9pm)	30	20	0	50	30	5	on	on	off	33	29	21	54	43	0
22 (9-10pm)	0	10	0	20	10	5	off	on	off	23	22	16	0	8	0
23 (10-11pm)	0	0	0	5	5	5	off	off	off	13	16	10	0	0	0
24 (11-12am)	0	0	0	5	5	5	off	off	off	8	13	6	0	0	0
Total/Day	720	750	280	1115	985	525	1500	1600	900	662	690	459	844	761	288

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Hour of Day	Schedule for Occupancy	Schedule for Lighting Receptacle	Schedule for HVAC System	Schedule for Service Hot Water	Schedule for Elevator
	Percent of Maximum Load	Percent of Maximum Load		Percent of Maximum Load	Percent of Maximum Load
Total/Week	46.30 hours	70.85 hours	100 hours	44.59 hours	52.69 hours
Total/Year	2414 hours	3694 hours	5214 hours	2325 hours	2747 hours

Wk= Weekday

1.Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-21
School Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load						Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
2 (1-2am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
3 (2-3am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
4 (3-4am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
5 (4-5am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
6 (5-6am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
7 (6-7am)	0	0	0	5	5	5	off	off	off	5	3	3	0	0	0
8 (7-8am)	5	0	0	30	5	5	on	off	off	10	3	3	0	0	0
9 (8-9am)	75	10	0	85	15	5	on	on	off	34	3	5	30	0	0
10 (9-10am)	90	10	0	95	15	5	on	on	off	60	5	5	30	0	0
11 (10-11am)	90	10	0	95	15	5	on	on	off	63	5	5	30	0	0
12 (11-12pm)	80	10	0	95	15	5	on	on	off	72	5	5	30	0	0
13 (12-1pm)	80	10	0	80	15	5	on	on	off	79	5	5	30	0	0
14 (1-2pm)	80	0	0	80	5	5	on	off	off	83	3	5	30	0	0
15 (2-3pm)	80	0	0	80	5	5	on	off	off	61	3	3	30	0	0
16 (3-4pm)	45	0	0	70	5	5	on	off	off	65	3	3	15	0	0
17 (4-5pm)	15	0	0	50	5	5	on	off	off	10	3	3	0	0	0
18 (5-6pm)	5	0	0	50	5	5	on	off	off	10	3	3	0	0	0
19 (6-7pm)	15	0	0	35	5	5	on	off	off	19	3	3	0	0	0
20 (7-8pm)	20	0	0	35	5	5	on	off	off	25	3	3	0	0	0
21 (8-9pm)	20	0	0	35	5	5	on	off	off	22	3	3	0	0	0
22 (9-10pm)	10	0	0	30	5	5	on	off	off	22	3	3	0	0	0
23 (10-11pm)	0	0	0	5	5	5	off	off	off	12	3	3	0	0	0
24 (11-12am)	0	0	0	5	5	5	off	off	off	9	3	3	0	0	0
Total/Day	710	50	0	990	170	120	1500	500	0	691	80	84	285	0	0
Total/Week		36.00 hours			52.40 hours			80.00 hours			36.19 hours			14.25 hours	
Total/Year		1877 hours			2732 hours			4171 hours			1887 hours			743 hours	

Wk= Weekday

1.Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

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TABLE 3-2J
Warehouse Occupancy¹

Hour of Day (time)	Schedule for Occupancy			Schedule for Lighting Receptacle			Schedule for HVAC System			Schedule for Service Hot Water			Schedule for Elevator		
	Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load			Percent of Maximum Load		
	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun	Wk	Sat	Sun
1 (12-1am)	0	0	0	5	5	5	off	off	off	2	2	2	0	0	0
2 (1-2am)	0	0	0	5	5	5	off	off	off	2	2	2	0	0	0
3 (2-3am)	0	0	0	5	5	5	off	off	off	2	2	2	0	0	0
4 (3-4am)	0	0	0	5	5	5	off	off	off	2	2	2	0	0	0
5 (4-5am)	0	0	0	5	5	5	off	off	off	5	2	2	0	0	0
6 (5-6am)	0	0	0	5	5	5	off	off	off	7	2	2	0	0	0
7 (6-7am)	0	0	0	5	5	5	off	off	off	7	2	2	0	0	0
8 (7-8am)	15	0	0	40	5	5	on	off	off	10	2	2	0	0	0
9 (8-9am)	70	20	0	70	8	5	on	on	off	30	6	2	0	0	0
10 (9-10am)	90	20	0	90	24	5	on	on	off	36	12	2	0	0	0
11 (10-11am)	90	20	0	90	24	5	on	on	off	36	12	2	30	0	0
12 (11-12pm)	90	20	0	90	24	5	on	on	off	46	17	2	0	0	0
13 (12-1pm)	50	10	0	80	5	5	on	on	off	57	4	4	0	0	0
14 (1-2pm)	85	10	0	90	5	5	on	on	off	43	4	4	0	0	0
15 (2-3pm)	85	10	0	90	5	5	on	on	off	38	2	2	0	0	0
16 (3-4pm)	85	10	0	90	5	5	on	on	off	40	2	2	40	0	0
17 (4-5pm)	20	0	0	90	5	5	on	off	off	30	2	2	0	0	0
18 (5-6pm)	0	0	0	30	5	5	off	off	off	18	2	2	0	0	0
19 (6-7pm)	0	0	0	5	5	5	off	off	off	3	2	2	0	0	0
20 (7-8pm)	0	0	0	5	5	5	off	off	off	3	2	2	0	0	0
21 (8-9pm)	0	0	0	5	5	5	off	off	off	3	2	2	0	0	0
22 (9-10pm)	0	0	0	5	5	5	off	off	off	3	2	2	0	0	0
23 (10-11pm)	0	0	0	5	5	5	off	off	off	3	2	2	0	0	0
24 (11-12am)	0	0	0	5	5	5	off	off	off	3	2	2	0	0	0
Total/Day	680	120	0	915	180	120	1000	800	0	429	91	52	70	0	0
Total/Week		35.20	hours		48.75	hours		58.00	hours		22.88	hours		3.50	hours
Total/Year		1835	hours		2542	hours		3024	hours		1193	hours		182	hours

Wk= Weekday

1. Schedules for occupancy, lighting, receptacle, HVAC system and service hot water are from ASHRAE Standard 90.1-1989 and addendums, except that 5% emergency lighting has been added for all off hours. Elevator schedules, except for restaurants, are from the U.S. Department of Energy Standard Evaluation Techniques except changed to 0% when occupancy is 0%. THESE VALUES MAY BE USED ONLY IF ACTUAL SCHEDULES ARE NOT KNOWN.

TABLE 3-3
HVAC Systems of Prototype Buildings³

Use	System #	Remarks
1. Assembly		
a. Churches (any size)	1	
b. ≤ 50,000 ft ² or ≤ 3 floors	1 or 3	Note 2
c. > 50,000 ft ² or > 3 floors	3	
2. Health		
a. Nursing Home (any size)	2	
b. ≤ 15,000 ft ²	1	
c. > 15,000 ft ² and ≤ 50,000 ft ²	4	Note 3
d. > 50,000 ft ²	5	Note 3,4

Use	System #	Remarks
3. Hotel/Motel		
a. ≤ 3 Stories	2	Note 6
b. > 3 Stories	6	Note 7
4. Light Manufacturing	1 or 3	
5. Office		
a. ≤ 20,000 ft ²	1	
b. > 20,000 ft ² and either ≤ 3 floors or ≤ 75,000 ft ²	4	
c. > 75,000 ft ² or > 3 floors	5	
6. Restaurant	1 or 3	Note 2
7. Retail		
a. ≤ 50,000 ft ²	1 or 3	Note 2
b. > 50,000 ft ²	4 or 5	Note 2

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Use	System #	Remarks
8. Schools		
a. ≤ 75,000 ft ² or ≤ 3 floors	1	
b. > 75,000 ft ² or > 3 floors	3	
9. Warehouse		Note 5

Footnote to TABLE 3-3: The system and energy types presented in this table are not intended as requirements or recommendations for the proposed design. Floors areas in the table are the total conditioned floor areas for the listed use in the building. The number of floors indicated in the table is the total number of occupied floors for the listed use.

TABLE 3-3 (cont.)

HVAC System Descriptions for Prototype Buildings¹

HVAC Component	System #1	System #2
System Description	Packaged rooftop single zone, one unit per zone.	Packaged terminal air conditioner with space heater or heat pump, heating or cooling unit per zone.
Fan System		
Design Supply Circulation Rate	Note 10	Note 11
Supply Fan Control	Constant volume.	Fan cycles with call for heating or cooling.
Return Fan Control	N.A.	N.A.
Cooling System	Direct expansion air cooled	Direct expansion air cooled.
Heating System	Furnace, heat pump, or electric resistance.	Heat pump with electric resistance auxiliary or air conditioner with space heater.
Remarks	Drybulb economizer per Section 1433, heat recovery if required by Section 1436.	No economizer, if not required by Section 1433.

TABLE 3-3 (cont.)

HVAC Systems Descriptions for Prototype Buildings¹

HVAC Component	System #3	System #4
System Description	Air handler per zone with central plant.	Packaged rooftop VAV with perimeter reheat and fan-powered terminal units.
Fan System		
Design Supply Circulation Rate	Note 10	Note 10
Supply Fan Control	Constant volume.	VAV with forward curved centrifugal fan and variable inlet fans.

HVAC Component	System #3	System #4
Return Fan Control	Constant volume.	VAV with forward curved centrifugal fan and discharge dampers.
Cooling System	Chilled water (Note 12)	Direct expansion air cooled.
Heating System	Hot water (Note 13)	Hot water (Note 13) or electric resistance.
Remarks	Drybulb economizer per Section 1433, heat recovery if required by Section 1436.	Drybulb economizer per Section 1433. Minimum VAV setting per Section 1435 Exception 1, Supply air reset by zone of greatest cooling demand, heat recovery if required by Section 1436.

TABLE 3-3 (cont.)

HVAC System Descriptions for Prototype Buildings¹

HVAC Component	System #5	System #6
System Description	Built-up central VAV with perimeter reheat and fan-powered terminal units	Four-pipe fan coil per zone with central plant.
Fan System		
Design Supply Circulation Rate	Note 10	Note 10
Supply Fan Control	VAV with air-foil centrifugal fan and AC frequency variable speed drive.	Fan cycles with call for heating or cooling.
Return Fan Control	VAV with air-foil centrifugal fan and AC frequency variable speed drive.	NA
Cooling System	Chilled water (Note 12)	Chilled water (Note 12)
Heating System	Hot water (Note 13) or electric resistance.	Hot water (Note 13) or electric resistance.
Remarks	Drybulb economizer per Section 1433. Minimum VAV setting per Section 1435 Exception 1, Supply air rest by zone of greatest cooling demand, heat recovery if required by Section 1436.	No economizer, if not required by Section 1433.

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Numbered Footnotes for TABLE 3-3
HVAC System Descriptions for Prototype Buildings

1. The systems and energy types presented in this Table are not intended as requirements or recommendations for the proposed design.
2. For occupancies such as restaurants, assembly and retail that are part of a mixed use building which, according to Table 3-3, includes a central chilled water plant (systems 3, 5, or 6), chilled water system type 3 or 5 shall be used as indicated in the table.
3. Constant volume may be used in zones where pressurization relationships must be maintained by code. Where constant volume is used, the system shall have heat recovery if required by Section 1436. VAV shall be used in all other areas, in accordance with Sections 1432 through 1438.
4. Provide run-around heat recovery systems for all fan systems with a minimum outside air intake greater than 70%. Recovery effectiveness shall be 0.50.
5. If a warehouse is not intended to be mechanically cooled, both the standard and proposed designs shall be calculated assuming no mechanical cooling.
6. The system listed is for guest rooms only. Areas such as public areas and back-of-house areas shall be served by system 4. Other areas such as offices and retail shall be served by systems listed in Table 3-3 for these occupancy types.
7. The system listed is for guest rooms only. Areas such as public areas and back-of-house areas shall be served by system 5. Other areas such as offices and retail shall be served by systems listed in Table 3-3 for these occupancy types.
8. Reserved.
9. Reserved.
10. Design supply air circulation rate shall be based on a supply-air-to-room air temperature difference of 20°F. A higher supply air temperature may be used if required to maintain a minimum circulation rate of 4.5 air changes per hour or 15 cfm per person to each zone served by the system, at design conditions. If return fans are specified, they shall be sized for the supply fan capacity less the required minimum ventilation with outside air, or 75% of the supply fan capacity, whichever is larger. Except where noted, supply and return fans shall be operated continuously during occupied hours.
11. Fan energy when included in the efficiency rating of the unit as defined in Section 1411, need not be modeled explicitly for this system. The fan shall cycle with calls for heating or cooling.
12. Chilled water systems shall be modeled using a reciprocating chiller for systems with total cooling capacities less than 175 tons, and centrifugal chillers for systems with cooling capacities of 175 tons or greater. For systems with cooling capacities of 600 tons or more, the standard design energy consumption shall be calculated using two centrifugal chillers, lead/lag controlled. Chilled water shall be assumed to be controlled at a constant 44°F. Chiller water pumps shall be sized using a 12°F temperature rise, from 44°F to 56°F, operating at 65% combined impeller and motor efficiency. Condenser water pumps shall be sized using a 10°F temperature rise, operating at 60% combined impeller and motor efficiency. The cooling tower shall be an open circuit, centrifugal blower type sized for the larger of 85°F leaving water temperature or 10°F approach to design wetbulb temperature. The tower shall be controlled to provide a 65°F leaving water temperature whenever weather conditions permit, floating up to design leaving water temperatures at design conditions. Chilled water supply temperature shall be reset in accordance with Section 1432.2.2.
13. Hot water system shall include a natural draft fossil fuel or electric boiler. The hot water pump shall be sized based on a 30°F temperature drop, from 180°F to 150°F, operating at a combined impeller and motor efficiency of 60%. Hot water supply temperature shall be reset in accordance with Section 1432.2.2.

AMENDATORY SECTION (Amending WSR 98-03-003, filed 1/8/98, effective 7/1/98)

WAC 51-11-99904 Section 4—Suggested software for systems analysis approach.

~~((4.1 Programs Acceptable for Projects for Full-Year Hourly Analysis))~~

Program Name	Source	Program Name	Source
((ADM-DOE	ADM Associates	Blast 3.0 (Level ((193))	Blast Support Office
3239 Ramos Circle	Sacramento, CA 95827	334)	University of Illinois
916-363-8383))t			Dept. of Mechanical and Industrial Engineering
		DOE 2.1E	1206 W. Green Street,
			Room ((30)) 140, MEB
			Urbana, IL 61801
			((1-800-842-5278))
			(217) 244-8182
			Energy Science and Technology
			Software Center (ESTSC)
			PO Box 1220
			Oakridge, TN 37831-1020
			423-576-2606

PROPOSED

Program Name	Source
<u>DOE 2.1E or DOE 2.2</u>	<u>James J. Hirsch & Associates</u> <u>Building Performance Analysis</u> <u>Software & Consulting</u> <u>12185 Presilla Road</u> <u>Camarillo, CA 93012-9243</u> <u>(805) 532-1045</u>
<u>EnergyPlus</u>	<u>Kathy Ellington</u> <u>Lawrence Berkeley National Lab-</u> <u>oratory (LBNL)</u> <u>Building 90, Room 3147</u> <u>Berkeley, CA 94720-0001</u> <u>(510) 486-5711</u>
ESAS	Ross Meriweather Consulting, Engineering 3315 Outrider San Antonio, TX 78247-4405 210-490-7081
ESP-II	Automated Procedures for Engi- neering Consultants, Inc. 40 W. 4th Centre, Suite 2100 Dayton, OH 45402 937-228-2602
HAP ((2.02)) <u>3.24</u>	Carrier Building Systems and Services 3215 South 116th St., Suite 133 Tukwila, WA 98168 (206)-439-0097
((MICRO-DOE2	ACROSOFTE/CAER- 1204 1/2 Washington Avenue Golden, CO 80401 303-279-8136))
Trace 600 Version ((16.08)) <u>18.11 or Trace</u> <u>700</u>	The Trane Co. 3600 Pammel Creek Rd. Lacrosse, WI 54601 608-787-3926

~~((4.2 Programs only Acceptable for Commercial Build-
ings 25,000 Square Feet or Less~~

Program Name	Source
ADM.2	ADM Associates 3239 Ramos Circle Sacramento, CA 95827 916-363-8383
ASEAM	U.S. Department of Energy Clearinghouse 1(800) DOE-EREC (363-3732)
Building Energy Analysis and Easy DOE	Elite Software PO Drawer 1194 Bryan, TX 77806409-846-2340

Program Name	Source
ESE	Sea Gate 5100 W. 82nd St., Suite 204 Bloomington, MN 55437 612-844-8000
Market Manager	SRC Systems 2855 Telegraph Ave., Suite 410 Berkeley, CA 94705 510-848-8400
XENCAP 4.5	XENERGY 492 9th Street, Suite 220 Oakland, CA 94607- 510-891-0446))

REPEALER

The following sections of the Washington Administra-
tive Code are repealed:

WAC 51-11-1201	Scope.
WAC 51-11-1210	Application of terms.
WAC 51-11-1701	Scope.
WAC 51-11-2000	Default heat-loss coeffi- cients.
WAC 51-11-2001	General.
WAC 51-11-2002	Below grade walls and slabs.
WAC 51-11-2003	On-grade slab floors.
WAC 51-11-2004	Floors over unconditioned space.
WAC 51-11-2005	Above grade walls.
WAC 51-11-2006	Default U-factors for glazing and doors.
WAC 51-11-2007	Ceilings.
WAC 51-11-2008	Reserved.
WAC 51-11-2009	Mass.

WSR 00-18-018
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Children's Administration)
[Filed August 28, 2000, 11:06 a.m.]

Original Notice.
Preproposal statement of inquiry was filed as WSR 99-
17-057.

Title of Rule: Chapter 388-60 WAC, Domestic violence
perpetrator treatment program standards.

Purpose: Clarify the language of the requirements for all
programs providing domestic violence perpetrator treatment

services, as well as add several new requirements. The rules also meet the intent of the Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 26.50.150.

Statute Being Implemented: RCW 26.50.150.

Summary: The clear language and format change will lead to overall clarification of the chapter. The addition of requirements regarding treatment group size and length of group treatment sessions will incorporate professional standards in WAC. The addition of requirements for mandatory releases of information and documentation of contact with victims will help to enhance safety for victims. Requirements for membership in local domestic violence task forces or intervention committees and documentation of cooperative relationships with other entities involved in domestic violence intervention will increase collaboration within communities.

Reasons Supporting Proposal: Overall clarity, efficiency, and effectiveness of the regulations for domestic violence perpetrator treatment programs will be achieved.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Maureen Kelly, P.O. Box 45710, Olympia, WA 98504, (360) 902-7901.

Name of Proponent: Department of Social and Health Services, Children's Administration (CA), governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-60-0085, sets new minimum and maximum numbers for participants involved in group sessions to two and twelve, respectively. (No numbers were specified before). Sets the minimum length of group treatment sessions (previously unspecified) to ninety minutes.

WAC 388-60-145, requires a treatment program to include additional mandatory signed releases of information in client files to allow current treatment programs to exchange information with:

- Concurrent and past treatment programs;
- DSHS certifying authorities; and
- Prosecutors.

WAC 388-60-0065, requires the program to document their contacts with victims of program participants. If program cannot contact a victim, they must show that they made reasonable efforts to do so.

WAC 388-60-175 and 388-60-0345, limits duties that trainees may perform without supervision.

WAC 388-60-315, clarifies that direct treatment staff must complete all mandatory training before providing services to clients.

WAC 388-60-415, 388-60-455 and 388-60-525, clarifies the requirement for cooperative relationships between agencies that provide domestic violence intervention and those that provide services to domestic violence victims.

WAC 388-60-455 and 388-60-5250151, require that treatment programs are involved in local domestic violence task forces or committees.

The anticipated effect will be the overall clarification of the requirements for programs providing domestic violence perpetrator treatment services. The more clearly written question and answer format will be consistent with the changes being made in other DSHS WACs. Addition of stan-

dards for group size and treatment session length reflect best practice standards for professional counseling programs. Requirements regarding communication with other programs involved in domestic violence intervention and membership in local task forces will result in greater collaboration within a community, and will help to enhance victims' safety through sharing of information.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. CA worked with an advisory committee made up of representative small businesses throughout the rule-making process. To ascertain costs associated with proposed changes, CA surveyed 23% of the small businesses impacted. As a result of the survey and discussions with the advisory committee, CA concludes that no "more than minor" costs will be imposed on the small businesses affected by proposed amendments to the rules. Therefore, the preparation of a comprehensive SBEIS is not required.

RCW 34.05.328 applies to this rule adoption. The proposed rule changes for chapter 388-60 WAC, Domestic violence perpetrator treatment program standards are "significant legislative rules" as defined in RCW 34.05.328 and therefore require a cost benefit analysis (CBA). A copy of the CBA may be requested by contacting Maureen Kelly by mail at Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, by phone at (360) 902-7901, or by e-mail at kelm300@dshs.wa.gov.

Hearing Location: DCFS Region 1 Office, 1313 North Atlantic, Suite 2000, Spokane, WA 99221, on November 7, 2000, at 10:00 a.m.; and at the Lacey Government Center, 1009 College Street S.E., Room 104B, Lacey, WA 98503, on November 21, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by November 1, 2000, for Spokane; November 14, 2000, for Lacey, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by November 21, 2000.

Date of Intended Adoption: Not sooner than November 22, 2000.

Edith M. Rice, Chief
Office of Legal Affairs

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 00-20 issue of the Register.

WSR 00-18-019
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)
 (WorkFirst Division)

[Filed August 28, 2000, 11:08 a.m.]

Original Notice.

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

Title of Rule: WAC 388-310-1850 Washington state WorkFirst program, Re-employ Washington Workers.

Purpose: To repeal WAC 388-310-1850. The Re-employ Washington Workers (RWW) program, effective July 31, 1999, was implemented to provide rapid reemployment services to low-wage unemployment insurance claimants under the WorkFirst postemployment services umbrella. Effective June 30, 2000, the WorkFirst RWW program is being ended, with the key concepts from the program blended into a more comprehensive, pro-active service delivery model - the newly evolved job success coach initiative.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Statute Being Implemented: RCW 74.08.090 and 74.04.050.

Summary: Effective June 30, 2000, the WorkFirst RWW program is being ended. The WorkFirst job success coach initiative (JSCI), however, will be implemented shortly thereafter. JSCI is an evolutionary model in the delivery of WorkFirst postemployment services, and blends the key concepts from the RWW program into a more comprehensive, proactive service delivery model. The newly evolved program, JSCI, is designed to increase the success of WorkFirst participants in the workplace.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sandy Jsames, WorkFirst Division, P.O. Box 45480, Olympia, WA 98504-5480, e-mail JSAMESSM@DSHS.WA.GOV, fax (360) 413-3482, (360) 413-3239.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Repeal of WAC 388-310-1850 Re-employ Washington Workers program. Effective June 30, 2000, all WorkFirst RWW funding is being diverted into the WorkFirst job success services model (JSSM). WAC has been developed for JSSM and the public hearing is scheduled for June 27, 2000. JSSM is an evolutionary model in the delivery of WorkFirst postemployment services, blending the concepts of RWW into a proactive service delivery mode. Because of this diversion of funds into JSSM, there is no funding available for RWW and no program activities will be provided, effective June 30, 2000.

Proposal Changes the Following Existing Rules: No funding is allocated for the existing RWW program, which is in the process of being phased out. RWW is evolving into JSSM.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes do not affect small business.

RCW 34.05.328 applies to this rule adoption. This proposal meets the definition of a significant legislative rule. However, RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that only apply to client medical or financial eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myer-cme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 23, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-310-1850 Re-employ Washington Workers (RWW).

WSR 00-18-026
WITHDRAWAL OF PROPOSED RULES
GAMBLING COMMISSION

[Filed August 29, 2000, 8:41 a.m.]

WAC 230-04-142, 230-04-203 and 230-04-204, proposed by the Gambling Commission in WSR 00-05-101 appearing in issue 00-05 of the State Register, which was distributed on March 1, 2000, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
 Washington State Register

WSR 00-18-027
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF PERSONNEL

(Personnel Resources Board)

[Filed August 29, 2000, 11:18 a.m.]

The Washington Personnel Resources Board hereby withdraws the proposed amendments to WAC 356-22-220, 251-17-150, and 251-01-175 originally filed as WSR 00-12-

072 on June 6, 2000, and continued as WSR 00-16-003 on July 20, 2000.

If you have any questions, please contact Donna Parker at 664-6347.

Dennis Karras, Secretary
Personnel Resources Board

Submit Written Comments to: Sharon Whitehead,
Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by November 7, 2000.

Date of Intended Adoption: November 9, 2000.

August 17, 2000
Dennis Karras
Secretary

WSR 00-18-028

PROPOSED RULES

PERSONNEL RESOURCES BOARD

[Filed August 29, 2000, 11:20 a.m.]

Original Notice.

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

Title of Rule: WAC 356-22-220 Veterans preference in examinations, 251-17-150 Veterans preference, and 251-17-175 Final examination score.

Purpose: These rules define veteran and allow eligible veterans preference in examinations.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: These modifications are needed as result of legislative changes which became effective June 1, 2000.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules define veteran and allows eligible veterans preference in examinations. As a result of the passing SSB 5366, these modifications change "preference" to "scoring" and extends the eligibility period from eight to fifteen years. This eligibility period can also be extended beyond fifteen years by the appointing authority of an agency or personnel officer of an institution of higher education for valid and extenuating circumstances.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 9, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 2, 2000, TDD (360) 753-4107, or (360) 586-8260.

AMENDATORY SECTION (Amending WSR 98-19-034, filed 9/10/98, effective 10/12/98)

WAC 356-22-220 Veterans (~~((preference))~~) scoring in examinations. (~~((1))~~) ~~The term veteran as used in this rule shall include any person who has served in any branch of the armed forces of the United States during:~~

~~(a) World War II;~~

~~(b) The Korean Conflict;~~

~~(c) The Viet Nam Era, beginning August 5, 1964 and ending May 7, 1975;~~

~~(d) The Persian Gulf War, beginning August 2, 1990 and ending on the date prescribed by presidential proclamation or law;~~

~~(e) The following armed conflicts, if the participant was awarded the respective campaign badge or medal: the crisis in Lebanon; the invasion of Grenada; Panama, Operation Just Cause; Somalia, Operation Restore Hope; Haiti, Operation Uphold Democracy; and Bosnia, Operation Joint Endeavor; ~~((or))~~~~

~~(f) Who has received the armed forces expeditionary medal, Marine Corps expeditionary medal, or Navy expeditionary medal, for opposed action on foreign soil.~~

~~(2) Further, only persons who received an honorable discharge or who received a discharge for physical reasons with an honorable record or who were released from active duty under honorable circumstances shall be eligible for this veterans preference.))~~

(1) In all competitive examinations, any veteran who submits the qualifying DD214 form, has honorably served in any branch of the armed forces, and did not serve during a period of war or in an armed conflict or is receiving military retirement shall have five percent added to their final passing score. The percentage shall be added until the person's first appointment and shall not be utilized in promotional examinations.

((3)) (2) In all competitive examinations, veterans, as defined in subsection (4) of this section and upon submission of their qualifying DD214 form, shall be given ((a preference)) additional percentages by adding to the passing ((grade)) score, ((based upon a possible rating of 100 points as perfect,)) a percentage of such passing ((grade)) score under the following conditions:

(a) Ten percent to a veteran who ((is not receiving any veterans retirement payments)) served during a period of war or in an armed conflict and does not receive military retirement. ((This preference shall be utilized until one of the examinations results in a veteran's first appointment and not in any promotional examination.)) The percentage shall be added until the veteran's first appointment and shall not be utilized in promotional examinations.

~~((b)) Five percent to a veteran who is receiving any veterans retirement payments. This percentage shall be utilized until one of the examinations results in a veteran's first appointment and not in any promotional examination.))~~

~~((e)) (b) Five percent to a veteran who ((after having previously received employment with the state, is called, or recalled, to active military service for one or more years during any period of war)) was called from state employment to active military service for one or more years. ((This preference shall be utilized on the first promotional examination only.)) The percentage shall be added to the first promotional examination only.~~

~~((4)) (3) The ((above preference)) provisions in subsection (1) and (2) must be claimed within ((eight)) fifteen years of the date of release from active military service. This period may be extended by the director or designee for valid and extenuating reasons to include but not limited to:~~

~~(a) Documented medical reasons beyond control of the veteran;~~

~~(b) United States department of veterans' affairs documented disabled veteran; or~~

~~(c) Any veteran who has his or her employment terminated through no fault or action of his or her own and whose livelihood is adversely affected may seek employment consideration under this section.~~

~~(4) The term veteran as used in subsection (2) of this section shall include any person who has served in any branch of the armed forces of the United States during:~~

~~(a) World War II;~~

~~(b) The Korean Conflict;~~

~~(c) The Viet Nam Era, beginning August 5, 1964 and ending May 7, 1975;~~

~~(d) The Persian Gulf War, beginning August 2, 1990 and ending on the date prescribed by presidential proclamation or law;~~

~~(e) The following armed conflicts, if the participant was awarded the respective campaign badge or medal: the crisis in Lebanon; the invasion of Grenada; Panama, Operation Just Cause; Somalia, Operation Restore Hope; Haiti, Operation Uphold Democracy; and Bosnia, Operation Joint Endeavor;~~

~~(f) The period beginning on the date of any future declaration of war by the congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the congress; or~~

~~(g) Who has received the armed forces expeditionary medal, Marine Corps expeditionary medal, or Navy expeditionary medal, for opposed action on foreign soil.~~

~~(5) Further, only persons who received an honorable discharge or who received a discharge for physical reasons with an honorable record or who were released from active duty under honorable circumstances shall be eligible for this veterans preference.~~

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

AMENDATORY SECTION (Amending WSR 96-11-061, filed 5/10/96, effective 6/6/96)

WAC 251-17-150 Veterans ((preference)) scoring in examinations. (1) Any veteran who claims eligibility, submits the qualifying DD214 form, has honorably served in any branch of the armed forces, and did not serve during a period of war or in an armed conflict or is receiving military retirement shall have five percent added to their final passing score. The percentage shall be added until the person's first appointment and shall not be utilized in promotional examinations.

~~((1)) (2) Veterans who claim ((veterans preference)) eligibility, submit the qualifying DD214 form, and meet the criteria specified in subsection((s)) ((2) through)) (4) of this section shall have added to their final passing scores:~~

~~(a) Ten percent of the final passing score for a veteran who ((is not receiving any veteran's retirement payments)) served during a period of war or in an armed conflict and does not receive military retirement. ((This preference shall be utilized in open competitive examinations until the veteran's first appointment and not in any promotional examination.)) The percentage shall be added until the veteran's first appointment and shall not be utilized in promotional examinations.~~

~~((b)) Five percent of the final passing score for a veteran who is receiving any veteran's retirement payments. This preference shall be utilized in open competitive examinations until the veteran's first appointment and not in any promotional examination.))~~

~~((e)) (b) Five percent of the final passing score for a veteran who ((after having previously received employment with the state, is called, or recalled, to active military service for one or more years during any period of war)) was called from state employment to active military service for one or more years. ((This preference shall be limited to the first promotional examination following return from military service.)) The percentage shall be added to the first promotional examination only.~~

~~((2)) (3) ((Veterans preference)) The provisions in subsection (1) and (2) of this section must be claimed within ((eight)) fifteen years of the date of release from active military service. This period may be extended by the personnel officer for valid and extenuating reasons to include but not be limited to:~~

~~(a) Documented medical reasons beyond control of the veteran;~~

~~(b) United States department of veterans' affairs documented disabled veteran; or~~

~~(c) Any veteran who has his or her employment terminated through no fault or action of his or her own and whose livelihood is adversely affected may seek employment consideration under this section.~~

~~((3)) (4) The term "veteran" as used in ((these rules)) subsection (2) of this section shall include every person who has received an honorable discharge or received a discharge for physical reasons with an honorable record and:~~

~~(a) Has served in any branch of the armed forces of the United States between World War I and World War II or during any period of war; or~~

(b) Has served in any branch of the armed forces of the United States and received the armed forces expeditionary medal, or Marine Corps and Navy expeditionary medal, for opposed action on foreign soil.

((4)) (5) A "period of war" includes:

(a) World War I;

(b) World War II;

(c) The Korean conflict;

(d) The Viet Nam era, beginning August 5, 1964 and ending on May 7, 1975;

(e) The Persian Gulf War, beginning August 2, 1990 and ending on the date prescribed by presidential proclamation or law;

(f) The following armed conflicts, if the participant was awarded the respective campaign badge or medal; the crisis in Lebanon; the invasion of Grenada; Panama, Operation Just Cause; Somalia, Operation Restore Hope; Haiti, Operation Uphold Democracy; and Bosnia, Operation Joint Endeavor; and

(g) The period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the Congress.

AMENDATORY SECTION (Amending WSR 88-02-017 (Order 164), filed 12/30/87, effective 2/1/88)

WAC 251-01-175 Final examination score. An applicant's final passing score on an examination, plus any veterans ((preference)) or other applicable credits added in accordance with WAC 251-17-150 and/or 251-18-180 ((4)(b)).

WSR 00-18-029
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed August 29, 2000, 3:35 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-072.

Title of Rule: WAC 392-140-920 through 392-140-938, better schools.

Purpose: Rules are required for permanent adoption of emergency rules to fund better schools program which provides additional funding to school districts to assist students in meeting the essential academic learning requirements.

Statutory Authority for Adoption: RCW 28A.150.290(1).

Summary: The rules implement the better schools program which govern allocation and expenditure of state better schools funding for class size reduction and extended learning opportunities.

Reasons Supporting Proposal: Permanent adoption of emergency rules in WAC 392-140-920 through 392-140-938 will allow for a formal hearing and consideration of additional public comment on better schools funding provided in the 2000 legislative session.

Name of Agency Personnel Responsible for Drafting: Linda Harrison, Office of Superintendent of Public Instruction, (360) 753-2298; Implementation: Allen Jones, Office of Superintendent of Public Instruction, (360) 753-6708; and Enforcement: Mike Bigelow, Office of Superintendent of Public Instruction, (360) 753-1718.

Name of Proponent: Office of Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules implement the better schools programs funded in the 2000 state supplemental budget (section 518, chapter 1, Laws of 2000 2nd sp. sess.).

These programs provide additional funding to school districts to assist students in meeting the essential academic learning requirements.

The proposed change to the existing emergency rules will clarify the conditions for receipt of moneys. It is anticipated that the effect of permanent adoption of the rules to implement better school programs will facilitate school district's understanding of how better schools allocations are calculated and paid by the Superintendent of Public Instruction, conditions for receipt of moneys and grounds for reducing or recovering allocations, and school district requirements for accounting for better schools revenues and expenditures.

Proposal Changes the Following Existing Rules: Existing rules are emergency rules adopted on June 8, 2000.

The only proposed change to the existing emergency rules pertain to WAC 392-140-935. This proposal removes the last sentence of that section and replaces it with language taken verbatim from the legislative appropriations language.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable - no small business impact.

RCW 34.05.328 does not apply to this rule adoption. The Superintendent of Public Instruction is not subject to RCW 34.05.328 per subsection (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

Hearing Location: Preston Conference Room, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on October 11, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by September 27, 2000, TDD (360) 664-3631.

Submit Written Comments to: Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, 600 South Washington Street, Olympia, WA 98504-7200, fax (360) 753-4201, by October 10, 2000.

Date of Intended Adoption: October 12, 2000.

August 29, 2000

Dr. Terry Bergeson

Superintendent of Public Instruction

PROPOSED

BETTER SCHOOLS—STAFF**NEW SECTION**

WAC 392-140-920 Better schools—Staff—Applicable provisions—Authority—Purpose. The provisions of WAC 392-140-920 through 392-140-930 govern allocation and expenditure of state better schools moneys for class size reduction and extended learning opportunities. The authority for these rules is the better schools program language in the state Operating Appropriations Act and RCW 28A.150.-290(1). The purpose of this funding is to reduce class size and provide extended learning opportunities to assist students in meeting the essential academic learning requirements and student assessment performance standards.

NEW SECTION

WAC 392-140-922 Better schools—Staff—Definitions. As used in WAC 392-140-920 through 392-140-930:

(1) The following terms mean the same as defined in WAC 392-140-903:

Report S-275;

Form SPI 1158;

Report 1159;

Form SPI 1160;

FTE K-4 basic education enrollment;

Actual average salary for basic education classified instructional assistants.

(2) "Better schools certificated instructional employee" means a certificated instructional employee as defined in WAC 392-121-205 employed to reduce class size and/or provide additional student contact for the purposes of the better schools program as defined in the state Operating Appropriations Act and assigned in whole or in part to Program 62 Better Schools—Staff—State as defined in the *Accounting Manual for Public School Districts in the State of Washington*:

(3) "Supplemental contracts for extended learning opportunities" means time-related supplemental contracts with certificated instructional employees to provide additional classroom contact hours beyond the normal school day for more than half-day or half-year kindergarten, before-and-after school programs, weekend school programs, summer school programs, and inter-session opportunities to assist students in meeting the essential academic learning requirements and student assessment performance standards.

(4) "District FTE K-4 better schools certificated instructional staff" means the sum of:

(a) The district's full-time equivalent better schools certificated instructional employees in grades kindergarten through four (K-4) determined in the same manner as basic education staff in WAC 392-140-903 (9) and (10) substituting the better schools program for basic education programs; plus

(b) One FTE for each 900 hours of supplemental contracts for extended learning opportunities for students in grades K-6 in the better schools program.

(5) "Better schools classified instructional assistant" means a person employed to provide additional student con-

tact for the purposes of the better schools program as described in the state Operating Appropriations Act and assigned in whole or in part to:

(a) Program 62 - better schools—Staff—State;

(b) Activity 27 - teaching; and

(c) Duty 910 - aide.

(6) "Better schools classified instructional assistant FTE" means the number determined for a better schools classified instructional assistant as follows:

(a) Determine the hours per year that the employee is assigned as a better schools classified instructional assistant; and

(b) Divide by 2080.

(7) "District FTE better schools classified instructional assistants" means the sum of a school district's better schools classified instructional assistant FTE staff.

(8) "Certificated FTE equivalent of better schools classified instructional assistants" means the number determined for a school district as follows:

(a) Sum the district's FTE better schools classified instructional assistants from Report S-275 and any net change in FTE classified instructional assistants after October 1 as reported on Form SPI 1158;

(b) Multiply the result of subsection (8)(a) of this section by the ratio of the district's actual average salary for basic education classified instructional assistants to the district's average basic education certificated instructional staff salary for the purpose of general apportionment.

NEW SECTION

WAC 392-140-924 Better schools—Staff—School district reporting. (1) Districts shall report better schools staff on Report S-275.

(a) Supplemental contracts for extended learning opportunities shall identify the number of hours of student contact for the school year.

(b) Changes in supplemental contracts for extended learning opportunities after October 1 as updates to Report S-275.

(c) Contracted staff shall be reported to the extent feasible using duty codes provided for contracted staff.

(2) Districts may report net changes in better schools staff after October 1 on optional Form SPI 1158 as follows:

(a) Determine the better schools FTE that would be reported for each employee for the school year on Report S-275 if the current date were substituted for the October 1 snapshot date as required in S-275 instructions and subtract the better schools FTE as of October 1 actually reported for the employee on the school district's most current Report S-275.

(b) Include decreases as well as increases in staff after October 1 not reflected in Report S-275. Decreases include terminations, retirements, unpaid leave, and reassignment of staff.

(c) Identify changes by grade group when appropriate.

(3) Districts may select an alternate month for the K-4 basic education enrollment used in calculating better schools staff ratios by filing optional Form SPI 1160. The month

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selected shall be used for both basic education and better schools staff ratio calculations.

NEW SECTION

WAC 392-140-925 Better schools—Staff—Calculation of district K-4 better schools staff ratio. A school district's K-4 better schools staff ratio is calculated as follows:

- (1) Sum the district's FTE K-4 better schools certificated instructional staff from Report S-275 and Form SPI 1158;
- (2) Divide the result of subsection (1) of this section by the district's K-4 basic education enrollment; and
- (3) Multiply the result of subsection (2) of this section by 1000.

NEW SECTION

WAC 392-140-926 Better schools—Staff—Calculation of district combined K-4 staff ratio. A school district's combined K-4 staff ratio equals the sum of:

- (1) The district's K-4 basic education staff ratio determined pursuant to WAC 392-140-910;
- (2) The district's K-4 better schools staff ratio determined pursuant to WAC 392-140-925.

NEW SECTION

WAC 392-140-927 Better schools—Staff—Calculation of district state-funded better schools staff ratio. A school district's state-funded better schools staff ratio shall be the lesser of 2.2 or the number determined as follows:

- (1) If the district's combined K-4 staff ratio is less than 55.4 then:
 - (a) Sum the district's FTE K-4 better schools certificated instructional staff from Report S-275 and Form SPI 1158;
 - (b) Divide the result of (a) of this subsection by the district's K-4 basic education enrollment; and
 - (c) Multiply the result of (b) of this subsection by 1000.
- (2) If the district's combined K-4 staff ratio is 55.4 or greater then include the following additional staff FTE in the calculation of the district's state-funded better schools staff ratio:
 - (a) FTE grades 5-12 better schools certificated instructional staff from Report S-275 and Form SPI 1158;
 - (b) Grades 7-12 supplemental contracts for extended learning opportunities from Report S-275.
 - (c) The certificated FTE equivalent of better schools classified instructional assistants determined pursuant to WAC 392-140-922(8).

NEW SECTION

WAC 392-140-928 Better schools—Staff—Request for adjustment of the district state-funded better schools staff ratio. A school district may request an adjustment to the state-funded better schools staff ratio by submitting a letter to the superintendent of public instruction. The superintendent shall allow adjustments to districts demonstrating that the district has appropriately expended the better schools staff

allocation but has not reached the 2.2 staff ratio for one or more of the following reasons:

- (1) Contracted services for students are not reflected on Report S-275.
- (2) The district's better schools staff ratio is adversely affected by participation in a consortium or interdistrict cooperative.
- (3) The mix factor of better schools staff significantly exceeded the district's basic education mix factor used for better schools funding.

NEW SECTION

WAC 392-140-929 Better schools—Staff—Calculation of the better schools staff allocation. A school district's better schools staff allocation for a school year shall be calculated as follows:

- (1) Determine the number of funded certificated instruction staff units by multiplying the district's state-funded better schools staff ratio by the district's annual average K-4 FTE students for purpose of general apportionment and divide by 1000; and
- (2) Calculate the value of these funded staff units using the district's general apportionment funding factors including the district's basic education mix factor, LEAP certificated instructional base salary, learning improvement days, and state-funded health insurance, mandatory benefit, nonemployee related cost, and substitute teacher rates.
- (3) Allocations for the months of September through December shall be based on the district's budgeted funding variables use for general apportionment including K-4 FTE students, basic education mix factor, learning improvement days and state-funded better schools staff ratio. Beginning in January, allocations shall be based on funding variables calculated by the superintendent of public instruction using the most current enrollment data and personnel data reported by the district received by the superintendent of public instruction by the 15th of the month.
- (4) Better schools staff allocations shall be paid out on the apportionment payment schedule in RCW 28A.510.250.

NEW SECTION

WAC 392-140-930 Better schools—Staff—Reporting by the superintendent of public instruction. Beginning in January of each school year, the superintendent of public instruction will provide to each school district monthly reports showing the calculation of the district's state-funded better schools staff ratio and state allocation for better schools staff.

BETTER SCHOOLS—PROFESSIONAL DEVELOPMENT

NEW SECTION

WAC 392-140-935 Better schools—Professional development—Applicable provisions—Authority—Purpose. The provisions of WAC 392-140-935 through 392-

140-938 govern the allocation and expenditure of state moneys for professional development in the better schools program. The authority for these rules is the better schools program language in the Biennial Operating Appropriations Act and RCW 28A.150.290(1). This funding is to be used for additional professional development for certificated and classified staff, including additional paid time for curriculum and less on redesign and development work and training to ensure that instruction is aligned with state standards and student needs.

NEW SECTION

WAC 392-140-937 Better schools—Professional development—Better schools professional development allocations. A school district's better schools professional development allocation for a state fiscal year shall equal the district's October P-105 headcount enrollment for the prior school year multiplied by the per student dollar amount stated in the state operating appropriations act.

(1) School districts may request adjustment to the prior year's October P-105 enrollment at any time, however, funding for any increase in enrollment that causes total state allocations to exceed the state appropriation shall be contingent on a supplemental appropriation by the legislature.

(2) Better schools professional development allocations shall be paid out in twelve equal payments during the twelve months of the state fiscal year, July through June.

NEW SECTION

WAC 392-140-938 Better schools—Professional development—School district certification. As a condition for retaining these moneys the school district superintendent shall certify that all better schools professional development moneys have been allocated to school buildings without deduction for administrative or indirect costs and that expenditure of funds is determined by staff at each school site. Allocations to buildings may be based on the number of students or staff at each building or by some other reasonable method determined by the district.

WSR 00-18-031
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed August 29, 2000, 4:32 p.m.]

Supplemental Notice to WSR 00-17-161.

Preproposal statement of inquiry was filed as WSR 99-20-050.

Title of Rule: Chapter 388-41 WAC, Medical audit dispute resolution.

Purpose: The preproposal statement of inquiry filed as WSR 99-20-050 stated entire chapter 388-41 WAC was considered for repeal, but the notice of proposed rule making filed under WSR 00-17-161 inadvertently listed just one sec-

tion of chapter 388-41 WAC (WAC 388-41-020 Audit dispute conference). Entire chapter 388-41 WAC is being replaced by proposed sections in chapter 388-502 WAC, Administration of medical programs—General, necessitating the repeal of chapter 388-41 WAC.

Statutory Authority for Adoption: RCW 74.08.090, 43.20B.675.

Statute Being Implemented: RCW 74.08.090, 43.20B.675.

Summary: The proposed repeal eliminates information that is being duplicated in proposed WAC 388-502-0240 Audits and the audit appeal process for contractor/providers. The proposed section states what a provider may expect from a department audit, what actions the department may take during and after an audit, and what a provider may do to appeal department actions taken as a result of an audit.

Reasons Supporting Proposal: To eliminate duplicate rules.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1345.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal will repeal an existing chapter of rule to eliminate duplicating the policy that is being proposed as WAC 388-502-0240, filed under WSR 00-17-161.

Proposal Changes the Following Existing Rules: Chapter 388-41 WAC is being proposed for repeal, to be replaced by WAC 388-502-0240.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed repeal, and concludes that since the policy is being written into another section of rule with no change to current policy, there will be no more than a minor impact on the small businesses affected by the repeal.

RCW 34.05.328 does not apply to this rule adoption. The department has analyzed the proposed repeal and concludes that it does not meet the definition of a "significant legislative rule."

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: No sooner than October 11, 2000.

August 29, 2000
 Edith M. Rice, Chief
 Office of Legal Affairs

PROPOSED

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-41-001	Authority.
WAC 388-41-003	Purpose.
WAC 388-41-010	Definitions.

WSR 00-18-036**PROPOSED RULES****LOTTERY COMMISSION**

[Filed August 30, 2000, 3:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-11-016.

Title of Rule: WAC 315-04-020 License application eligibility.

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: Clarification of eligibility to apply for lottery license.

Reasons Supporting Proposal: See Explanation of Rule below.

Name of Agency Personnel Responsible for Drafting: Mary Jane Ferguson, Rules Coordinator, Olympia, (360) 664-4833; Implementation and Enforcement: Merritt D. Long, Director, Olympia, (360) 664-4800.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 315-04-020 amendment will streamline the lottery's licensing process and provide efficient licensing to businesses licensed in the state of Washington.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The lottery has considered whether these rules are subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that they are not for the following reasons: (1) The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and (2) the rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

RCW 34.05.328 does not apply to this rule adoption. Said section does not apply to these proposed rules because they are not proposed by one of the listed agencies. As the rules are merely interpretive, the lottery does not voluntarily apply this section.

Hearing Location: M. J. Murdock Executive Plaza Building, Cascadia Conference Room, 703 Broadway, Vancouver, WA 98660, on November 17, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Mary Jane Ferguson by September 12, 2000, TDD (360) 586-0933, or (360) 664-4833.

Submit Written Comments to: Mary Jane Ferguson, Lottery, fax (360) 664-4833, by September 12, 2000.

Date of Intended Adoption: November 17, 2000.

August 30, 2000

Mary Jane Ferguson

Rules Coordinator

AMENDATORY SECTION (Amending Order 83, filed 12/16/85)

WAC 315-04-020 License application eligibility. Any person may submit an application for licensure except:

(1) No person may submit an application for licensure who is under 18 years of age.

(2) No person may submit an application who will be engaged exclusively in the business of selling tickets.

(3) No person may submit an application for licensure who is a member or employee of the commission or who is the spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(4) No person may submit an application who is, or is owned or controlled by or affiliated with, a vendor or contractor of the commission or director for the development, operation, management, security or any other aspect of a specific game.

(5) No person may submit an application who is not legally registered and licensed to conduct business in the state of Washington or who has not submitted an application for a business license in the state of Washington.

The submission of an application shall not entitle any person to receipt of a license to act as a lottery retailer. An application may be denied for any reason permitted by statute or these rules.

WSR 00-18-037**PROPOSED RULES****LOTTERY COMMISSION**

[Filed August 30, 2000, 3:25 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-14-049.

Title of Rule: WAC 315-06-120 Payment of prizes—General provisions.

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: Clarification of rules when more than one claimant name appears on a winning ticket.

Reasons Supporting Proposal: See Explanation of Rule below.

PROPOSED

Name of Agency Personnel Responsible for Drafting: Mary Jane Ferguson, Rules Coordinator, Olympia, (360) 664-4833; Implementation and Enforcement: Merritt D. Long, Director, Olympia, (360) 664-4800.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 315-06-120 amendment will be clarification of rules when more than one claimant name appears on a winning ticket.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The lottery has considered whether these rules are subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that they are not for the following reasons: (1) The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and (2) the rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

RCW 34.05.328 does not apply to this rule adoption. Said section does not apply to these proposed rules because they are not proposed by one of the listed agencies. As the rules are merely interpretive, the lottery does not voluntarily apply this section.

Hearing Location: M. J. Murdock Executive Plaza Building, Cascadia Conference Room, 703 Broadway, Vancouver, WA 98660, on November 17, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Mary Jane Ferguson by September 12, 2000, TDD (360) 586-0933, or (360) 664-4833.

Submit Written Comments to: Mary Jane Ferguson, Lottery, fax (360) 664-4833, by September 12, 2000.

Date of Intended Adoption: November 17, 2000.

August 30, 2000

Mary Jane Ferguson
Rules Coordinator

AMENDATORY SECTION (Amending WSR 00-12-032, filed 5/30/00, effective 6/30/00)

WAC 315-06-120 Payment of prizes—General provisions. (1) The director may designate claim centers for the filing of prize claims, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of one claimant, which shall be either a natural person, association, corporation, general or limited partnership, club, trust, estate, society, company, joint stock company, receiver, trustee, or another acting in a fiduciary or representative capacity whether appointed by a court or otherwise. A claim which includes one or more tickets with an address label or stamp on the back of the ticket shall be deemed to have been entered

in the name of one claimant: Provided, That if the address label or stamp contains the name of more than one claimant, the prize payment will be made to the one who has signed the ticket and/or claim form or, if there is no signature (~~or two signatures~~), to the first claimant listed on the address label or stamp. If there are two or more claimant names written or signed on the ticket, lottery personnel shall return the ticket(s) to claimants and shall request that the claimants sign a notarized statement relinquishing ownership to one claimant. The claimant must submit his or her Social Security number (SSN) or the federal employer's identification number (FEIN) when claiming any prize exceeding six hundred dollars.

(3) A claim may be entered in the name of a claimant other than a natural person only if the claimant is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the Internal Revenue Service, such number is shown on the claim form and the entity's terms comply with subsection (4) of this section. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one natural person or one legal entity in whose name the claim is to be entered.

(4) The terms governing a claimant other than a natural person, i.e., articles of incorporation, trust terms, etc., shall be submitted to the director for approval. Terms not in compliance with lottery statutes or rules shall not be approved. Payment shall not be made to a claimant other than a natural person until the director has approved the terms.

All claimants other than natural persons shall have governing terms which:

(a) Prohibit deletion, amendment, or addition of terms without the director's approval;

(b) State the names of all natural persons who have a direct or indirect right or interest in the claimant, each of their percentage interests and their Social Security numbers;

(c) Acknowledge that the debt collection process mandated by RCW 67.70.255 and WAC 315-06-125 shall be applied to the natural persons who hold interests in the claimant through their Social Security numbers; and

(d) Provide that in the event the claimant ceases to exist prior to the full payout of the prize, the lottery will not make further payment without court order.

(5) The lottery shall not make payment to a claimant other than a natural person unless the terms governing the claimant include those enumerated in subsection (4) of this section.

(6) Unless otherwise provided in the rules for a specific type of game, a claimant shall sign the back of the ticket and/or complete and sign a claim form approved by the director. The claimant shall submit the claim form and/or claimant's ticket to the lottery in accordance with the director's instructions as stated in the players' manual and/or on the back of the ticket or submit a request for reconstruction of an alleged winning ticket and sufficient evidence to enable reconstruction and that the claimant had submitted a claim for the prize, if any, for that ticket. The claimant, by submitting the claim or request for reconstruction, agrees to the following provisions:

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(a) The discharge of the state, its officials, officers, and employees of all further liability upon payment of the prize; and

(b) The authorization to use the claimant's name and, upon written permission, photograph for publicity purposes by the lottery.

(7) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than one hundred eighty days after the official end of that instant game or the on-line game drawing for which that on-line ticket was purchased.

(8) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or retailers, or from a lottery retailer; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(9) No natural person or legal entity entitled to a prize may assign the right to payment, except under the following limited circumstances:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; and

(b) When payment of all or part of the remainder of an annuity and the right to receive future annual prize payments has been voluntarily assigned to another person, pursuant to an appropriate judicial order that meets the requirements of RCW 67.70.100(2).

(10) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(11) A ticket that has been legally issued by a lottery retailer is a bearer instrument until signed. The person who signs the ticket or has possession of an unsigned ticket is considered the bearer of the ticket. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission, director and employees of the commission terminates upon payment.

(12) All prizes shall be paid within a reasonable time after the claims are validated by the director and a winner is determined. Provided, prizes paid for claims validated pursuant to WAC 315-10-070(2) shall not be paid prior to one hundred eighty-one days after the official end of that instant game. The date of the first installment payment of each prize to be paid in installment payments shall be the date the claim is validated, or the date the winner makes a choice of payment by annual payments or by single cash payment pursuant to WAC 315-34-057. Subsequent installment payments shall be made as follows:

(a) If the prize was awarded as the result of a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date of the drawing in accordance with the type of prize awarded; however, at the

director's discretion, the lottery may designate an alternate payment date for regular prize payment; or

(b) If the prize was awarded in a manner other than a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date the claim is validated in accordance with the type of prize awarded. However, at the director's discretion, the lottery may designate an alternate payment date for regular prize payment.

(13) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each originally scheduled payment date thereafter.

(14) If any prize is payable for the life of the winner, only a natural person may claim such a prize. Such "win for life" type prizes shall cease upon the death of the winner or the end of a guaranteed payment period (if any), whichever is later. Win for life prizes may be assigned; and the following conditions apply to such assignments:

(a) The original winner's actual life shall determine when prize payments cease; and

(b) The assignee shall be responsible for notifying the lottery of the original winner's death.

(15) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(16) Each lottery retailer shall pay all prizes authorized to be paid by the lottery retailer by these rules during its normal business hours at the location designated on its license.

(17) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

WSR 00-18-048
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Juvenile Rehabilitation Administration)

[Filed August 31, 2000, 4:20 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-12-034.

Title of Rule: Institutional impact account, repealing chapter 275-110 WAC; and new chapter 388-750 WAC, Institutional impact account.

Purpose: These new rules apply to reimbursement of local jurisdictions for expenses incurred because of criminal behavior of adult and juvenile offender in institutions and state operated facilities. This rule is being updated with respect to participants and rates, as well as part of the gover-

nor's regulatory reform initiative to streamline rules, update rates and consolidate WACs within the "migration project."

Statutory Authority for Adoption: RCW 72.72.040.

Statute Being Implemented: RCW 72.72.040.

Summary: The rules are amended to remove the Department of Corrections from this title, as it is redundant of chapter 137-70 WAC. Further regulatory reform has proposed the streamlining of regulations for ease of use as well as to consolidate the department's rules within one title. This proposal also updates the rates paid to law enforcement officials and complies with regulatory reform and updated rates.

Name of Agency Personnel Responsible for Drafting: Randy Sparks, P.O. Box 45720, Olympia, 98504-5720, 902-8099; Implementation and Enforcement: Cheryl Reule, P.O. Box 45720, Olympia, 98504-5720, 902-8101.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Administration increase in rates may have fiscal impact on Juvenile Rehabilitation Administration and Mental Health Division.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The RCW directs the secretary of the Department of Social and Health Services to develop regulations for the reimbursement of local jurisdictions that may be impacted by the criminal activities of individuals who are residents of state institutions. This rule, as drafted, changes the current WAC in that it eliminates the Department of Corrections (which has a separate rule) and updates the rate structure. Other changes are minor and meant to improve readability.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal does not impact small businesses so no small business economic impact statement is required.

RCW 34.05.328 does not apply to this rule adoption. These rules do not meet the definition of a significant legislative rule because they relate only to internal governmental operations and are not subject to violation by a nongovernment party.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 24, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 17, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopkd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 24, 2000.

Date of Intended Adoption: Not sooner than October 25, 2000.

August 30, 2000

Edith M. Rice, Chief
Office of Legal Affairs

Chapter 388-750 WAC

IMPACT ACCOUNT—CRIMINAL JUSTICE COST REIMBURSEMENT

NEW SECTION

WAC 388-750-010 Definitions. The following words and phrases shall have the following meaning when used in these regulations regarding the interpretation of regulations for the reimbursement from impacts caused by criminal behavior of state institutional residents:

"Department" means the department of social and health services.

"Incremental" means efforts or costs incurred by cities, towns, and/or counties that are not otherwise incurred and are only as a result of the criminal behavior of state institutional residents.

"Resident" means any person committed to a state institution by the courts for confinement as an offender pursuant to chapters 10.64, 10.77, and 13.40 RCW.

"Institution" means any state institution operated by the department for the confinement of offenders committed under chapters 10.64, 10.77, and 13.40 RCW.

"Law enforcement cost" means costs incurred to apprehend escapees or to investigate crimes committed by institutional residents within or outside state institutions listed in this chapter.

"Resident" means any person committed to a state institution by the courts for confinement as an offender under chapters 10.64, 10.77, and 13.40 RCW.

NEW SECTION

WAC 388-750-020 Limitation of funds. The secretary shall make reimbursement to the extent funds are available. Reimbursement shall be strictly limited to political subdivisions in which state institutions, as defined in WAC 388-750-030, are located. Only incremental costs directly, specifically, and exclusively associated with criminal activities of offenders who are residents of state institutions shall be considered for reimbursement. Reimbursement shall be restricted to fully documented law enforcement, prosecutorial, judicial, and jail facilities costs. No such costs shall be paid under these rules if they are reimbursable under other chapters of the Washington Administrative Code. During each biennium, claims for incidents which occurred during the biennium will be paid in the order in which they are received until the biennial appropriation is fully expended.

PROPOSED

NEW SECTION

WAC 388-750-030 Institutions and eligible impacted political subdivisions. Reimbursement shall be limited to the following city, town, and county governments impacted by the offenses from residents committed to institutions listed in this section.

Institution	Cities/County
(1) Echo Glen Children's Center	Snoqualmie/King
(2) Green Hill Training School	Chehalis/Lewis
(3) Maple Lane School	Rochester/Thurston
(4) Mission Creek Youth Camp	Belfair/Mason
(5) Naselle Youth Camp	Naselle/Pacific
(6) Woodinville Treatment Center	Woodinville/King
(7) Canyon View Community Facility	East Wenatchee/Douglas
(8) Sunrise Community Facility	Ephrata/Grant
(9) Twin Rivers Community Facility	Richland/Benton
(10) Oakridge Community Facility	Tacoma/Pierce
(11) Park Creek Treatment Center	Kittitas/Kittitas
(12) Ridgeview Community Facility	Yakima/Yakima
(13) Western State Hospital	Steilacoom/Pierce
(14) Eastern State Hospital	Medical Lake/Spokane/Spokane
(15) Child Study and Treatment Center	Steilacoom/Pierce

(16) For any institution not listed in this section, reimbursement shall be limited to the political subdivisions where the institution is located. The institutions include juvenile community facilities, community treatment and community care facilities, as defined in WAC 388-750-010.

NEW SECTION

WAC 388-750-040 Maximum allowable reimbursement for law enforcement costs. The department shall limit reimbursement to the specific political subdivisions listed in WAC 388-750-030. The maximum reimbursement rates shall be twenty-three dollars and ninety-six cents per hour. These reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 388-750-090.

NEW SECTION

WAC 388-750-050 Maximum allowable reimbursement for prosecutorial costs. The department shall reimburse claims, at the rate set forth in WAC 388-750-040, for pretrial investigations of crimes committed inside or outside institutions, to the political subdivision courts in WAC 388-750-040. If, after investigation, criminal charges are filed, the department may reimburse documented prosecutorial and defense attorney fees. Reimbursement shall not exceed the following rates for each attorney, reimbursement includes costs for paralegals: Fifty-seven dollars and thirty-two cents per hour. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 388-750-090.

NEW SECTION

WAC 388-750-060 Maximum allowable reimbursement for judicial costs. (1) The department shall limit judicial costs strictly to cases involving inmates of institutions listed in WAC 388-750-030 and the listed subdivision in which they reside. Reimbursement shall be limited to judges, court reporters, transcript typing, and witness and jury fees.

(2) The department shall reimburse judges hearing cases including services provided by court clerks and bailiffs at fifty-seven dollars and thirty-two cents per hour. Reimburse court reporters at the rate of twenty-four dollars and seventy-one cents per hour. Reimburse for the typing of transcripts at four dollars and seventy-nine cents per page. If required, reimburse expert witnesses at eighty dollars and forty-three cents per hour.

(3) Reimbursement for witness fees (other than experts) and jury fees shall be at the rate established by the local governmental legislative authority but not in excess of thirty-six dollars and eleven cents per day.

(4) These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 388-750-090.

NEW SECTION

WAC 388-750-070 Maximum allowable reimbursement for jail facilities. The department shall limit jail facility cost reimbursement strictly to incremental costs as defined in WAC 388-750-010. Requests for reimbursement shall be fully documented and shall include the resident's name and all appropriate admission and release dates. Limit reimbursement to thirty-four dollars and eighty cents per resident day. The department shall not reimburse for costs incurred for holding persons regarding parole revocations or for holding persons involved in civil litigation. The department shall reimburse costs of providing security when residents require hospitalization at the rate of fourteen dollars and nineteen cents per hour. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 388-750-090.

NEW SECTION

WAC 388-750-080 Billing procedure. Requests for reimbursement should be made on the standard Washington State Invoice Voucher, Form A19, with supporting documentation attached. All claims may be subject to periodic audits at the discretion of the secretary, per WAC 388-750-110.

(1) All requests for reimbursement under this section shall note the name of the offender for whom costs were incurred, and the institution to which the offender was assigned.

(2) Requests for reimbursement may only be submitted by the jurisdiction's responsible fiscal officer, e.g., city manager, city supervisor, county auditor, county administrator, etc.

(3) All requests for reimbursement must be submitted to: DSHS and the pertinent Accounts Payable Section of either

Juvenile Rehabilitation Administration, Mail Stop 45720, Olympia, Washington 98504; or Mental Health Division, Mail Stop 45320, Olympia, Washington 98504.

(4) If the appropriation for a biennium is fully expended prior to the end of the biennium, political subdivisions should continue to submit claims for the purpose of providing justification for requests for adequate funding levels in future biennia.

NEW SECTION

WAC 388-750-090 Exceptions. The secretary, of the department, may allow exceptions to these rules.

NEW SECTION

WAC 388-750-100 Effective date. Claims submitted according to this chapter may only be for costs incurred for appropriate actions, as defined in this chapter, taken by criminal justice agencies on or after August 30, 1979.

NEW SECTION

WAC 388-750-110 Audits. The department has the right to audit any or all claims.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 275-110-010	Purpose.
WAC 275-110-020	Definitions.
WAC 275-110-030	Limitation of funds.
WAC 275-110-040	Institutions and eligible impacted political subdivisions.
WAC 275-110-050	Maximum allowable reimbursement for law enforcement costs.
WAC 275-110-060	Maximum allowable reimbursement for prosecutorial costs.
WAC 275-110-070	Maximum allowable reimbursement for judicial costs.
WAC 275-110-080	Maximum allowable reimbursement for jail facilities.
WAC 275-110-090	Billing procedure.
WAC 275-110-100	Exceptions.
WAC 275-110-110	Effective date.
WAC 275-110-120	Audits.

WSR 00-18-066

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF LICENSING**

[Filed September 1, 2000, 1:35 p.m.]

The Department of Licensing hereby withdraws the proposed amendment to WAC 308-100-090 filed with your office on July 19, 2000, as part of WSR 00-15-084.

Denise Movius
Assistant Director
By Clark J. Holloway

WSR 00-18-080

**PROPOSED RULES
WASHINGTON STATE PATROL**

[Filed September 5, 2000, 8:46 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-15-008.

Title of Rule: WAC 204-41-070 Refuse and recycling collectors.

Purpose: Will allow refuse and recycling collectors to be exempt from wearing seat belts while on their designated routes.

Statutory Authority for Adoption: RCW 46.37.510.

Summary: Refuse and recycling collectors are in and out of their vehicle repeatedly while on a route and request to be exempt from the seat belt law during that time. Seat belts would be required while traveling to and from a collection route.

Reasons Supporting Proposal: Speeds on collection routes are minimal and the time spent latching and unlatching seat belts only adds to the time the vehicle is in the roadway as a hazard.

Name of Agency Personnel Responsible for Drafting and Implementation: Ms. Carol Morton, P.O. Box 42614, Olympia, WA 98504, (360) 753-3697; and Enforcement: Commander Tom Robbins, P.O. Box 42600, Olympia, WA 98504, (360) 586-2340.

Name of Proponent: Refuse Collectors, private.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Approve of the amendment.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule allows refuse and recycling collectors to work on their route making pick-ups without having to latch and unlatch a seat belt. While traveling to and from the route a seat belt would be required. This should speed up the route and clear the road sooner of a large potentially hazardous vehicle.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This amendment assists business.

PROPOSED

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Commercial Vehicle Division Conference Room, Ground Floor, General Administration Building, 210 11th S.W., Olympia, WA 98504, on October 10, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Mr. Gene McDaniel by October 6, 2000, TDD (253) 536-4270, or (360) 753-0658.

Submit Written Comments to: Ms. Carol Morton, Washington State Patrol, P.O. Box 42614, Olympia, WA 98504-2614, fax (360) 586-8233, by October 6, 2000.

Date of Intended Adoption: October 11, 2000.

August 31, 2000

Annette M. Sandberg
Chief

NEW SECTION

WAC 204-41-070 Refuse and recycling collectors.

Refuse and recycling collectors are not required to wear a seat belt system while performing collections on their designated collection routes. Seat belt use is required when traveling to and from the collection route.

WSR 00-18-081

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 5, 2000, 8:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-093.

Title of Rule: Chapter 308-93 WAC, Vessel registration identification, WAC 308-93-440, 308-93-450, 308-93-460, and 308-93-470.

Purpose: 1. To meet the criteria set forth in Governor Locke's Executive Order 97-02.

2. To clarify rules and help make them more comprehensible.

Statutory Authority for Adoption: RCW 88.02.070, 88.02.100.

Summary: Amending WAC 308-93-440 Ownership in doubt, 308-93-450 Signature of owner on application—Exceptions, 308-93-460 Release of interest, and 308-93-470 Certificate of signatures.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Patrick J. Zlateff, 1125 Washington Street S.E., Olympia, 902-3718; Implementation: Deborah McCurley, 1125 Washington Street S.E., Olympia, 902-3754; and Enforcement: Eric Andersen, 1125 Washington Street S.E., Olympia, 902-4045.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above-mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections needed and repeal those no longer required.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

RCW 34.05.328 does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on October 18, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Patrick J. Zlateff by October 17, 2000, TTY (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Patrick J. Zlateff, Rules Coordinator, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by October 17, 2000.

Date of Intended Adoption: November 7, 2000.

September 1, 2000

Deborah McCurley, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 98-09-023, filed 4/8/98, effective 5/9/98)

WAC 308-93-440 Ownership in doubt. ((When an applicant is unable to provide an acceptable release of interest as defined in WAC 308-93-460 from the owner(s) of record for a vessel, the applicant may:

(1) Petition any district or superior court of any county of this state to receive a judgment awarding ownership of the vessel. Such judgment is required if ownership of the vessel is contested after the applicant makes application for ownership in doubt and before the three-year ownership in doubt period has lapsed; or

(2) Apply for registration only or bonded certificate of ownership as described in this rule if a judgment is unnecessary as described in subsection (1) of this section. The applicant shall:

(a) Provide evidence of ownership of the vessel such as, but not limited to, a bill of sale;

(b) Make a reasonable effort to determine ownership of the vessel by writing to the agency that issued the last known certificate of ownership or registration. For purposes of this section, an individual purchaser or transferee of a vessel may request the name and address of the owner(s) of record for that vessel from the department by satisfying (b)(i) or (ii) of this subsection and completing a form approved by the department. When satisfied the request is for obtaining proper release of interest, the department may disclose the name(s) and address of the last owner(s) of record for that vessel.

(i) If a record is found, the applicant shall send a certified or registered letter, return receipt requested, to each owner and secured party of record at the address shown on the last record. The letter shall contain information regarding the sender's claim to ownership or a notarized or certified release of interest.

(ii) If no record is found, or the previous owner did not respond within fifteen days after acknowledged receipt of the letter was returned unclaimed, the applicant shall provide an affidavit of Request for Bonded Title or Registration without Title form explaining how the vessel was acquired.

(e) Determine whether to bond the vessel and apply for a certificate of ownership or apply for registration only. A bond is required if the seller of the vessel is a Washington state vessel dealer or in lieu of the judgment described in subsection (1) of this section if there is evidence of a security agreement on the last record as found in (b) of this subsection. A bond shall be for a period of three years from the date of application and be in the amount of one and one-half times the value of the vessel as determined by one of the following:

(i) A statement from a vessel dealer showing the average retail value of that year, make and model of the vessel in average condition; or

(ii) Information provided by any guide book or other publication of recognized standing in the vessel industry; or

(iii) An agreement reached between the applicant and an authorized department agent or employee.

(d) Apply to the department after the three-year bond or registration only period has lapsed, or submit the proper endorsement on the certificate of ownership or a satisfactory release of interest. The department shall, upon proper application, issue a certificate of ownership without the bond notation.

(e) Upon transferring ownership during the three-year ownership in doubt period, provide the transferee with a notarized or certified release of interest. The new owner may either provide a judgment as described in subsection (1) of this section or shall apply to the department for ownership in doubt as described in subsection (2) of this section and complete the time remaining on the previous ownership in doubt period.)

(1) What do I do if I am unable to provide an acceptable release of interest as defined in WAC 308-93-460 from the owner(s) of record for a vessel? When you are unable to provide an acceptable release of interest from the owner(s) of record for a vessel, you may:

(a) Petition any district or superior court of any county of this state to receive a judgment awarding ownership of the vessel as described in subsection (10) of this section;

(b) Apply for "registration only" as described in subsection (5) of this section;

(c) Apply for bonded certificate of ownership as described in subsection (2) of this section.

(2) What is "registration only"? It is a term used to describe registration of a vessel when a certificate of ownership is not issued because ownership is in doubt. If ownership is not contested during a three-year registration only period, the registered owner(s) may apply for certificate of ownership at the end of the three-year period.

(3) What is a bonded certificate of ownership? A bonded certificate of ownership is an ownership document issued by the department that carries the brand "bonded" and is secured by a bond for one and one-half times the value of the vessel.

(4) How do I apply for "ownership in doubt"? To apply for ownership in doubt, you must:

(a) Provide evidence of ownership of the vessel, such as but not limited to, a bill of sale or purchase agreement.

(b) Make a reasonable effort to determine ownership of the vessel by writing to the agency that issued the last known certificate of ownership or registration and request the certificate of ownership or other acceptable owner documents and releases of interest.

(5) How do I obtain ownership information from the department for purposes of applying for ownership in doubt? For purposes of this section, an individual purchaser or transferee of a vessel may request the name and address of the owner(s) of record for that vessel from the department by:

(a) Satisfying subsection (2)(a) of this section; and

(b) Completing a public disclosure form provided or approved by the department.

When satisfied, the request is for obtaining proper release(s) of interest, the department may disclose the name and address of the last owner(s) of record for that vessel.

(6) What do I do once I know the name(s) and address(s) of the last known registered and legal owner(s)? If a record of the vessel is found, you must send a certified or registered letter, return receipt requested, to each owner and secured party of record at the address shown on the last record. The letter shall contain information regarding the sender's claim to ownership and a request for the released certificate of ownership or a notarized or certified release of interest on an approved department form.

If the vessel was last registered or titled in another state or jurisdiction you must write to the agency that issued the last known certificate of ownership or registration requesting owners of record, so information may be requested as in subsection (2)(b) of this section.

(7) What do I do if no record of the vessel is found or the previous owner(s) did not respond to the certified or registered letter? You must provide an affidavit or request for bonded title or registration without title form provided or approved by the department explaining how the vessel was acquired if:

(a) No record is found; or

(b) The previous owner did not respond within fifteen days after acknowledged receipt of the letter; or

(c) The letter was returned unclaimed.

(8) When am I required to apply for a bonded certificate of ownership? A bond is required if:

(a) The seller of the vessel is a Washington state vessel dealer (dealer must secure); or

(b) In lieu of the judgment described in subsection (1) (a) of this section and there is evidence of a security agreement on the last record as found in subsection (3) of this section; or

(c) Ownership of the vessel is contested after you make application for ownership in doubt and before the existing three-year ownership in doubt period has ended; or

(d) If you desire to have a certificate of ownership issued for the vessel.

(9) How long is the duration of the bond? A bond shall be for a period of three years from the date of application.

(10) In what amount is the bond issued? The bond must be in the amount of one and one-half times the value of the vessel as determined by one of the following:

(a) Information provided by any guide book or other publication of recognized standing in the vessel industry; or

(b) A value that is agreeable to the applicant and verifiable by authorized department of licensing, department of revenue, Washington vessel licensing agent, subagent or employee.

(11) If I have a bonded certificate of ownership for my vessel, how can I get a certificate of ownership without the bonded notation? To get a certificate of ownership without the bonded notation, you may apply for a certificate of ownership by submitting one of the following, in addition to other required documentation:

(a) A judgment from any district or superior court of any county of this state awarding ownership of the vessel as described in subsection (1) of this section; or

(b) The properly endorsed most previous (current) certificate of ownership or a satisfactory release of interest from the previous registered and legal owner(s); or

(c) An application to remove the bonded notation on the vessel certificate of ownership after the three-year ownership in doubt period has elapsed.

(12) If my vessel is "registration only" because ownership is in doubt, how can I get a certificate of ownership? You may apply for a certificate of ownership by submitting one of the following, in addition to other required documentation:

(a) A judgment from any district or superior court of any county of this state awarding ownership of the vessel as described in subsection (1) of this section; or

(b) A certificate of ownership properly released or a release of interest from the most previous registered and legal owner(s); or

(c) An application from the registered owner to remove the registration only notation on the vessel certificate of ownership after the three-year ownership in doubt period has elapsed.

(13) May I sell or release my interest in the vessel during the three-year ownership in doubt period? Yes, upon transferring ownership during the three-year ownership in doubt period, you must provide the new owner(s) with a notarized or certified release of interest. The new owner may:

(a) Provide a judgment as described in subsection (1)(a) of this section; or

(b) Apply to the department for ownership and complete the time remaining on the previous ownership in doubt period.

AMENDATORY SECTION (Amending WSR 98-09-023, filed 4/8/98, effective 5/9/98)

WAC 308-93-450 Signature of owner on application—Exceptions. ~~((All vessel owners are required to sign the application for certificate of ownership except:~~

~~(1) When the application is for the sole purpose of removing a secured party of record from the certificate of ownership;~~

~~(2) When authorized supportive documentation is used in lieu of the signature or signatures;~~

~~(3) When the legal owner applies for a duplicate certificate of ownership;~~

~~(4) When there is a statutory authorized lien filed by a government agency against the vessel;~~

~~(5) When an existing legal owner's perfected security interest is transferred to another party and the new secured party is perfecting their security interest.~~

~~(6) Only one owner's signature is required when:~~

~~(a) The last certificate of ownership was issued in another jurisdiction; and~~

~~(b) The last certificate of ownership shows multiple registered owners; and~~

~~(c) Ownership is not changing.))~~ (1) When is the signature of a registered owner(s) required? Each registered owner is required to sign the application for certificate of ownership except when:

(a) The application is for the sole purpose of removing a secured party of record from the certificate of ownership;

(b) Authorized supportive documentation, such as a power of attorney, is used in lieu of the signature(s);

(c) The legal owner applies for a duplicate certificate of ownership;

(d) There is a statutorily authorized lien filed by a government agency against the vessel;

(e) An existing legal owner's perfected security interest is transferred to another party and the new secured party is perfecting its security interest.

(2) If there are multiple registered owners on an application for certificate of ownership, when is only one registered owner's signature required? Only one registered owner's signature is required when:

(a) The last certificate of ownership was issued in another jurisdiction; and

(b) The last certificate of ownership shows multiple registered owners; and

(c) Ownership is not changing.

AMENDATORY SECTION (Amending WSR 98-09-023, filed 4/8/98, effective 5/9/98)

WAC 308-93-460 Release of interest. ~~((1) Vessel owner(s) and secured parties who intend to release interest in a vessel shall:~~

~~(a) Sign the release of interest provided on the certificate of ownership issued by the department; or~~

~~(b) Sign a release of interest document or form approved by the department.~~

~~(2) In lieu of subsection (1)(a) and (b) of this section, secured parties who intend to release their interest in a vessel may provide:~~

~~(a) Their properly completed official lien release form; or~~

~~(b) A release of interest on their official letterhead, if the secured party is a business entity.~~

~~(3) If the Washington certificate of ownership is a paperless title, the secured party may release their interest electronically or by signing an affidavit in lieu of title. If the affidavit in lieu of title is printed at their business location, the signature need not be notarized.~~

~~(4) Signatures releasing owner interest on department approved documents other than the certificate of ownership must be notarized or certified in accordance with WAC 308-93-470. Signatures releasing interest on the certificate of ownership issued by the department or another jurisdiction do not need to be notarized or certified.~~

~~(5) Secured parties who are businesses do not need to have their signatures notarized or certified when releasing interest in a vessel in accordance with subsection (2)(a) or (b) of this section if the current certificate of ownership is submitted with an application for a new certificate of ownership.~~

~~(6) A release of interest is not required:~~

~~(a) From an owner identified as a lessee; or~~

~~(b) If a valid marine document has been issued by or applied for from the United States Coast Guard documentation office; or~~

~~(c) When other appropriate documents are submitted in lieu of the release of interest. Such documents may include, but are not limited to, a certified or notarized: Bill of sale, affidavit in lieu of title with the release of interest portion properly completed, release of interest form, affidavit of loss of title with the release of interest portion properly completed, or letter of release.~~

~~(7) If a vessel is documented, a United States Coast Guard abstract may be used to release the interest of the secured party for a vessel registered in Washington.~~

~~(8) Secured parties who intend to release interest on a vessel that has a marine document issued by the United States Coast Guard, documentation office shall provide:~~

~~(a) Their properly completed official lien release form;~~

~~(b) A release of interest on their official letterhead, if the secured party is a business entity;~~

~~(c) Provide a certified copy of the satisfaction of Preferred Marine Mortgage;~~

~~(d) Provide a certified copy of the document abstract from the United States Coast Guard, documentation office showing the lien has been satisfied.~~

~~(9) When a vessel is removed from being marine documented, the owner shall provide:~~

~~(a) A copy of the removal letter from the United States Coast Guard, documentation office; or~~

~~(b) Documentation described in subsection (8) of this section; and~~

~~(c) If ownership is changing, approved releases of interest as described in this rule.)~~ **(1) How does an owner**

release their interest in a vessel? A vessel owner(s) or secured party who intends to release interest in a vessel shall:

(a) Sign the release of interest provided on the certificate of ownership; or

(b) Sign a release of interest document or form approved by the department.

(2) What documentation may be used in lieu of a release of interest? Documents that may be used in lieu of a release of interest include, but are not limited to, a certified or notarized:

(a) Bill of sale;

(b) Affidavit in lieu of title with the release of interest portion properly completed;

(c) Release of interest form;

(d) Letter of release;

(e) Affidavit of repossession;

(f) Abandoned vessel reported on an abandoned vehicle report and the affidavit of sale on the report has been completed by the issuing tow company;

(g) Other documentation approved by the department.

(3) What forms may secured parties use in lieu of subsection (1)(a) and (b) of this section when their intent is to release interest? Secured parties who intend to release their interest in a vessel may provide one of the following if accompanied by the most recently issued certificate of ownership:

(a) Their properly completed official lien release form;

or
(b) If the secured party is a business entity, a release of interest on its official letterhead.

(4) How is the release of interest submitted on an electronically generated Washington certificate of ownership? If the Washington certificate of ownership is a paperless certificate of ownership (title), the secured party may release its interest electronically or by signing an affidavit in lieu of title.

(5) When do signatures releasing interest need to be notarized or certified? An owner's release of interest on department approved documents other than the certificate of ownership must be notarized or certified in accordance with WAC 308-93-470.

(6) Are there situations when signatures would not need to be notarized or certified in order to release interest? Yes, the following are situations where notarization or certification is not required:

(a) A signature releasing interest on the certificate of ownership issued by the department or another jurisdiction;

(b) A signature releasing interest on an affidavit in lieu of title printed at a Washington paperless title institution's location;

(c) If the Washington certificate of ownership is a paperless certificate of ownership (title), the secured party may release its interest electronically;

(d) When there is a secured party and:

(i) The secured party is a business; and

(ii) Release of interest in a vessel is in accordance with subsection (2)(a) or (b) of this section; and

(iii) The current certificate of ownership is submitted with the separate release of interest and an application for a new certificate of ownership:

(e) A release of interest or bill of sale from the registered owner when the vessel is from a jurisdiction which does not title this type of vessel:

(f) Dissolution of marriage if awarded through the court:

(g) Death of the registered owner (refer to WAC 308-93-520):

(h) Repossession:

(i) A release of interest or a bill of sale from a wrecker or insurance company; or

(j) If a valid marine document has been issued by or applied for from the United States Coast Guard documentation office:

(k) A court order awarding the vessel;

(l) Determined by the director as not needed.

(7) When is a registered owner's release of interest not required? A release of interest is not required when a registered owner is identified:

(a) As a lessee or sublessee on an ownership document or a lienholder sells a contract to another lienholder;

(b) When documentation is required by the department in the event of death; or

(c) By dissolution of a marriage.

(8) What is required to release the interest of a secured party in a documented vessel registered in Washington? A United States Coast Guard abstract may be used to release the interest of the secured party for a vessel registered in Washington.

(9) What documentation will be provided by the United States Coast Guard documentation office? The United States Coast Guard documentation office must provide the following documentation for secured parties who intend to release interest on a marine documented vessel:

(a) Their properly completed official lien release form; or a release of interest on their official letterhead, if the secured party is a business entity;

(b) Provide a certified copy of the satisfaction of preferred marine mortgage;

(c) Provide a certified copy of the document abstract from the United States Coast Guard, documentation office showing the lien has been satisfied.

These documents are provided to the United States Coast Guard by the lienholder/secured party, seller, new owner etc. Copies of these items may be requested from the United States Coast Guard for submission to the department when applying for certificate of ownership.

(10) What must the owner provide to the department when a vessel will no longer be documented with the United States Coast Guard? The owner must provide:

(a) A copy of the removal letter from the United States Coast Guard documentation office; and

(b) Documentation described in subsection (9) of this section for removing lienholder/secured party; and

(c) If ownership is changing, approved releases of interest as described in this rule.

AMENDATORY SECTION (Amending WSR 98-09-023, filed 4/8/98, effective 5/9/98)

WAC 308-93-470 Certification of signatures. ~~((4))~~ Signatures shall be notarized by a notary public or certified by agents and subagents appointed by the director to conduct vessel title and registration activities on behalf of the department. The certification must include the signature and the county, office, and operator numbers of the person certifying the signature. Signatures may also be certified by one of the following:

~~(a) Employees authorized by the director to certify signatures. These employees are:~~

~~(i) Deputy director; and~~

~~(ii) Assistant director for vehicle services; and~~

~~(iii) Administrator and managers of the division primarily responsible for vessel title and registration; and~~

~~(iv) Persons assigned to liaison duties between the department and its agents and subagents; and~~

~~(v) Persons assigned the responsibility of accepting title and registration applications at the department's offices; and~~

~~(vi) Persons assigned the responsibility for investigating vessel dealer activities; and~~

~~(b) Persons named on a Washington vessel dealer's bond, filed with the department, if the vessel is sold by that licensed vessel dealer. The certification must include the signature, title, and dealer number of the person certifying the signature.~~

~~(2) The person certifying the signatures shall require proof of identification. Approved identification is:~~

~~(a) Driver's license; or~~

~~(b) Any photo identification card; or~~

~~(c) Any two of the following:~~

~~(i) A nationally or regionally recognized credit card (signed);~~

~~(ii) A signed ID card issued by a city, county, state or federal government agency;~~

~~(iii) Any certificate or other document issued by a government agency for the purpose of establishing identity; or~~

~~(d) Other documentation satisfactory to the person certifying the signature.)~~ **(1) Who may certify or notarize vessel certificate of ownership and registration activities on behalf of the department?** Signatures shall be notarized by a notary public or certified by agents and subagents appointed by the director. The certification must include the signature and the county, office, and operator numbers of the person certifying the signature. Signatures may also be certified by one of the following:

(a) Employees authorized by the director to certify signatures. The employees are:

(i) Deputy director; and

(ii) Assistant director for vehicle services; and

(iii) Administrator and managers of the division primarily responsible for vessel title and registration; and

(iv) Persons assigned to liaison duties between the department and its agents and subagents; and

(v) Persons assigned the responsibility of accepting title and registration applications at the department's offices; and

(vi) Persons assigned the responsibility for investigating vessel dealer activities.

(b) Persons named on a Washington vessel dealers bond filed with the department, if the vessel is sold by that licensed vessel dealer. The certification must include the dealer number, signature, and title, of the person certifying the signature.

(2) What proof of identification must be presented to the person certifying the signature(s)? The person certifying the signatures shall require proof of identification. Approved identification includes:

(a) Drivers license; or

(b) Any signed photo identification card; or

(c) Any two of the following:

(i) A nationally or regionally recognized credit card (signed);

(ii) A signed ID card issued by a city, county, state or federal government agency;

(iii) Any certificate or other document issued by a government agency for the purpose of establishing identity; or

(d) Other documentation satisfactory to the person certifying the signature.

WSR 00-18-082

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 5, 2000, 8:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-106.

Title of Rule: Chapter 308-93 WAC, Vessel registration and certificate of title, general provisions for transfer of ownership and evidence of ownership, WAC 308-93-200, 308-93-220, 308-93-230, and 308-93-295.

Purpose: 1. To meet the criteria set forth in Governor Locke's Executive Order 97-02.

2. To clarify rules and help make them more comprehensible.

Statutory Authority for Adoption: RCW 88.02.100 and 88.02.070.

Summary: Amending WAC 308-93-200 Certificate of involuntary transfer of interest in vessel, 308-93-220 Department may refuse or cancel certificate, and 308-93-295 Dealer temporary permits to operate vessels.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Patrick J. Zlateff, 1125 Washington Street S.E., Olympia, 902-3718; Implementation: Eric Andersen, 1125 Washington Street S.E., Olympia, 902-4045; and Enforcement: Deborah McCurley, 1125 Washington Street S.E., Olympia, 902-3754.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above-mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections needed and repeal those no longer required.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

RCW 34.05.328 does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Patrick J. Zlateff by October 9, 2000, TTY (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Patrick J. Zlateff, Rules Coordinator, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by October 9, 2000.

Date of Intended Adoption: November 7, 2000.

September 1, 2000

Deborah McCurley, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 98-21-001, filed 10/8/98, effective 11/8/98)

~~WAC 308-93-200 ((Certificate of—))Involuntary transfer ((of interest in))/repossession of a vessel. ((Who is required to make application for certificate of ownership if ownership is transferred involuntarily?~~

~~The transferee is required to apply for a certificate of ownership within fifteen days of possession. The entity that commences the involuntary transfer of ownership is not required to apply for certificate of ownership prior to disposing of the vessel.)) (1) Who may repossess a vessel? A Washington titled vessel may only be repossessed by the legal owner of record or secured party.~~

(2) What documentation does the department require when a vessel is repossessed? In addition to other documents required:

(a) The most recent certificate of ownership; or

(b) An affidavit in lieu of certificate of ownership; and

(c) An affidavit of repossession.

(3) Is the secured party/legal owner required to apply for a new certificate of ownership when a vessel has been repossessed? If the secured party/legal owner intends to hold the vessel for resale, they do not need to apply for a new certificate of ownership. Upon transfer to another person, the buyer must promptly mail or deliver to the department those documents referenced in subsection (2) of this section.

AMENDATORY SECTION (Amending WSR 98-21-001, filed 10/8/98, effective 11/8/98)

WAC 308-93-220 Department may refuse or cancel certificates. ((When)) (1) Can the department refuse ((or cancel)) to issue a certificate of ownership or ((certificate of)) registration? Yes, if the department determines at any

time that an applicant for certificate of ownership or ~~((for a certificate of))~~ registration for a vessel is not entitled to these certificates ((of ownership)), the department may refuse to issue such certificates ~~((or to register the vessel and may, for like reason, after notice, and in the exercise of discretion, cancel the certificate of registration already acquired or any outstanding certificate of ownership. Notice of cancellation may be accomplished by sending a notice by first class mail using the last known address in department records for the legal vessel owner or owners, and recording the transmittal on an affidavit of first class mail. It shall then be unlawful for any person to remove or operate the vessel until a proper certificate of ownership or certificate of registration has been issued, and any person removing or operating such vessel after the refusal of the department to issue certificates or the revocation thereof shall))~~.

(2) Can the department cancel a certificate of ownership or registration? Yes, the department may cancel the certificate of ownership or registration already acquired.

(3) How will the department notify an applicant if a certificate of ownership or registration has been refused or canceled? Notice of cancellation may be accomplished by sending a notice by first class mail using the last known address in department records for the legal vessel owner or owners, and recording the transmittal on an affidavit of first class mail.

(4) May the vessel be operated if the certificate of ownership or registration has been refused or canceled? No. It is unlawful for any person to operate the vessel until a proper certificate of ownership or registration has been issued. Any person operating a vessel after the refusal or cancellation of the certificates by the department will be guilty of a gross misdemeanor.

AMENDATORY SECTION (Amending WSR 98-21-001, filed 10/8/98, effective 11/8/98)

WAC 308-93-295 Dealer temporary permits to operate vessels. (1) ~~((If I acquire a new or used vessel from a Washington vessel dealer licensed under chapter 88.02 RCW, what documents do I need to place or use the vessel on the water?~~

(a) ~~If the vessel has current Washington registration displayed, the vessel may be placed or used on the waters immediately, provided the sale documents are carried on the vessel.~~

(b) ~~If the vessel does not have current Washington registration displayed, the dealer may issue a thirty-day temporary permit, allowing the vessel to be placed or used on the water. In addition to the permit the sale documents shall be carried on the vessel and made available upon request.~~

(2) How long does the dealer have to provide me with a new vessel registration?

The dealer must provide you with your new registration within thirty days from the date of purchase. Only one vessel dealer temporary permit may be used.

(3) How does a vessel dealer licensed under chapter 88.02 RCW complete a vessel temporary permit?

A vessel dealer completes a temporary permit as follows:

~~(a) Fill out the certificate of ownership portion of the permit, detailing all owners and all fees collected, including the dealer's report of sale and date of sale. All registered owners must sign the application.~~

~~(b) Detach the cardboard copy of the permit and record the date of expiration in dark permanent ink, with bold letters and numbers, on the permit side of that copy. Present the balance of the copies to a license agent within thirty calendar days as an application for registration and certificate of ownership. The dealer will receive a five-dollar credit for a properly issued permit.~~

~~(c) Advise customer to:~~

~~(i) Display the cardboard copy of the permit on the vessel;~~

~~(ii) Carry the purchase order identifying the sale on the vessel; and~~

~~(iii) Make the permit and purchase order readily available upon request.~~

~~(d) Collect certificate of ownership and registration fees required for a June expiration.~~

~~(4) Can a vessel dealer licensed under chapter 88.02 RCW, use a dealer temporary permit to operate a vessel?~~

No. The permit may only be used by the purchaser of the vessel. A dealer may not use the permit to operate or demonstrate a vessel.

~~(5) Under what conditions may a dealer turn in the permits and be eligible for a refund?~~

Refunds are only allowed when the dealer ceases doing business as a vessel dealer.

~~(6) May a dealer transfer unused temporary vessel permits to another vessel dealer licensed under chapter 88.02 RCW?~~

Temporary permits are not transferable from one vessel dealer to another, unless the department specifically authorizes the transfer.)) **What documents are required to place or use a vessel on the water if purchased from a Washington licensed vessel dealer?** If a vessel is purchased from a Washington vessel dealer licensed under chapter 88.02 RCW, the following documents are required:

(a) If the vessel is currently registered in Washington state, the vessel may be placed or used on the waters immediately, provided the sale documents are carried on the vessel; or

(b) If the vessel is not currently registered in Washington state, the dealer may issue a thirty-day temporary permit, allowing the vessel to be placed or used on the water. In addition to the permit the sale documents must be carried on the vessel and made available upon request.

(2) How long does the dealer have to apply for certificate of ownership and provide a new registration to the purchaser? The dealer must apply for a certificate of ownership within thirty days from the date of delivery. The dealer must make available a new registration to the purchaser within limits set by WAC 308-90-150 from the date of delivery. Only one vessel dealer temporary permit may be used.

(3) How does a Washington licensed vessel dealer complete a vessel temporary permit? A Washington licensed vessel dealer completes a temporary permit as follows:

(a) Fill out the certificate of ownership portion of the permit, detailing all owners and all fees collected, including the dealer's report of sale and date of sale/delivery. All registered owners must sign the application and signatures must be notarized/certified.

(b) Detach the cardboard copy of the permit and record the date of expiration in dark permanent ink, with bold letters and numbers, on the permit side of that copy. Present the balance of the copies to a license agent within thirty calendar days of delivery as an application for registration and certificate of ownership. The dealer will receive a five-dollar credit for a properly issued permit.

(c) Advise customer to:

(i) Display the cardboard copy of the permit on the vessel;

(ii) Carry the purchase order identifying the sale on the vessel; and

(iii) Make the permit and purchase order readily available upon request by law enforcement.

(d) Collect fees for certificate of ownership and registration for a June expiration.

(4) Can a Washington licensed vessel dealer use a dealer temporary permit to operate a vessel? No. The permit may only be used by the purchaser of the vessel. A dealer may not use the permit to operate or demonstrate a vessel.

(5) Under what conditions may a dealer turn in the permits and be eligible for a refund? Refunds are only allowed when the dealer ceases doing business as a vessel dealer.

(6) May a Washington licensed vessel dealer transfer unused temporary vessel permits to another vessel dealer? No, temporary permits are not transferable from one vessel dealer to another.

WSR 00-18-086
PROPOSED RULES
GAMBLING COMMISSION
 [Filed September 5, 2000, 12:54 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-15-046 with a published date of August 2, 2000.

Title of Rule: WAC 230-04-330 Change in management.

Purpose: Currently, this rule requires all changes in management positions to be reported to the commission. This enables staff to conduct background investigations on people involved in the management of a gambling operation. This amendment specifically lists which positions must be reported to the commission when changes are made to the management structure. By listing specific positions, redundancies are removed, i.e. persons who have already obtained

a gambling license will not have to be reported, as they have already passed the background investigations and qualified for a gambling license.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 438-7654 ext. 374; Implementation: Ben Bishop, Lacey, (360) 438-7640; and Enforcement: Sherri Winslow, Lacey, (360) 438-7654 ext. 301.

Name of Proponent: Staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: West Coast Silverdale Hotel, 3073 N.W. Bucklin Hill Road, Silverdale, WA 98383, on October 13, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by October 3, 2000, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Susan Arland, Mailstop 42400, Olympia, Washington 98504-2400, fax (360) 438-8652, by October 3, 2000.

Date of Intended Adoption: October 13, 2000.

September 1, 2000

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 67, filed 3/11/77)

WAC 230-04-330 Change of management. (~~No licensee shall make, or allow, a change in the~~) **Changes made to an organization's** management, directors, officers, or any other person holding a position (~~with that licensee wherein he~~) **that** makes any management decision directly affecting the operation of any licensed gambling activity (~~without notifying the commission in writing not more than thirty days following such change. Provided, That with respect to bona fide charitable or bona fide nonprofit organizations only, notice need not be given of change in officers until the required renewal date(s) for a particular license(s), or an additional license is applied for, whichever is sooner.~~

~~Each such change is subject to the approval of the commission:~~

~~Together with a notice of such change, the commission shall be supplied with all of the information which, by law or under the rules of the commission, would have been required to be supplied to the commission respecting such director or~~

~~officer, or other person in a managerial position, with the licensee had he been in such capacity at the time the application for the license was originally submitted to the commission)) are subject to staff review.~~

Notification.

(1) All commercial business licensees shall notify commission staff in writing, within thirty days, after making the following management changes:

(a) Management;

(b) Directors;

(c) Officers; and

(d) Any position that makes any management decisions directly affecting the operation of any licensed gambling activity.

(2) All bona fide charitable or nonprofit organization licensees shall notify commission staff in writing, when renewing their annual license, after making the following management changes:

(a) Highest ranking officer or official; and

(b) Treasurer or equivalent.

(3) Each notice shall be submitted on forms provided by the commission. The forms and all attachments must be fully completed and submitted in accordance with the time periods listed in subsections (1) and (2) of this section.

Fees.

(4) Commission staff may require the payment of a fee to determine the qualifications of each new management designee pursuant to the provisions set forth in WAC 230-04-240.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: West Coast Silverdale Hotel, 3073 N.W. Bucklin Hill Road, Silverdale, WA 98383, on October 13, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by October 3, 2000, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Susan Arland, Mailstop 42400, Olympia, Washington 98504-2400, fax (360) 438-8652, by October 3, 2000.

Date of Intended Adoption: October 13, 2000.

September 1, 2000

Susan Arland

Rules Coordinator

NEW SECTION

WAC 230-04-026 Ownership of a commercial gambling establishment by charitable and nonprofit organizations. Charitable and nonprofit organizations shall not own any interest in a commercial business licensed to conduct gambling activities.

WSR 00-18-087 PROPOSED RULES GAMBLING COMMISSION

[Filed September 5, 2000, 12:56 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-11-089 with a published date of June 7, 2000.

Title of Rule: WAC 230-04-026 Ownership of a commercial gambling establishment by charitable and nonprofit organizations.

Purpose: This new rule clarifies that charitable and nonprofit organizations cannot own a commercial gambling establishment.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 438-7654 ext. 374; Implementation: Ben Bishop, Lacey, (360) 438-7640; and Enforcement: Sherri Winslow, Lacey, (360) 438-7654 ext. 301.

Name of Proponent: Staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

WSR 00-18-088 PROPOSED RULES GAMBLING COMMISSION

[Filed September 5, 2000, 12:57 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-15-047 with a published date of August 2, 2000.

Title of Rule: WAC 230-46-010 Purpose, 230-46-020 Definitions, 230-46-025 Telephone charges—Valuable consideration, and 230-46-070 Punchboards/pull-tabs and pull-tab dispensing devices not to be used in promotional contests—Exception.

Purpose: During the 2000 session, legislation (SSB 6373) passed regarding how promotional contests of chance may be conducted. Under the old law, RCW 9.46.0355, specific methods were listed as to what a participant may be required to do to enter a promotional contest of chance. The new law simplifies contest procedures by replacing specific entry requirements with basic guidelines. These amendments update the rules relating to contest of chance so that they are consistent with the law.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 438-7654 ext. 374; Implementation: Ben Bishop, Lacey, (360) 438-7640; and Enforcement: Sherri Winslow, Lacey, (360) 438-7654 ext. 301.

Name of Proponent: Staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: West Coast Silverdale Hotel, 3073 N.W. Bucklin Hill Road, Silverdale, WA 98383, on October 13, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by October 3, 2000, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Susan Arland, Mailstop 42400, Olympia, Washington 98504-2400, fax (360) 438-8652, by October 3, 2000.

Date of Intended Adoption: October 13, 2000.

September 1, 2000

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending WSR 95-12-051, filed 6/2/95, effective 7/3/95)

WAC 230-46-010 Purpose. The Washington state gambling commission deems it to be in the public interest to interpret RCW ((9.46.0355 so as)) 9.46.0356 to insure uniformity and fairness to all sponsors of ((said)) promotional contests of chance. ((It is further)) The purpose of these regulations is to notify all sponsors and their affiliates as to what types of promotional contests of chance are legal and not legal in the state of Washington.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-46-020 Definitions.

AMENDATORY SECTION (Amending WSR 90-13-022, filed 6/11/90, effective 7/31/90)

WAC 230-46-025 Telephone charges—Valuable consideration. Any participant required to place a telephone call as a means of entry for a promotional contest of chance, shall not be required to pay any additional charges over and above the actual cost for placing such a call as established by a registered telephone company. Any charges over and above the actual cost of placing the telephone call, such as those associated with a 1-900 number whereby an additional service fee or other charges may be levied, shall be deemed a valuable

consideration and beyond the allowable methods of entry authorized by RCW ((9.46.0355)) 9.46.0356.

AMENDATORY SECTION (Amending WSR 92-22-058, filed 10/29/92 effective 11/29/92)

WAC 230-46-070 Punch boards/pull-tabs and pull-tab dispensing devices not to be used in promotional contests—Exception. (1) Punch boards/pull-tabs and pull-tab dispensing devices may not be used as a part of any promotional contest of chance as authorized in RCW ((9.46.0355)) 9.46.0356. This prohibition shall not apply to promotional game cards which could otherwise qualify as pull-tabs when such game cards meet the following standards. The promotional game cards:

(a) ((The promotional game cards)) Are readily distinguishable from any specific pull-tab series or pull-tab type used within the state of Washington;

(b) ((The promotional game cards)) Are designed and manufactured for a specific and unique promotional contest of chance;

(c) ((The promotional game cards)) Clearly display the name of the sponsoring business or the name of the product(s) being promoted;

(d) ((The promotional game cards)) Do not or have never contained a price per play on the card; and

(e) Each have the official rules of play including the language "no purchase necessary" ((are)) printed on the back ((of each promotional game card)).

(2) Promotional game cards, punch boards/pull-tabs or dispensing devices found to be in violation of this prohibition shall be subject to immediate seizure pursuant to RCW 9.46.230.

WSR 00-18-089

PROPOSED RULES

GAMBLING COMMISSION

[Filed September 5, 2000, 12:59 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-022 with a published date of May 3, 2000.

Title of Rule: WAC 230-02-161 Bona fide nonprofit organization defined.

Purpose: During the 2000 session, legislation passed enabling credit unions to conduct unlicensed raffles among members of their organizations. This change adds language to include credit unions as a charitable/nonprofit organization, but only for purposes of conducting raffles as set forth in RCW 9.46.0315.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 438-7654 ext. 374; Implementation: Ben Bishop, Lacey, (360) 438-7640; and Enforcement: Sherri Winslow, Lacey, (360) 438-7654 ext. 301.

Name of Proponent: Staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: West Coast Silverdale Hotel, 3073 N.W. Bucklin Hill Road, Silverdale, WA 98383, on October 13, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by October 3, 2000, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Susan Arland, Mailstop 42400, Olympia, Washington 98504-2400, fax (360) 438-8652, by October 3, 2000.

Date of Intended Adoption: October 13, 2000.

September 1, 2000

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 250, filed 3/16/94, effective 4/16/94)

WAC 230-02-161 Bona fide nonprofit organization defined. A bona fide nonprofit organization is a organization that meets all of the requirements of RCW 9.46.0209 and is organized and operated primarily to provide one or more of the following nonprofit services:

- (1) Educational;
- (2) Civic;
- (3) Patriotic;
- (4) Political;
- (5) Social;
- (6) Fraternal;
- (7) Athletic;
- (8) Agricultural;
- (9) Church and religious societies under chapter 24.12 RCW;
- (10) Fraternal societies under chapter 24.20 RCW;
- (11) Granges under chapter 24.28 RCW; and
- (12) Agricultural fairs under chapter 15.76 RCW or chapter 36.37 RCW.

Each nonprofit organization shall provide evidence of its nonprofit status by submitting documentation setting forth the progress it has made toward accomplishing its nonprofit purposes during its previous fiscal year. The fact that an organization is not exempt from payment of federal income taxes on income from its primary activities shall be prima facie evidence that the organization is not a nonprofit organization for purposes of conducting gambling activities.

(13) Credit unions organized and operating under state or federal laws are bona fide nonprofit organizations for purposes of RCW 9.46.0315 and 9.46.110 only.

WSR 00-18-090

PROPOSED RULES

GAMBLING COMMISSION

[Filed September 5, 2000, 1:00 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-15-045 with a published date of August 2, 2000.

Title of Rule: WAC 230-30-070 Control of prizes—Restrictions—Bonus prizes—Displaying—Procedures for awarding.

Purpose: For the past twenty-five years, "surprise" merchandise prizes have been allowed for punch board/pull-tab games by policy. However, there are no rules in place regarding these games. A "surprise" merchandise prize is a merchandise prize that is wrapped up in some way so the customer cannot see the prize being offered, making it a surprise. These surprise merchandise games have been popular and fun for customers. The games have run smoothly over the years with few, if any, regulatory complaints or concerns. This amendment will clarify what procedures must be followed when offering this type of prize.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 438-7654 ext. 374; Implementation: Ben Bishop, Lacey, (360) 438-7640; and Enforcement: Sherri Winslow, Lacey, (360) 438-7654 ext. 301.

Name of Proponent: Staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: West Coast Silverdale Hotel, 3073 N.W. Bucklin Hill Road, Silverdale, WA 98383, on October 13, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by October 3, 2000, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Susan Arland, Mailstop 42400, Olympia, Washington 98504-2400, fax (360) 438-8652, by October 3, 2000.

PROPOSED

Date of Intended Adoption: October 13, 2000.
September 1, 2000
Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 359, filed 7/15/98, effective 1/1/99)

WAC 230-30-070 Control of prizes—Restrictions—Bonus prizes—Displaying—Procedures for awarding.

Punch board and pull-tab prizes shall be closely controlled to ensure players are not defrauded.

(1) All prizes from the operation of punch boards and pull-tabs shall be awarded in cash or in merchandise.

No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(2) Additional chances on a punch board or pull-tab game may not be awarded as a prize. Provided, That prizes may involve the opportunity to advance and win a larger prize on the same punch board or pull-tab game as set forth in subsection (4) of this section.

(3) A bonus prize is a prize offered in a bonus pull-tab game, defined in WAC 230-30-040(1). A step-up prize is a prize offered on a punch board. The awarding of these prizes involves an immediate, additional opportunity to advance to a section of the game to determine the prize.

(4) On games where players advance, the bonus or step-up prizes may not be less than the highest prize available, which might otherwise have been won by the punch or pull-tab for which the opportunity was awarded. Each punch board or pull-tab game offering bonus or step-up prizes must clearly indicate on its flare the terms and conditions under which the bonus or step-up prize may be won, including the amount of the bonus or step-up prize.

(5) The licensee shall display prizes so that a customer can easily determine which prizes are available from any particular punch board or pull-tab series or device operated or located upon the premises. In addition, the following requirements apply.

(a) Merchandise prizes shall be displayed as follows:

(i) In the immediate vicinity of the punch board or pull-tab series and in plain view;

(ii) If size or space constraints do not allow the prize to be displayed as provided in (a)(i) of this subsection, the merchandise prize may be displayed elsewhere on the premises provided that a specific reference to that actual prize is noted on the flare; or

(iii) If the merchandise prize cannot be displayed on the premises, an accurate description and/or photograph of the prize must be displayed in plain view on or immediately adjacent to the flare.

(b) Cash prizes shall be clearly represented on the prize flare;

(c) Combination cash and merchandise prizes must meet the requirements of both (a) and (b) of this subsection;

(d) For games that offer merchandise prizes that are "surprises" or wrapped in some way so players are unable to identify what the prize is until opened, the following requirements apply:

(i) The actual cost paid by the licensee shall be clearly printed on each prize;

(ii) Each individual prize shall be readily identifiable with the flare and correspond with a winning number;

(iii) All prizes shall be displayed in plain view in the immediate vicinity of the punch board or pull-tab series; and

(iv) For purposes of calculating prize pay-outs, all prizes for each game shall be computed at the actual amount paid by the licensee plus fifty percent of the actual cost. For any merchandise prize with an actual cost over five hundred dollars, the total cost plus markup shall not exceed seven hundred fifty dollars.

(6) The following procedures apply to the removal of prizes from the game flare and the presentation of prizes to winning players:

(a) Upon determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from the flare and present the prize to the winner upon demand;

(b) Upon determination of a winner of any cash prize over twenty dollars, or of any merchandise prize with a retail value over twenty dollars, the licensee shall permanently and conspicuously delete all references to that prize from any flare, punch board, or pull-tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. On step-up punch boards and bonus pull-tab games, once all opportunities in a section of the flare have been won, all references to prizes no longer available to be won must be deleted on the flare. Operators may correct an inadvertently deleted prize by noting on the flare that such prize is still available. Such reference shall be permanently and conspicuously deleted when the prize is actually awarded. Failure to permanently and conspicuously delete a prize from the flare may result in the director initiating actions to revoke a license for violation of RCW 9.46.190 (defrauding a participant). The prize shall be paid or delivered to the winner only after all reference to such prize has been deleted from the flare.

(7) Payment of prizes. The licensee must pay or award to the customer or player playing the punch board or pull-tab series all such prizes that are required to be, but have not been, deleted from the flare when the punch board or pull-tab series is completely played out.

(8) Record of winners. When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punch board or pull-tab series, the licensee or licensee's representative shall make a record of the win. The record of the win shall be made in the following manner:

(a) The winners shall be required to print their name and date of birth, in ink, upon the side of the winning punch or tab opposite the winning symbol(s);

(b) The licensee or their representative shall then verify the winner's identity and record the date and initial the winning punch or tab; and

(c) If the pull-tab or punch is constructed or printed in such a manner as to preclude recording the information required in (a) and (b) of this subsection in a legible manner, the licensee may record the required information on a sheet of

PROPOSED

paper not less than three inches by five inches and staple the winning tab or punch thereto.

(9) Defacing winning punches or tabs. The licensee shall, within twenty-four hours after a winning pull-tab or punch worth more than twenty dollars has been presented for payment, mark or perforate the winning symbols in such a manner that the pull-tab or punch cannot be presented again for payment.

(10) Spindle, banded, or "jar" type pull-tabs played in a manner which awards merchandise prizes only. Pull-tab series which award only merchandise prizes valued at no more than twenty dollars, are hereby permitted to employ schemes whereby certain predesignated pull-tabs are free or the player is otherwise reimbursed the actual cost of said pull-tabs. Flares for spindle-type pull-tabs operated in this manner shall designate the total number of pull-tabs in the series and the total number of pull-tabs designated as free or reimbursable. Free or reimbursable pull-tabs in these types of pull-tab series shall not constitute a prize or prizes nor shall moneys collected and later reimbursed constitute revenue for the purposes of determining gross gambling receipts.

WSR 00-18-091

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 5, 2000, 1:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-15-011.

Title of Rule: WAC 308-125-200.

Purpose: Incorporation by reference of the 2001 edition of the Uniform Standards of Professional Appraisal Practice, the generally recognized national organized standards of real estate appraisal. Incorporation by reference is required because to incorporate the whole text would be unduly cumbersome and expensive.

Statutory Authority for Adoption: RCW 18.140.030 (16), (17).

Statute Being Implemented: Chapter 18.140 RCW.

Summary: Incorporate the 2001 edition of the Uniform Standards of Professional Appraisal Practice into WAC 308-125-200.

Reasons Supporting Proposal: That real estate appraisals in Washington be performed in accordance with current generally accepted appraisal standards as evidenced by the most recent amendments to appraisal standards promulgated by the Appraisal Standards Board of the Appraisal Foundation. This is required by Section 1110, Title XI of the Financial Institutions Recovery, Reform and Enforcement Act of 1989 (12 U.S.C. 3339).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, Jr., Olympia, (360) 753-1062.

Name of Proponent: Department of Licensing, Real Estate Appraiser Program, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-125-200 will incorporate by reference the 2001 edition of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Proposal Changes the Following Existing Rules: [No information supplied by agency.]

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed change only adopts the 2001 edition of the Uniform Standards of Professional Appraisal Practice.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Department of Social and Health Services, Blake Building, 4500 10th Avenue S.E., Lacey, WA 98503, on November 8, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Ralph Birkedahl by November 1, 2000, TDD (360) 753-1966, or (360) 753-1062.

Submit Written Comments to: Cleotis Borner, Jr., Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, fax (360) 586-0998, by November 1, 2000.

Date of Intended Adoption: November 9, 2000.

August 21, 2000

Cleotis Borner, Jr.

Program Manager

AMENDATORY SECTION (Amending WSR 00-04-057, filed 1/28/00, effective 2/28/00)

WAC 308-125-200 Standards of practice. (1) The standard of practice governing real estate appraisal activities will be the ((2000)) 2001 edition of the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation. A copy of the Uniform Standards of Professional Appraisal Practice is available for review and inspection at the office of the Real Estate Appraiser Unit Office, Olympia, Washington. The Uniform Standards of Professional Appraisal Practice is a copyright document. Copy of the full text may be obtained from the Appraisal Foundation at The Appraisal Foundation, P.O. Box 96734, Washington, DC 20090-6734.

(2) Expert review appraisers as defined by RCW 18.140.010(11) while performing expert reviews pursuant to chapter 18.140 RCW are exempt from the Uniform Standards of Professional Appraisal Practice, Standard 3 review provisions while performing expert reviews for the director.

WSR 00-18-098

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Adult Services Administration)

[Filed September 5, 2000, 3:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-11-105.

PROPOSED

Title of Rule: WAC 388-71-0700 Am I eligible for nursing facility care? and 388-97-027 Nursing facility admission and payment requirements.

Purpose: 1. Establish one standard for nursing home and COPES eligibility, eliminating redundancy and inconsistency; and

2. Reflect changes to the nursing facility admissions procedures.

Statutory Authority for Adoption: RCW 74.39A.040, 74.42.056.

Statute Being Implemented: RCW 74.39A.040, 74.42.056.

Summary: Health Care Financing Administration (HCFA) requires that there be one standard for COPES waived-services. This standard is defined by the state's definition of nursing facility level of care. This proposal eliminates WAC 388-97-022 and adopts a general reference to the nursing facility level of care in WAC 388-71-0700 Am I eligible for nursing facility care? The rules also update procedures for admissions into the nursing facility.

Reasons Supporting Proposal: To comply with federal regulations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Brooke Buckingham, AASA, 640 Woodland Square Loop, Lacey, 98503, (360) 725-2530.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule eliminates redundant standards for nursing facility level of care. It also clarifies the procedures under which a nursing facility can admit and be paid for Medicaid clients. The department does not anticipate that the change in rule will have an impact on caseload.

Proposal Changes the Following Existing Rules: The proposal establishes a new rule under chapter 388-71 WAC; repeals WAC 388-97-022 Medical eligibility for nursing facility care and amends WAC 388-97-027 Nursing facility admission and payment requirements.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rule does not impact small businesses.

RCW 34.05.328 applies to this rule adoption. Rules do meet the definition of "significant legislative rule," but the department is exempt from preparing a cost benefit analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail CoopeKD@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: Not sooner than October 11, 2000.

August 31, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

NURSING FACILITY CARE

NEW SECTION

WAC 388-71-0700 Am I eligible for nursing facility care? You are eligible for nursing facility services if the department:

(1) Assesses you and determines that you meet the functional criteria for nursing facility level of care as defined in WAC 388-71-0435(4); and

(2) Determines that your income and resources are within limits set through WAC 388-513-1315.

AMENDATORY SECTION (Amending WSR 00-06-028, filed 2/24/00, effective 3/26/00)

WAC 388-97-027 Nursing facility admission and payment requirements. (1) A nursing facility must not admit any individual unless:

(a) The physician, hospital, department, or department designee screens the individual for the presence of a serious mental illness or a developmental disability as required under WAC 388-97-247;

(b) The ~~((department assesses any Medicaid applicant or recipient and determines that the individual meets the medical eligibility requirements described in WAC 388-97-022; and~~

~~(e) For an individual admitted on a weekend, holiday, or after business hours, the))~~ nursing facility or hospital requests an assessment from the department.

(2) The department authorizes payment for:

(a) Newly admitted Medicaid-eligible individuals, who are assessed and determined to be in need of nursing facility care, per WAC ~~((388-97-022))~~ 388-71-0700, on the date:

(i) Of the request for a department assessment; or

(ii) Nursing facility care actually begins, whichever is later.

(b) Current residents, who are converting to Medicaid from another payment source and are determined financial eligible, on the date of:

(i) Request for assessment; or

(ii) Financial application, whichever is earlier.

(iii) Exception: Payment back to the request date is limited to the certification period prior to the date of the financial application, per WAC 388-416-0015.

(3) If nursing facilities admit a Medicaid-eligible individual without a request for an assessment, they will not:

(a) Be reimbursed by the department; or

(b) Allowed to collect payment, including a deposit or minimum stay fee, from the client or the client's family or representative for any care provided before the date of request for assessment.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-97-022 Medical eligibility for nursing facility care.

**WSR 00-18-108
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed September 6, 2000, 11:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-15-063.

Title of Rule: WAC 16-230-615 Restricted use herbicides—Eastern Washington—Sale and distribution.

Purpose: Revise rule for purposes of clarity and uniformity with general rule requirements found in WAC 16-228-1231.

Statutory Authority for Adoption: Chapters 15.58 and 17.21 RCW.

Statute Being Implemented: Chapters 15.58 and 17.21 RCW.

Summary: The proposed rule change will clarify existing requirements. The proposed changes require that liquid formulations of (phenoxy hormone-type such as 2,4-D, and MCPA) distributed in quantities greater than one gallon in counties located east of the crest of Cascade Mountains shall be sold and distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives.

Reasons Supporting Proposal: Revise rule for purposes of clarity and uniformity with general rule requirements found in WAC 16-228-1231.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cliff Weed, Olympia, (360) 902-2036.

Name of Proponent: Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In certain situations individuals need to purchase one gallon quantities of phenoxy type materials to control noxious weeds. This rule allows for those purchases without requiring the individual to be licensed to purchase restricted use pesticides. The proposed rule change will clarify existing requirements. The proposed changes require that liquid formulations of (phenoxy hormone-type such as 2,4-D, and MCPA) distributed in quantities greater than one gallon in counties located east of the crest of the Cascade Mountains shall be sold and distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives.

Proposal Changes the Following Existing Rules: Adds clarity and makes this rule consistent with a similar rule found in WAC 16-228-1231. Clarifies the amount of (phe-

noxy hormone-type such as 2,4-D, and MCPA) which can be purchased without a license.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement was determined to be unnecessary because the economic impact from the rule changes will be negligible.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: Washington State Department of Agriculture, Suite 238, 21 North First Avenue, Yakima, WA 98902, on October 12, 2000, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Laurie Mauerma by October 2, 2000, TDD (360) 902-1996.

Submit Written Comments to: Laurie Mauerma, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093, by October 13, 2000.

Date of Intended Adoption: October 26, 2000.

September 6, 2000

Bob Arrington

Assistant Director

AMENDATORY SECTION (Amending Order 2073, filed 2/26/91, effective 3/29/91)

WAC 16-230-615 Restricted use herbicides—Eastern Washington—Sale and distribution. Liquid formulations of restricted use herbicides distributed in ~~((packages))~~ quantities larger than one gallon in counties located east of the crest of the Cascade Mountains shall be sold and distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives ~~((: Provided, That liquid amine formulations of any concentration of restricted use herbicides in containers up to and including one gallon in size is allowed in all counties located east of the crest of the Cascade Mountains))~~.

WSR 00-18-109

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed September 6, 2000, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-03-078 and 00-03-077.

Title of Rule: General pesticide rules, chapter 16-228 WAC, WAC 16-228-1220, 16-228-1300, 16-228-1320, 16-228-1400, and 16-228-1420.

Purpose: Revise rules for purposes of clarity, uniformity and to suffice the rule-making requirements of chapter 17.21 RCW. Also, this proposal is intended to revise the general rules to specify label requirements for certain pesticide registrations and emergency exemptions from registration.

Statutory Authority for Adoption: RCW 15.58.040 (2)(i) and chapter 17.21 RCW.

PROPOSED

Statute Being Implemented: Chapters 15.58 and 17.21 RCW.

Summary: This proposal seeks modifications to existing rules.

OVERVIEW OF PROPOSED CHANGES

The following is an overview, by section of proposed changes to the general pesticide regulations.

WAC 16-228-1220 Restrictions applying to any person holding, handling, using, or disposing of pesticides and their containers. The proposed changes are intended to clarify the storage requirements. The existing rules specify how pesticides are to be stored by category as well as by signal word. The proposed changes delete the category and focus strictly on signal word. This will allow individuals to focus on the signal word, which appears on every pesticide label. Once the signal word is identified from the label, individuals can determine more easily the storage requirements necessary to achieve compliance.

WAC 16-228-1300 Distribution records. The first change is to add the word "full" to those sections, which require a name. This will aid the department in enforcement cases by providing more accurate information concerning pesticide purchases. The second proposed change is to require dealers to keep records related to the crop or site to which pesticides will be applied, if known. This provision was inadvertently removed from the rules during the last revision. It is important to add this provision back to the rules for compliance and enforcement purposes. The third change is the deletion of subsections (2) and (3). The same requirements are found in WAC 16-228-1231 and are no longer needed in this section.

WAC 16-228-1320 Applicator requirements. The proposed changes to this section are necessary in order [to] be consistent with RCW 17.21.100 which deals with record-keeping. Specifically, the law allows records to be kept on any form, not just those forms, which have been adopted by the department. The law does require that upon request by the department the records shall be provided on an adopted form. Therefore the proposed changes will make the rules consistent with the requirements of RCW 17.21.100.

In addition to these changes, there is also one new section entitled: **Landscape marker removal schedule.** RCW 17.21.410 establishes the requirement for placing markers (posting) at the time of certain landscape applications. RCW 17.21.410 also requires that the marker be removed by the property owner or tenant according to a schedule established in rule. Currently there is no removal schedule; therefore the department needs to adopt rules related to marker removal. The department has determined that most pesticides applied to landscapes have no restricted interval requirements on the pesticide labels. When labels have no restricted interval requirement entry is allowed at such times sprays have dried. However, the proposed rules would require a minimum twenty-four hours when no restricted intervals are required. The proposal also requires the commercial applicator to inform the property owner or tenant of the interval require-

ments when the product label requirements for entry are greater than twenty-four hours.

For additional information concerning this proposal please contact Cliff Weed at (360) 902-2036.

Overview of Registration Program's Request for Pesticide Labeling Rule Changes

For the vast majority of pesticides distributed and used in the state of Washington the pesticide labels are first registered by the United States Environmental Protection Agency (EPA) under section 3 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). These products are then subsequently registered by WSDA. With section 3 products, since the labels are actually reviewed and approved at the federal level, WSDA has very little input on the wording of specific labels. There are other types of registrations that WSDA is much more highly involved with and works directly with registrants to develop labels. In the case of section 24c special local need (SLN) registrations and section 18 emergency exemptions from registration. WSDA is simply adding label requirements that we have required by policy into rules in order to more clearly define requirements to registrants. With spray adjuvants and section 25b products (both further described below) neither of which are registered at the federal level, label requirements have more clearly developed over the last few years.

Labeling Requirements for Section 18 Emergency Exemptions From Registration: EPA grants section 18 emergency exemptions in the form of a letter that is addressed to WSDA. The letter states or refers to all requirements that EPA feels are necessary to adequately protect people and the environment. However, rather than list out all the requirements the EPA sometimes refers to requirements submitted by the state in their request package, or they may refer to the section 3 label or the draft section 18 label of the product requested. In addition, in certain instances WSDA has found it necessary to implement state specific requirements that EPA has not included on the granting document. In order to comply with all requirements of the section 18 exemption applicators often have to refer to multiple documents from various sources. WSDA believes that this is a burden to applicators when trying to make sure they are in compliance with the law. WSDA believes that the best way to alleviate this is to incorporate all requirements onto a single document. The most appropriate document is a section 18 label created by the registrant. The proposed rules require that section 18 pesticides be accompanied by a label approved by the department.

Historically, WSDA has not required a label for use under section 18 because, especially when crisis exemptions are necessary, registrants may not be able to generate a label before the critical use is needed. Over the last few years this has become very impractical (considering the manner in which EPA is composing the granting document) to the point where chances are increased that a violation (thus possible harm to humans or the environment) could occur. Incorporating all requirements on one document, the label, would go a long ways toward preventing this. Some other states (i.e. - Oregon) already require a section 18 label so most registrants

involved with a section 18 create a label anyway. The rules provide for those situations where registrants are not able to create a label in time to meet the emergency use.

Labeling Requirements for Section 24c Special Local Need (SLN) Registrations: Under section 24c of FIFRA states are granted the authority to register pesticide uses to meet special local needs within the state. These registrations are based upon federally registered products (or occasionally a federally registered active ingredient) and must meet specific criteria established by EPA. EPA reviews each label after issuance by the state and oversees the program in a general manner, however, it is the state's responsibility to review and approve the label that is issued. The proposed rules formalize what the department requires by policy (to meet EPA and state requirements) in order to issue a [section] 24c registration.

Labeling Requirements for Spray Adjuvants: Spray adjuvants are not registered by EPA or any other federal agency. Certain states including Washington register spray adjuvants. The main reason spray adjuvants are not regulated by EPA is because generally, spray adjuvants do not make pesticidal claims and they are not as toxic or hazardous as pesticides. However, some spray adjuvants can be quite hazardous and in certain cases may present more risk to people or the environment than the pesticides they are applied in conjunction with. In general, precautionary language is not consistent with precautionary language of pesticides with equal toxicological properties. This in conjunction with increased concerns over endangered salmonids as well as greater demand to find adjuvants that increase the efficacy of aquatic pesticides. In the last couple years these and other factors have caused WSDA to take a closer look at adjuvants. The proposed rules incorporate into rule labeling requirements WSDA has developed as policy over the last couple years.

Labeling Requirements for Pesticides Exempt From Federal Registration Requirements Under Section 25b of FIFRA: In 1996 EPA exempted certain "minimum risk" pesticides from FIFRA requirements if they satisfy certain conditions. Even though EPA exempted these products from federal registration, state law which requires these products to be registered by WSDA did not change. The necessity of ensuring that section 25b labels have adequate language to protect people and the environment shifted to WSDA. Since EPA exempted these products in 1996 WSDA by policy has attempted to require basic label language consistent with other pesticides labels. The proposed rules incorporate into rule labeling requirements WSDA has developed as policy since the federal exemption was created.

Changes to WAC 16-228-1420 Regarding "The Complete Pesticide Formula": Proposed changes make the rule consistent with the requirement of FIFRA which requires that inert ingredients be named on labels of products exempt from federal registration under section 25b. The change allows the department to register labels that name inert ingredients and thus "release" information that may be listed on the registrant's confidential statement of formula.

For additional information concerning this proposal please contact Erik Johansen at (360) 902-2078.

The proposal also seeks to establish a new section related to marker schedule.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Erik Johansen and Cliff Weed, Olympia, (360) 902-2078, (360) 902-2036; Implementation and Enforcement: Joel Kangiser and Cliff Weed, Olympia, (260) [(360)] 902-2027, (360) 902-2036.

Name of Proponent: Washington State Department of Agriculture, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: See Summary above.

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

Explanation of Rule, its Purpose, and Anticipated Effects: For an explanation and purpose of changes to pesticide labeling requirements see Summary above. The anticipated effects of changes to the labeling requirements will be minimal since most of the changes are currently requirements by policy. Registrants will have a better idea of the expectations of the department since they will be clearly spelled out in the rules.

Also see Summary above for an overview of proposed changes to WAC 16-228-1220, 16-228-1300, and 16-228-1320, as well as a new section related to marker schedules. In brief, the proposed changes will clarify, provide uniformity and to suffice the rule-making requirements of chapter 17.21 RCW.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement was determined to be unnecessary because the economic impact from the rule changes will be negligible.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: The videoconference hearing will be held at 3 DIS sites simultaneously; at 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98503; at North 1101 Argonne, Suite 109, Spokane, WA 99201; and at Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902, on October 10, 2000, at 7:00 p.m.

Assistance for Persons with Disabilities: Contact Laurie Mauerman by October 2, 2000, TDD (360) 902-1996.

Submit Written Comments to: Laurie Mauerman, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093, by October 11, 2000.

Date of Intended Adoption: October 24, 2000.

September 6, 2000

Bob Arrington

Assistant Director

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1220 Restrictions applying to any person holding, handling, using, or disposing of pesticides and their containers. (1) Any person handling, applying, or disposing of pesticides or pesticide containers shall do so in such a manner to minimize hazard to commercially important pollinating insect species. Due care shall be taken to regulate the timing and technique of pesticide applications to or around blossoming plants.

(2) No person shall transport, handle, store, load, apply, or dispose of any pesticide, pesticide container or apparatus in such a manner as to pollute water supplies or waterways, or cause damage or injury to land, including humans, desirable plants and animals, or wildlife: Provided, That a pesticide labeled for aquatic use and used as directed shall not be considered a violation of this subsection: Provided further, That disposing of pesticides at disposal sites approved by the appropriate agency complies with the requirements of this subsection. Toxicity, volatility, and mobility of pesticides shall be considered in complying with this subsection.

(3) No person shall pollute streams, lakes, and other water supplies in pesticide loading, mixing, and application. Adequate, functioning devices and procedures to prevent backsiphoning shall be used.

(4) None of the following pesticides shall be applied by aircraft or airblast sprayers immediately adjacent to occupied schools in session, hospitals, nursing homes or other similar establishments under conditions that may result in contamination of these establishments or their premises:

- (a) Disulfoton (DiSyston)-Liquid
- (b) Parathion
- (c) Phorate (Thimet)-Liquid

(5) No person shall apply pesticides if weather conditions are such that physical drift or volatilization may cause damage to adjacent land, including humans, desirable plants or animals.

(6) Requirements for unattended pesticides and their containers:

(a) Good generally accepted housekeeping practices shall be maintained for all pesticides and their containers.

(b) The provisions of (d) and (e) of this subsection and subsection (7) of this section shall not apply to empty pesticide containers when adequately decontaminated (e.g., three successive rinsings); shall not apply to categories 2, 3, and 4 pesticide formulations labeled for home and garden use only.

(c) For the purposes of (d) and (e) of this subsection and subsection (7) of this section, pesticides and their containers at the loading area shall not be considered unattended during the spraying operation if the operator maintains either visual control or repeatedly returns at closely spaced intervals.

(d) (~~Category 1~~) Pesticides labeled with the signal word "danger/poison" and their containers shall be stored in one of the following enclosures which, when unattended, shall be so constructed and locked (except (v) below) to prevent children, unauthorized persons, livestock, or other animals from gaining entry.

- (i) Closed vehicle.
- (ii) Closed trailer.

(iii) Building or room or fenced area with a fence at least six feet high.

(iv) Foot locker or other container which can be locked.

(v) Unattended trucks or trailers which have solid sideracks and secured tailgate at least six feet above ground, ramp or platform level.

(vi) Bulk storage containers fifty gallons and larger with tight screw-type bungs and/or secured or locked valves.

(e) (~~Category 2~~) Pesticides labeled with the signal word "danger when not accompanied by the signal word poison, pesticides labeled with the signal word "warning" and (~~categories 3 and 4~~) pesticides labeled with the signal word "caution" and their containers shall be stored in secured storage out of the reach of children in one of the enclosures listed in (d) of this subsection: Provided, That metal containers, twenty-eight gallons and larger, with tight screw-type bungs and/or secured or locked valves and sealed five gallon containers (requiring tool to unseal) shall be considered secured storage.

(7) Requirements for posting of storage area for (~~category 4~~) pesticides and their containers labeled with the signal words "danger/poison":

(a) For purposes of this subsection, warning signs shall show the skull and crossbones symbol and the words: "Danger/Poison (or Pesticide or Chemical) Storage Area/Keep Out" in letters large enough to be legible at a distance of thirty feet.

(b) Warning signs shall be posted:

(i) On enclosures specified in subsection (6)(d) of this section, when such enclosures are unattended;

(ii) At each entrance or exit from a storage area and on each exterior wall, so that a sign is visible from any direction;

(iii) If the pesticide storage area is contained in a larger, multipurpose structure, warning signs shall be clearly visible on each exterior wall of the structure within thirty feet of the pesticide storage area and from the main entrance to the larger structure: *Provided*, That posting of the main entrance shall not be required, if a sign is visible from the entrance which clearly identifies the possibility that pesticides may be stored on the premises, (i.e., XYZ Pest Control or XYZ Wood Treatment, Inc.);

(8) No person shall disperse a pesticide or pesticide rinse from any aircraft while in flight except over the target field and at the customary application height for that crop: *Provided*, That emergency dumping shall not be considered a violation of this section.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1300 Distribution records. (1) Pesticide dealers shall furnish records to the director immediately upon request on the distribution of any pesticide except those

PROPOSED

labeled only for home and garden. These requests shall be limited to records necessary for investigations of suspected violations, damage complaints, monitoring distribution and use under provisions of special local needs registrations, emergency exemptions from federal registration and experimental use permits, and monitoring of any pesticide suspected of unreasonable adverse effects on the environment. The records shall contain the following information:

- (a) Full Name and address of purchaser;
- (b) Full Name and address of certified applicator (if different from (a) above if applicable);
- (c) Full Name of authorized agent (if applicable);
- (d) Brand and specific pesticide name and/or EPA registration number;
- (e) Number of pounds or gallons of the pesticide distributed;
- (f) Date of distribution;
- (g) Certified applicator number (if applicable).
- (h) Crop and/or site to which pesticide will be applied (if known).

~~((2) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license or certification number.~~

~~(3) Pesticide dealers shall keep records of distribution of state restricted use pesticides for a period of seven years from the date of distribution.~~)

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/00 [11/20/99])

WAC 16-228-1320 Applicator requirements. (1) Certified applicators and all persons applying pesticides to more than one acre of agricultural land in a calendar year including public entities engaged in roadside spraying, and all persons making landscape applications of pesticides to types of property listed in RCW 17.21.410 (1), (b), (c), (d) and (e) shall keep records for each application (~~on a form prescribed by the director~~) which shall include the following:

- (a) The name and address of the person for whom the pesticide was applied.
- (b) The address or exact location of the land where the pesticide was applied. If the application is made to one acre or more of agricultural land, the field must be located on the map on the (~~prescribed~~) adopted form. Location of agricultural land shall be made using section, township and range or by irrigation block and farm unit numbers.
- (c) The year, month, day and start and stop time the pesticide was applied.

(d) The product name used on the registered label and the United States Environmental Protection Agency registration number, if applicable, of the pesticide which was applied.

(e) The direction from which the wind is blowing and estimated velocity of the wind in miles per hour (mph) and the temperature in degrees Fahrenheit at the time the pesti-

cide was applied: *Provided*, That this subsection (e) shall not apply to applications of baits in bait stations and pesticide applications within structures.

(f) The total amount of pesticide applied such as pounds, gallons, ounces, etc.

(g) The amount of pesticide applied per acre or one thousand square feet or other appropriate measure.

(i) For PCO classification or residential ornamental applications, the amount shall be recorded to the nearest ounce of product or to the nearest gallon of liquid spray per site.

(ii) Fumigation records shall include the pounds of gas released per one thousand cubic feet of space, the temperature, and the duration of the exposure period.

(h) The concentration of pesticide that was applied. Liquid applications may be recorded as amount of product per one hundred gallons of liquid spray or other appropriate measure. (Examples include, but are not limited to, the amount of formulation per one hundred gallons of water, percent formulation in the tank mix (i.e.) 1%, or gallons per acre of output volume.)

(i) The pests to be controlled (for PCO classification only).

(j) Specific crop or site to which pesticide was applied.

(k) Apparatus license plate number.

(l) The licensed applicator's name, certified pesticide applicator license number, address, telephone number, and the name and license number(s) if applicable of the individual or individuals making the application.

(m) The number of acres or other appropriate measure to which the pesticide was applied.

(2) Application records shall be completed and available to the department the same day the pesticides were applied.

(3) Application records shall be kept for a period of seven years from the date of the application of the pesticide to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

(4) Upon written request, the applicator shall provide the customer with a record of each application of pesticides to his/her land, for the current season, which shall contain the information listed in WAC 16-228-~~(4330)~~1320(1).

(5) Except as stated in subsection (6) of this section, the information required in subsection (1) of this section shall be (~~kept~~) provided upon request on the appropriate page of the pesticide record form (figures 1-8): *Provided*, That computerized records may be maintained as long as the records can be produced in the form and format prescribed by the department.

(6) The department may allow by written permit the information required in subsection (1) of this section to be kept in a different form and format than that described in figures 1-8: *Provided*, That the following criteria are met:

(a) The pesticide application record keeping system is computerized;

(b) (~~The pesticide application record keeping system was in place and operational prior to July 23, 1989;~~

~~(c))~~) The pesticide application record keeping system contains all the information required by subsection (1) of this

section, and can be produced in a form and format acceptable to the department.

(7) All apparatus shall be kept in good repair and only that apparatus capable of performing all functions necessary to ensure proper and thorough application of pesticides shall be used. Apparatus shall be cleaned so that no residue remains which may cause injury to land, including humans, desirable plants and animals, from subsequent applications.

(8) On demand of the director, the applicator shall make immediately available for inspection the pesticides being applied and the apparatus used for the application: Provided, That this inspection is made at the site of application or where the apparatus is located.

(9) The applicator shall make available necessary safety equipment in proper working order and advise employees on its use to meet the safety requirements of the pesticide label.

(10) Maintain a uniform mixture at all times in operating apparatus when applying pesticides.

(11) All containers used for prepared mixtures, other than those in an apparatus, shall have a label identifying the contents as a pesticide, the active ingredient, and appropriate cautions.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 16-228-1322 Landscape marker removal schedule (1) The marker shall remain in place for a minimum of twenty-four hours from the time the landscape application is originally posted as required by RCW 17.21.410.

(2) In the event the pesticide label requires a restricted entry interval greater than twenty-four hours, the certified applicator shall provide the property owner or tenant with the restricted entry interval times consistent with the label requirements. Markers shall remain in place consistent with the restricted entry interval times as required by the label.

(3) The property owner or tenant shall remove the marker of any landscape posted under the requirements of RCW 17.21.410 consistent with this schedule.

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1400 Pesticide labeling requirements. (1) In addition to the requirements set forth in (2) through (5) below, pesticide labeling shall meet the standards or criteria of ((the Federal Insecticide, Fungicide and Rodenticide Act)) FIFRA.

(2) Any pesticide exempted from registration under the provisions of section 18 of FIFRA must be labeled as follows:

(a) Pesticides distributed under section 18 of FIFRA must be accompanied by a label approved by the department prior to distribution. All conditions set forth in the document granting the emergency exemption and all other requirements

determined to be necessary by the department must be included on the label.

(b) In situations where a label cannot be developed and approved prior to the intended use period, the department may allow the use of the document granting the emergency exemption in lieu of labeling. Conditions set forth as part of ((an exemption from registration under provisions of section 18 of FIFRA)) the granting document, and any attached or associated documentation from the department shall be considered labeling for purposes of enforcement.

(3) Labels for spray adjuvants must include the following:

(a) The product brand name.

(b) The type or function of principal functioning agents. Terms used to describe adjuvant functions must be consistent with American Society for Testing and Materials (ASTM) Standard E 1519, unless ASTM has not defined a term. In the absence of an ASTM definition, the department will determine the appropriate term(s). Functions claimed must be consistent with the principal functioning agents. If two or more functions are claimed, then the functions must be listed in descending order (starting with the primary function).

(c) An ingredient statement that shall include the following:

(i) "Principal functioning agents." The principal functioning agents must be listed by chemical name in descending order of composition with either individual or total percentage(s). If more than 3 functioning agents are present, only the 3 principal agents need to be listed;

(ii) The percentage of "Constituents ineffective as spray adjuvants," and

(iii) The total percentage of all ingredients which must equal 100%.

(d) Directions for use that must include a description of intended uses and recommended use rates.

(e) Precautionary statements adequate to protect people and the environment that shall include the following:

(i) The statement "Keep Out Of Reach Of Children."

(ii) A signal word (danger, warning or caution) and precautionary statements (including requirements for personal protective equipment, if applicable) consistent with product toxicity data; and

(iii) A statement prohibiting aquatic use, unless the registrant provides data to demonstrate that the proposed use will not cause unreasonable adverse effects to fish and aquatic invertebrates.

(f) An appropriate storage and disposal statement.

(g) The name and address of the registrant or manufacturer. If the registrant's name appears on the label and the registrant is not the manufacturer, then the name must be qualified by appropriate wording such as "Packaged for" or "Distributed by."

(h) The weight or measure of the contents.

(i) Optional information: The spray adjuvant label may also include an exemption from tolerance statement (if applicable), an unsulfonated residue (UR) value (if applicable), the Washington registration number and a label identification code (such as the revision date).

(4) Special local need (SLN) labels issued under section 24c of FIFRA must include the following:

(a) A federal or state Restricted Use Pesticide (RUP) designation statement (when applicable).

(b) The statement "FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON."

(c) The product brand name.

(d) The EPA and SLN registration numbers of the product.

(e) The statement: "It is a violation of federal law to use this product in a manner inconsistent with its labeling."

(f) The statement: "This labeling must be in the possession of the user at the time of application."

(g) One of the following statements:

(i) For agricultural use SLN labels the statement: "Follow all applicable directions, restrictions, worker protection standard requirements, and precautions on the EPA registered label"; or

(ii) For non-agricultural use SLN labels the statement: "Follow all applicable directions, restrictions, and precautions on the EPA registered label."

(h) Directions for use that must include the following: crop or site to be treated, pest(s) to be controlled, application rate and concentration, method of application, frequency and timing of application, and pre-harvest interval.

(i) All restriction or precaution statements (e.g. pollinator protection, herbicide drift, aquatic toxicity, chemigation, seed crop requirements) applicable to the use.

(j) The statement: "This label for (Product name) expires and must not be distributed or used in accordance with this SLN registration after December 31, Fifth year." Fifth year means the fifth year after issuance of the SLN label.

(k) The name and address of the SLN registrant.

(l) A label identification code (such as the revision date).

(m) Any other applicable information required by the EPA or the department.

(n) In situations where the department deems it appropriate, the use of alternative language and/or statements may be allowed or required.

(o) Optional information: The SLN label may also include a waiver of liability statement (if applicable). The waiver of liability statement must be consistent with EPA requirements.

(5) Labels for minimum risk pesticides exempted from federal registration under section 25(b) of FIFRA must include the following:

(a) The product brand name.

(b) The product function. The function(s) claimed must be consistent with product ingredients.

(c) An ingredient statement that shall include the following:

(i) "Active ingredients." These ingredients must be listed by name (in descending order of composition) with individual percentage(s). Only active ingredients listed in 40CFR152.25(g) are permitted;

(ii) "Inert ingredients" or "Other ingredients." These ingredients must be listed by name with the cumulative percentage of all inert ingredients stated on the label. Only inert ingredients on EPA Inerts List 4A are permitted; and

(iii) The total percentage of all ingredients which must equal 100%.

(d) Directions for use that must include a description of intended uses and use rates. The label must not bear claims either to control or mitigate microorganisms that pose a threat to human health.

(e) Precautionary statements adequate to protect people and the environment that shall include the following:

(i) The statement "Keep Out Of Reach Of Children," and

(ii) A signal word (danger, warning or caution) and precautionary statements (including requirements for personal protective equipment, if applicable) consistent with product toxicity data.

(f) An appropriate storage and disposal statement.

(g) The name and address of the registrant or manufacturer. If the registrant's name appears on the label and the registrant is not the manufacturer, then the name must be qualified by appropriate wording such as "Packaged for" or "Distributed by."

(h) The weight or measure of the contents.

(i) Optional information: The minimum risk pesticide label may also include the Washington registration number and a label identification code (such as the revision date).

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/00 [10/20/99], effective 11/20/99)

WAC 16-228-1420 Complete pesticide formula. The complete pesticide formula shall include a listing of each active and inert ingredient and the percentage of each ingredient. This information will be kept confidential and is exempt from disclosure as a public record as provided by RCW 15.58.065 except for names of inert ingredients of pesticides exempt under section 25b of FIFRA which according to CFR 152.25 (g)(3)(i) must have this information on the label. Information required by this section may be submitted on company letterhead marked "confidential" in red ink on each sheet or each "EPA confidential statement of formula" information sheet.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 00-18-111
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed September 6, 2000, 11:35 a.m.]

Original Notice.

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

Title of Rule: WAC 388-466-0130 Refugee medical assistance.

Purpose: To comply with federal law in order to continue to meet federal refugee funding requirements.

Statutory Authority for Adoption: RCW 74.08.090, 74.08A.320.

Statute Being Implemented: RCW 74.08.090, 74.08A.320.

Summary: ORIA believes that the new rule will be more efficient and easier to understand and will result in better customer service.

Reasons Supporting Proposal: Efficiency, customer service.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Olga Walker, ORIA Program Manager, P.O. Box 45420, Olympia, WA, (360) 413-3285.

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

Rule is necessary because of federal law, C.F.R. Title 45 §400.101, §400.103 and §400.104.

Explanation of Rule, its Purpose, and Anticipated Effects: Federal law requires several changes such as: Requirement to prohibit from considering any cash assistance payment received by refugee from VOLAG when determining eligibility; requirement to determine eligibility on the basis of applicant's income and resources on the date of the application rather than averaging income over the application processing period; requirement of financial eligibility standard established at 200% of national poverty level; requirement to transfer refugee, who is residing in United States less than eight months and who lost his/her eligibility for Medicaid due to earnings, to refugee medical assistance program without eligibility determination. General eligibility requirements are also amended by clarifying that RMA is only available to refugees who are ineligible for Medicaid or CHIP.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect business.

RCW 34.05.328 does not apply to this rule adoption. This is not significant legislative rule under RCW 34.05.328.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on October 10, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper, DSHS Rules Coordinator, by October 3, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov [coopekd@dshs.wa.gov].

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by October 10, 2000.

Date of Intended Adoption: Not sooner than October 11, 2000.

August 31, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

NEW SECTION

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

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

(2) Who is eligible for refugee medical assistance?

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

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

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

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

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

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

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

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

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

You are not eligible to receive RMA if you are:

(a) Already eligible for Medicaid or CHIP;

(b) A full-time student in an institution of higher education unless the educational activity is part of a department-approved individual responsibility plan (IRP);

(c) A nonrefugee spouse of a refugee.

(4) If I have already received a cash assistance grant from voluntary agency (VOLAG), will it affect my eligibility for RMA?

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

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

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

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

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

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

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

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

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

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

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

(10) When does my RMA end?

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

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

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

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

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

When your spouse arrives in the U.S., we will determine his/her eligibility for Medicaid and other medical programs. Your spouse may be eligible for RMA; if so, he/she would have a maximum of eight months of RMA starting on the first day of the month of his/her arrival.

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

If you disagree with the decision or action taken on your case by department you have the right to request a review of your case by the leadworker/supervisor or request a fair hearing (see WAC 388-08-413). Your request must be made within ninety days of the decision or action).

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

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

WSR 00-18-114**PROPOSED RULES****TRANSPORTATION IMPROVEMENT BOARD**

[Filed September 6, 2000, 11:59 a.m.]

Original Notice.

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

Title of Rule: Housekeeping on existing rules.

Purpose: The rules shown are being revised to update current language and provide needed language to reflect the current procedures of the Transportation Improvement Board programs.

Statutory Authority for Adoption: Chapter 47.26 RCW.
Statute Being Implemented: WAC 479-05-190 and 479-14-130.

Summary: WAC 479-05-190 Indirect costs and 479-14-130 Apportionment of funds to transportation partnership program regions.

Reasons Supporting Proposal: Rules need to be revised to reflect current procedures and update current language.

Name of Agency Personnel Responsible for Drafting and Implementation: Rich Struna, Transportation Building, 705-7589; and Enforcement: Jerry Fay, Transportation Building, 705-7301.

Name of Proponent: Transportation Improvement Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rules are being revised to update current language and provide needed language to reflect the current procedures of the Transportation Improvement Board programs.

Proposal does not change existing rules. Same as above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no economic impact on small business. Transportation Improvement Board funding programs affect state and local transportation agencies.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The rules being revised are implementing Washington state law and the Transportation Improvement Board is not one of the agencies specifically directed to provide additional details.

Hearing Location: DoubleTree, 802 George Washington Way, Richland, WA, on October 13, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Transportation Improvement Board by October 6, 2000, (360) 705-7549.

Submit Written Comments to: Fax (360) 705-6830, by October 6, 2000.

Date of Intended Adoption: October 13, 2000.

September 6, 2000

Jerry M. Fay

Executive Director

AMENDATORY SECTION (Amending WSR 99-24-038, filed 11/23/99, effective 12/24/99)

WAC 479-05-190 Indirect costs. Indirect costs incurred by an agency for common or joint objectives which include an authorized board funded project, and which are not included in those direct costs set forth and defined in WAC 479-05-190, shall be eligible for board fund participation on a particular project at ((a)) the agency's approved rate, to a maximum of sixty percent if it has been computed based on OMB Circular A-87. If the agency does not have an approved rate, the rate shall not ((b)) exceed ten percent of direct labor costs.

AMENDATORY SECTION (Amending WSR 99-24-038, filed 11/23/99, effective 12/24/99)

WAC 479-14-130 Apportionment of funds to transportation partnership program regions. Of the funds in the program, forty percent will be allocated to projects on a state-wide basis and then, at least fifteen percent will be allocated to projects in the East region, at least fifteen percent to projects in the West region, and approximately thirty percent to projects in the Puget Sound region.

Regionally significant transportation projects submitted for funding by the TIB and approved by the legislature are exempt from the regional distribution formula.

PROPOSED



WSR 00-18-033
EXPEDITED ADOPTION
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed August 30, 2000, 9:25 a.m.]

Title of Rule: WAC 388-502-0010 Payment—Eligible providers defined and 388-502-0020 General requirements for providers.

Purpose: To correct terminology and remove an unnecessary requirement.

Other Identifying Information: These rules were recently adopted as WSR 00-15-050.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.500, 74.09.530.

Statute Being Implemented: RCW 74.08.090, 74.09.500, 74.09.530.

Summary: These proposed amendments will correct WAC 388-502-0010 by changing the term "osteopaths" to "osteopathic physicians," and amend WAC 388-502-0020 by removing a requirement that providers include a signed statement each time they bill MAA. This is no longer required and is not possible to do with MAA's electronic billing system.

Reasons Supporting Proposal: These amendments were requested by MAA providers.

Name of Agency Personnel Responsible for Drafting: Leslie Saeger, P.O. Box 45533, Olympia, WA 98504, (360) 725-1347; Implementation and Enforcement: Ann Lawrence, P.O. Box 45533, Olympia, WA 98504, (360) 725-1347.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-501-0010 inaccurately refers to osteopathic physicians as osteopaths, and is being corrected.

WAC 388-502-0020 currently requires providers (people who provide services, equipment, and/or supplies to MAA clients) to submit a signed statement with every bill. This requirement is being deleted because it is no longer necessary and cannot be done with MAA's electronic billing system.

Proposal Changes the Following Existing Rules: Amending WAC 388-502-0010 by changing the term "osteopaths" to "osteopathic physicians"; and WAC 388-502-0020 by deleting subsection (1)(e).

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING

AND THEY MUST BE SENT TO Leslie Saeger, Regulatory Improvement Project Manager, Medical Assistance Administration, P.O. Box 45533, Olympia, WA 98504, AND RECEIVED BY November 6, 2000.

August 23, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-15-050, filed 7/17/00, effective 8/17/00)

WAC 388-502-0010 Payment—Eligible providers defined. The department reimburses enrolled providers for covered medical services, equipment and supplies they provide to eligible clients.

(1) To be eligible for enrollment, a provider must:

(a) Be licensed, certified, accredited, or registered according to Washington state laws and rules; and

(b) Meet the conditions in this chapter and chapters regulating the specific type of provider, program, and/or service.

(2) To enroll, an eligible provider must sign a core provider agreement or a contract with the department and receive a unique provider number.

(3) Eligible providers listed in this subsection may request enrollment. Out-of-state providers listed in this subsection are subject to conditions in WAC 388-502-0120.

(a) Professionals:

(i) Advanced registered nurse practitioners;

(ii) Anesthesiologists;

(iii) Audiologists;

(iv) Chiropractors;

(v) Dentists;

(vi) Dental hygienists;

(vii) Denturists;

(viii) Dietitians or nutritionists;

(xiv) Maternity case managers;

(x) Midwives;

(xi) Occupational therapists;

(xii) Ophthalmologists;

(xiii) Opticians;

(xiv) Optometrists;

(xv) Orthodontists;

(xvi) (~~Osteopaths~~) Osteopathic physicians;

(xvii) Podiatric physicians;

(xviii) Physicians;

(xix) Physical therapists;

(xx) Psychiatrists;

(xxi) Psychologists;

(xxii) Registered nurse delegators;

(xxiii) Registered nurse first assistants;

(xxiv) Respiratory therapists;

(xxv) Speech/language pathologists;

(xxvi) Radiologists; and

(b) Radiology technicians (technical only);

(b) Agencies, centers and facilities:

(i) Adult day health centers;

(ii) Ambulatory services (ground and air);

(iii) Ambulatory surgery centers (Medicare-certified);

(iv) Birthing centers (licensed by the department of health);

(v) Blood banks;

(vi) Chemical dependency treatment facilities certified by the department of social and health services (DSHS) division of alcohol and substance abuse (DASA), and contracted through either:

(A) A county under chapter 388-810 WAC; or

(B) DASA to provide chemical dependency treatment services;

(vii) Centers for the detoxification of acute alcohol or other drug intoxication conditions (certified by DASA);

(viii) Community AIDS services alternative agencies;

(ix) Community mental health centers;

(x) Early and periodic screening, diagnosis, and treatment (EPSDT) clinics;

(xi) Family planning clinics;

(xii) Federally qualified health care centers (designated by the Federal Health Care Financing Administration);

(xiii) Genetic counseling agencies;

(xiv) Health departments;

(xv) HIV/AIDS case management;

(xvi) Home health agencies;

(xvii) Hospice agencies;

(xviii) Hospitals;

(xix) Indian Health Service;

(xx) Tribal or urban Indian clinics;

(xxi) Inpatient psychiatric facilities;

(xxii) Intermediate care facilities for the mentally retarded (ICF-MR);

(xxiii) Kidney centers;

(xxiv) Laboratories (CLIA certified);

(xxv) Maternity support services agencies;

(xxvi) Neuromuscular and neurodevelopmental centers;

(xxvii) Nursing facilities (approved by DSHS Aging and

Adult Services);

(xxviii) Pharmacies;

(xxix) Private duty nursing agencies;

(xxx) Rural health clinics (Medicare-certified);

(xxxi) Tribal mental health services (contracted through the DSHS mental health division); and

(xxxii) Washington state school districts and educational service districts.

(c) Suppliers of:

(i) Durable and nondurable medical equipment and supplies;

(ii) Infusion therapy equipment and supplies;

(iii) Prosthetics/orthotics;

(iv) Hearing aids; and

(v) Oxygen equipment and supplies;

(d) Contractors of:

(i) Transportation brokers;

(ii) Interpreter services agencies; and

(iii) Eyeglass and contact lens providers.

(4) Nothing in this chapter precludes the department from entering into other forms of written agreements to provide services to eligible clients.

(5) The department does not enroll licensed or unlicensed practitioners who are not specifically addressed in subsection (3) of this section, including, but not limited to:

(a) Acupuncturists;

(b) Counselors;

(c) Sanipractors;

(d) Naturopaths;

(e) Homeopaths;

(f) Herbalists;

(g) Massage therapists;

(h) Social workers; or

(i) Christian Science practitioners or theological healers.

AMENDATORY SECTION (Amending WSR 00-15-050, filed 7/17/00, effective 8/17/00)

WAC 388-502-0020 General requirements for providers. (1) Enrolled providers must:

(a) Keep legible, accurate, and complete charts and records to justify the services provided to each client, including, but not limited to:

(i) Patient's name and date of birth;

(ii) Dates of services;

(iii) Name and title of person performing the service, if other than the billing practitioner;

(iv) Chief complaint or reason for each visit;

(v) Pertinent medical history;

(vi) Pertinent findings on examination;

(vii) Medications, equipment, and/or supplies prescribed or provided;

(viii) Description of treatment (when applicable);

(ix) Recommendations for additional treatments, procedures, or consultations;

(x) X-rays, tests, and results;

(xi) Dental photographs and teeth models;

(xii) Plan of treatment and/or care, and outcome; and

(xiii) Specific claims and payments received for services.

(b) Assure charts are authenticated by the person who gave the order, provided the care, or performed the observation, examination, assessment, treatment or other service to which the entry pertains;

(c) Make charts and records available to DSHS, its contractors, and the US Department of Health and Human Services upon request, for six years from the date of service or longer if required specifically by federal or state law or regulation;

(d) Bill the department according to department rules and billing instructions;

(e) ~~((Include and sign the following statement with each bill submitted to the department for reimbursement: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee; and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap."~~

(f)) Accept the payment from the department as payment in full;

~~((g))~~ (f) Follow the requirements in WAC 388-502-0160 and 388-538-095 about billing clients;

~~((h))~~ (g) Fully disclose ownership and control information requested by the department;

~~((i))~~ (h) Not pay a third party biller a percentage of amounts collected, or discount client accounts to a third party biller;

~~((j))~~ (i) Provide all services without discriminating on the grounds of race, creed, color, age, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap; and

~~((k))~~ (j) Provide all services according to federal and state laws and rules, and billing instructions issued by the department.

(2) A provider may contact MAA with questions regarding its programs. However, MAA's response is based solely on the information provided to MAA's representative at the time of inquiry, and in no way exempts a provider from following the laws and rules that govern the department's programs.

WSR 00-18-075
EXPEDITED ADOPTION
OFFICE OF THE FAMILY
AND CHILDREN'S OMBUDSMAN
 [Filed September 1, 2000, 2:44 p.m.]

Title of Rule: Internal operations of the agency.

Purpose: To establish and make public the operations and processes of the agency.

Statutory Authority for Adoption: RCW 43.06A.030(8).

Statute Being Implemented: Chapter 43.06A RCW.

Summary: Corrections to previous filing.

Reasons Supporting Proposal: There were several typographical and amending language mistakes in the previous filing which made the rules difficult to understand.

Name of Agency Personnel Responsible for Drafting: Charlotte Ennis Clark-Mahoney, 900 4th Avenue, #2000, Seattle, WA 98164, (206) 464-6597; Implementation: Vicki Wallen, Ombudsman, 6720 Fort Dent Way, #240, Tukwila, WA 98188, 1-800-571-7321; and Enforcement: No enforcement provisions.

Name of Proponent: Office of the Family and Children's Ombudsman, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules govern the operation of the agency. These amendments correct errors in the previous filing, they do not affect the substance.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRI-

TERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Charlotte Ennis Clark-Mahoney, Office of the Attorney General, 900 4th Avenue, #2000, Seattle, WA 98164, AND RECEIVED BY November 6, 2000.

September 1, 2000

Charlotte Ennis Clark-Mahoney
Assistant Attorney General

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-010 Purpose. The Office of the Family and Children's Ombudsman is intended to promote public awareness and understanding of family and children's services, identify systems issues, and monitor and ensure compliance with administrative acts, statutes, rules, and policies pertaining to family and children's services, including the placement, supervision, and treatment of children in the state's care, ~~((licensed))~~ or ~~((for residences, or))~~ in ~~((state-licensed operated))~~ state-licensed facilities ~~((for residences))~~ or residences.

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-020 Definitions. For purposes of these rules the following terms have the meanings indicated:

(1) "Administrative Act" means an act, decision recommendation, or omission made by a ~~((+))~~:

(a) Government agency or its contracting entity ~~((;))~~; or

(b) State-licensed, or state-certified, agency or facility, that affects:

(i) A child who was, is, or may be, in need of state protection due to child abuse or neglect;

(ii) A family who ~~((;))~~ was, or is, under state supervision or receiving state services due to allegations or findings of child abuse or neglect; or

(iii) ~~((+e- or))~~ A child who was, is, or may be in need of ~~((state))~~ services under RCW 13.32A.030; ~~((for-e))~~

(c) Provided that, an administrative act does not include a specific act, decision, recommendation, or omission made by:

(i) A judge, commissioner, administrative law judge, hearing examiner, attorney, court-appointed special advocate, guardian ad litem, or parenting investigator in a legal or adjudicative proceeding;

(ii) A law enforcement official in a criminal investigation;

(iii) A member of the legislature or the member's staff; or

(iv) The governor or the governor's staff.

(2) "Child abuse or neglect" means child abuse, neglect, or abandonment, or parental incapacity, as defined in RCW 13.34.030(4) and 26.44.020.

(3) "Committee" means the legislative children's oversight committee.

(4) "Confidential" refers to information that the ombudsman determines is protected by federal or state law from public disclosure or further dissemination.

(5) "Department" or "DSHS" means the department of social and health services.

(6) "Family and children's services" are services provided by or through the department or other government agencies, or state-licensed agencies, to:

(a) Children who are, or may be, at risk of child abuse or neglect, and their families;

(b) Children and families who are the subject of allegations or findings of child abuse or neglect; or

(c) ~~((t))~~ Children who are, or may be, in need of services under chapter 13.32A RCW.

(7) "Investigative records" refers to all records generated by OFCO ~~((that relate to an inquiry or complaint to OFCO, or to an OFCO investigation or intervention)), confidential records obtained or held by OFCO, or materials obtained by OFCO from complainants or witnesses.~~

(8) "OFCO" refers to the office of the family and children's ombudsman.

(9) "Ombudsman" refers to the director of the office of family and children's ombudsman.

(10) "Secretary" means the secretary of the department.

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-030 ~~((Authority.))~~ **Authority.** ~~((OFCO was created and receives its authority from chapter 43.06A RCW.))~~ OFCO was created and receives its authority from chapter 43.06A RCW.

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-040 ~~((Duties.))~~ **Duties.** ~~((OFCO shall:~~

~~(1) Provide information as appropriate on the rights and responsibilities of individuals receiving family and children's services], [and on the procedures for providing these services:~~

~~(2) Investigate administrative acts alleged to be: (a) [Contrary to law, rule, or policy]; (b) [imposed without an adequate statement or reason or]; (c) [based on irrelevant, immaterial, or erroneous grounds.~~

~~(3) Monitor the procedures of] the department [in carrying out its responsibilities in delivering family and children's services] with a view toward appropriate preservation of families and ensuring children's health and safety.~~

~~[(4) Review periodically the facilities and procedures of state institutions serving children and state licensed facilities or residences:~~

~~(5) Recommend changes in the procedures for addressing the needs of families and children.~~

~~(6) Submit an annual report to the governor and the committee analyzing the work of OFCO, including recommendations.))~~ OFCO shall:

(1) Provide information as appropriate on the rights and responsibilities of individuals receiving family and children's services, and on the procedures for providing these services.

(2) Investigate administrative acts alleged to be:

(a) Contrary to law, rule, or policy;

(b) Imposed without an adequate statement of reason; or
(c) Based on irrelevant, immaterial, or erroneous grounds.

(3) Monitor the procedures of the department in carrying out its responsibilities in delivering family and children's services with a view toward appropriate preservation of families and ensuring children's health and safety.

(4) Review periodically the facilities and procedures of state institutions serving children and state licensed facilities or residences.

(5) Recommend changes in the procedures for addressing the needs of families and children.

(6) Submit an annual report to the governor and the committee analyzing the work of OFCO, including recommendations.

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-050 Duty to report. When the ombudsman or the ombudsman's staff has reasonable cause to believe that any person has acted in a manner warranting criminal or disciplinary proceedings, he or she shall report the matter, or cause a report to be made, to the appropriate authorities. Reasonable cause means that the ombudsman or the ombudsman's staff has direct knowledge of the action warranting criminal or disciplinary proceedings or has determined through an investigation that the allegations or information provided by another person relating to such actions are credible. ~~((The ombudsman or the ombudsman's staff shall monitor and document the response by the agency or agencies to which the report was made.))~~

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-070 Implementation of duties. ~~((OFCO's))~~ OFCO fulfills its duties through the following activities:

(1) Information and referral;

(2) Interventions;

(3) Systemic investigations;

(4) Administrative investigations;

(5) Complaint tracking and referral; and

(6) ~~An~~ annual report.

~~((+))~~ (a) Information and referral.

~~((+))~~ (i) OFCO responds to requests for information that relates to the rights and responsibilities of a family or child who is receiving family and children's services, and the procedures for providing such services, by providing information directly to the inquiring individual.

~~((+))~~ (ii) OFCO may respond to requests for information pertaining to legal rights, responsibilities and procedures, but may not provide legal advice.

~~((+))~~ (iii) OFCO responds to requests for other information by referring the inquiring individual to the appropriate agency.

~~((+))~~ (b) Interventions.

~~((a))~~ (i) OFCO may act to prevent or mitigate harm to a child or parent resulting from an administrative act.

~~((b))~~ (ii) OFCO interventions may be initiated when, upon investigation, the ombudsman determines that an administrative act is harming or has placed at risk of harm a particular child or parent. OFCO may not intervene until the ombudsman has made such a determination.

~~((c))~~ (iii) OFCO's investigations may be initiated upon receipt of a complaint or upon its own initiative.

~~((d))~~ (iv) OFCO may investigate only those administrative acts that meet the definition established in WAC 112-10-020(1); provided that OFCO may conduct an investigation to determine whether an alleged administrative act meets the aforementioned definition.

~~((e))~~ (v) OFCO may decline a request to intervene on behalf of a particular child or parent when, upon investigation, the ombudsman determines that the complaint does not meet the criteria or priorities specified in law, rule, or OFCO policy.

~~((f))~~ (vi) OFCO interventions include, but are not limited to, informal contacts with front-line workers and supervisors to express concerns, provide information, and explore other possible responses by the agency or facility. OFCO may also recommend a particular course of action to supervisors, managers, and administrators.

~~((3-))~~ (c) Systemic investigations.

~~((a))~~ (i) OFCO may ~~(conduct a systemic investigation)~~ investigate potentially chronic and/or system-wide administrative acts that appear to adversely affect children and families. A systemic investigation is intended to produce information that will enable OFCO to identify systemic issues and recommend appropriate changes in law, policy, procedure, or practice.

~~((b))~~ (ii) OFCO systemic investigations may be initiated when, upon preliminary investigation, the ombudsman determines that a chronic and/or system-wide administrative practice appears to exist that adversely affects children and/or their parents. OFCO may not conduct a systemic investigation unless the ombudsman has made such a determination.

~~((c))~~ (iii) A preliminary investigation may be initiated upon receipt of a complaint requesting such an investigation or upon the ombudsman's own initiative.

~~((d))~~ (iv) OFCO may investigate only those chronic and/or system-wide administrative acts that meet the definition in WAC 112-10-020(1), and only those that the ombudsman determines are consistent with the criteria and priorities specified in law, rule, and OFCO policy.

~~((e))~~ (v) OFCO may decline a request to conduct a systemic investigation if the ombudsman determines that the request ~~(is not)~~ is not consistent with the criteria or priorities specified in law, rule, or OFCO policy.

~~((f))~~ (vi) The findings and recommendations resulting from a systemic investigation shall be published in a report to the Governor, the Committee, and the affected agency or facility.

~~((4-))~~ (d) Administrative investigations.

~~((a))~~ (i) OFCO may ~~(conduct)~~ investigate an administrative ~~(investigation)~~ act that appears to have been seriously harmful to a child or family and:

(A) A clear violation of law, policy, or procedure; or

(B) Clearly unreasonable or inappropriate under the circumstances. An administrative investigation is intended to produce information that will enable OFCO to assess compliance with law, policy, or procedure, and/or the need for new or modified laws, policies, or procedures.

~~((b))~~ (ii) OFCO administrative investigations may be initiated when, upon preliminary investigation, the ombudsman determines that an administrative act appears to have been harmful to a child or parent, and is:

~~((+))~~ (A) A clear violation of law, policy, or procedure~~(;);~~ or

~~((+))~~ (B) Clearly unreasonable or inappropriate under the circumstances. OFCO may not conduct an administrative investigation unless the ombudsman has made such a determination.

~~((c))~~ (iii) A preliminary investigation may be initiated upon receipt of a complaint requesting an investigation or upon the ombudsman's own initiative.

~~((d))~~ (iv) OFCO may investigate only those administrative acts that meet the definition in WAC 112-10-020(1) and only those that the ombudsman determines are consistent with the criteria and priorities specified in law, rule, and OFCO policy.

~~((e))~~ (v) OFCO may decline a request to conduct an administrative investigation if the ombudsman determines that the request is not consistent with the criteria or priorities specified in law, rule, or OFCO policy.

~~((f))~~ (vi) The findings and recommendations resulting from an administrative investigation ~~(may)~~ shall be published in a report to the Governor, the Committee, and the affected agency or facility.

~~((5-))~~ (e) Complaint tracking and referral.

~~((a))~~ (i) OFCO shall enter each complaint it receives in an automated database for the purpose of identifying and reporting complaint trends and patterns.

~~((b))~~ (ii) OFCO responds to complaints that are not within its jurisdiction, priorities, or resources, by referring the complainant to the Governor's Office, the Legislative hot line, and/or the appropriate agency.

~~((c))~~ (iii) With regard to complaints that are not within OFCO's jurisdiction, but that raise child health and safety concerns, OFCO may forward the concern directly to the appropriate agency for response.

~~((6))~~ (7) Annual report. OFCO shall, at a minimum, report annually on:

(a) The number and types of complaints received by OFCO;

(b) OFCO's response to requests for interventions and investigations;

(c) The number and type of OFCO-initiated interventions and investigations, and

(d) The results of OFCO's interventions and investigations.

~~((Statutory Authority: RCW 43.06A.030))~~

AMENDATORY SECTION (Amending WSR 00-05-036, filed 2/10/00, effective 3/12/00)

WAC 112-10-080 Release of OFCO investigative records generally. ~~((a))~~ (1) OFCO investigative records

are confidential and exempt from disclosure under the Public Disclosure Act, RCW 42.17.

((b)) (2) Confidential records received by OFCO shall be maintained as provided for under the law.

((e)) (3) OFCO shall treat all matters under investigation and investigative records as confidential, except so far as disclosures may be necessary to enable the office to perform its duties and to support recommendations resulting from an investigation.

((4)) (4) For the purpose of enabling the Committee to carry out its OFCO oversight duties, OFCO shall release relevant investigative records to the Committee upon request, unless prohibited by law.

~~((Statutory Authority: RCW 43.06A.030))~~

WSR 00-18-107

EXPEDITED ADOPTION

DEPARTMENT OF ECOLOGY

[Order 00-13—Filed September 6, 2000, 10:29 a.m.]

Title of Rule: Chapter 173-145 WAC, Administration of flood control assistance account program.

Purpose: The purpose of this rule is to determine priorities and allocate available funds from the flood control assistance account program among those counties applying for assistance and to adopt rules establishing criteria by which the allocations are made.

Statutory Authority for Adoption: RCW 86.26.100.

Statute Being Implemented: RCW 86.26.100.

Summary: This amendment is proposed due to legislative changes to RCW 86.26.100 that increased the state share of funds to the flood control assistance account funding for flood control projects from 50% to 75% of total project costs. Amendments also reflect changes made in the 1999 legislature to RCW 86.26.100 and will correct errors in grammar and punctuation, as well as clarify the language of the rule without changing its effect.

Reasons Supporting Proposal: Amendments are necessary to make the rule consistent with legislative changes to RCW 86.26.100 and to comply with the executive order on regulatory improvement.

Name of Agency Personnel Responsible for Drafting: Dave Burdick, SEA NWRO, (425) 649-7139; Implementation and Enforcement: Gordon White, SEA Program, Olympia, (360) 407-6977.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule determines priorities and allocates available funds from the flood control assistance account program to those counties applying for assistance and adopts rules establishing criteria by which the allocations are made.

Proposal Changes the Following Existing Rules: Implements legislative changes to RCW 86.26.100 (without material change) that increase the maximum state funding for FCAAP flood control projects from 50% to 75%, and other

previous legislative changes. Amendments will correct errors in grammar and punctuation as well as clarify the rule language without changing its effect.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY November 7, 2000.

August 31, 2000

Daniel J. Silver

Deputy Director

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-010 Authority and purpose. RCW 86.26.050 provides that counties and other municipal corporations responsible for flood control maintenance may apply to the department of ecology for financial assistance for the preparation of comprehensive flood control management plans and for flood control maintenance projects. The purpose of ((such)) those plans is described in RCW 86.26.105. The department shall determine priorities and allocate available funds from the flood control assistance account program (FCAAP) among those counties applying for assistance, and shall adopt ((regulations)) rules establishing the criteria by which ((such)) those allocations ((shall)) must be made. ((Such)) The criteria ((shall)) must be based upon proposals ((which)) that are likely to bring about public benefits commensurate with the amount of state funds allocated thereto. This chapter describes the manner in which ecology will implement the provisions of the act.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-020 Definitions. For the purposes of this chapter, the following definitions ((shall be)) are used:

(1) "Applicant." An eligible municipal corporation seeking matching funds for flood control maintenance work.

(2) "Appropriate local authority." A county, city, or town ((having)) that has planning and land use jurisdiction within a given area ((which)) that is covered by the comprehensive flood control management plan.

(3) "Certification." Certification is the written confirmation between ecology and the appropriate local authority and the county engineer ((which)) who verifies the understanding as to what the comprehensive flood control management plan will contain, the timing and anticipated product, and a report-

ing schedule that will allow for ecology review and input during the plan development.

(4) "Comprehensive flood control management plan (CFCMP)." A document (~~(which)~~) that determines the need for flood control work, considers alternatives to in-stream flood control work, identifies and considers potential impacts of in-stream flood control work on the state's in-stream resources, and identifies the river's meander belt or floodway, as described in WAC 173-145-040.

(5) "County engineer." The appointed public works director, county engineer, or the person designated to act for the county engineer.

(6) "Eligible municipal corporation." Counties, cities, towns, conservation districts, flood control zone districts, or any special districts subject to flood conditions.

(7) "Emergency fund." That portion of the biennial appropriation allocated to the flood control assistance account which is set aside for emergency projects.

(8) "Emergency project." Flood control work necessary for reasons declared by the appropriate local authority and as authorized and approved by ecology (~~(which)~~) that must be done immediately to protect lives or property.

(9) "Flood compatible land uses." Those uses of the land within the river's meander belt or floodway which comply with the minimum state, federal, and local flood plain management (~~(regulation)~~) rule requirements.

(10) "Flood plain management activities." Activities described in WAC 173-145-050 performed by local governments through ordinances or other means to reduce the damaging effects of flooding.

(11) "Floodway." The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base (one hundred year frequency) flood without cumulatively increasing the water surface elevation more than a designated height.

(12) "Maintenance project." The work necessary to preserve or restore the natural condition or to restore man-made flood control facilities to their former condition using in-kind replacement materials or acceptable alternatives. This work is necessary due to anticipated or actual damage or destruction from flooding by action of erosion, stream flow, sheet runoff, or other damages by the sea or other bodies of water.

(13) "Meander belt." That portion of the flood plain, that can be identified by the evidence of present and previous meanders. This (~~(shall)~~) includes the present stream channel. Where there is no identified floodway, that area which is floodprone and has similar topographic characteristics to present and historic stream channels (~~(shall be)~~) is considered as a meander belt.

(14) "Public benefit." Benefit to the health, safety, or general welfare of the citizens of the state or community at large (~~(which)~~) that results from a flood control project or plan, or some benefit by which their rights or liabilities are affected such as an effect on public property or facilities owned or maintained by an eligible municipal corporation.

(15) "Special district." A district as defined in chapter 85.38 RCW (~~(which)~~) that is either a:

- (a) Diking district; ((a))
- (b) Drainage district; ((a))

(c) Diking, drainage, and/or sewerage improvement district; ((an))

(d) Intercounty diking and drainage district; ((a))

(e) Consolidated diking district, drainage district, diking improvement district, and/or drainage improvement district; or ((a))

(f) Flood control district.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-030 Eligibility criteria for FCAAP funds. Criteria to be used in determining eligibility for FCAAP funds are as follows:

(1) Eligible municipal corporation. The applicant must be an eligible municipal corporation as defined in WAC 173-145-020(6).

(2) Public benefit. The applicant must demonstrate that their comprehensive flood control management plans and flood control maintenance projects (~~(shall)~~) will further the general public and state interest as differentiated from a private interest and that they (~~(shall)~~) will bring about public benefits commensurate with FCAAP funds provided.

(3) Comprehensive flood control management plan. The requirements of WAC 173-145-040 must be complied with by the appropriate local authority with flood control jurisdiction over the area where the proposed project is located.

(4) Flood plain management activities. The appropriate local authority within whose jurisdiction projects are located (~~(shall)~~) must be engaging in approved flood plain management activities as described in WAC 173-145-050.

(5) Budget report. Any eligible municipal corporation seeking FCAAP funds shall submit its annual budget for flood control purposes to the county engineer within thirty calendar days after its final adoption. The county engineer shall then forward the budget report for eligible municipal corporations and for the county to ecology. The information will provide the basis for preparation of a preliminary plan for the most beneficial and orderly allocation of FCAAP funds. Soil conservation districts (~~(shall be)~~) are exempt from the provisions of this section.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-040 Comprehensive flood control management plan (CFCMP). The county engineer of the county within which the maintenance project is located (~~(must)~~) shall certify that the CFCMP has been completed and adopted by the appropriate local authority or is being prepared. Comprehensive flood control management plans, and any revisions to the plans, must be approved by ecology, in consultation with the department of (~~(fisheries)~~) fish and (~~(game)~~) wildlife. The (~~((f))CFCMP((g))~~) must be completed and adopted within three years of the date that it is certified as being prepared. If, after the three-year period has elapsed, such a plan has not been completed and adopted, the appropriate local authority may not make grants to the county for flood control maintenance projects ((shall not be made to the county for projects by the appropriate local authority)) until

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the CFCMP is completed and adopted by the appropriate local authority. During the three-year period, projects within a drainage area, designated as the CFCMP study area, may be funded as part of a phased project plan ~~((, provided))~~; Provided, That preliminary studies for the CFCMP have been conducted to identify the one-hundred-year frequency flood plain problem areas ~~((;))~~ and factors contributing to flooding ~~((; and provided that))~~; And provided further, That the proposed projects have been prioritized to achieve the greatest efficiency in flood control for the overall CFCMP study area. These limitations on grants ~~((shall))~~ may not preclude allocations for emergency purposes made ~~((pursuant to))~~ under RCW 86.26.060. The appropriate local authority may require the applicant to fully or partially fund the preparation of the CFCMP. The plan must include:

- (1) Determination of the need for flood control work.
 - (a) Description of the watershed ~~((;))~~;
 - (b) Identification of types of watershed flood problems ~~((;))~~;
 - (c) Location and identification of specific problem areas ~~((;))~~;
 - (d) Description of flood damage history ~~((;))~~;
 - (e) Description of potential flood damages ~~((;))~~;
 - (f) Short-term and long-term goals and objectives for the planning area ~~((;))~~;
 - (g) Description of ~~((regulations which))~~ rules that apply within the watershed ~~((;))~~ including, but not limited to, local shoreline management master programs, and zoning, subdivision, and flood hazard ordinances ~~((;))~~;
 - (h) Determination ~~((of))~~ that the instream flood control work ~~((being))~~ is consistent with applicable policies and ~~((regulations))~~ rules.
- (2) Alternative flood control work.
 - (a) Description of potential measures of instream flood control work ~~((;))~~;
 - (b) Description of alternatives to instream flood control work.
- (3) Identification and consideration of potential impacts of instream flood control work on the following instream uses and resources.
 - (a) Fish resources ~~((;))~~;
 - (b) Wildlife resources ~~((;))~~;
 - (c) Scenic, aesthetic, and historic resources ~~((;))~~;
 - (d) Navigation ~~((;))~~;
 - (e) Water quality ~~((;))~~;
 - (f) Hydrology ~~((;))~~;
 - (g) Existing recreation ~~((;))~~;
 - (h) Other impacts.
- (4) Area of coverage for the comprehensive plan shall include, as a minimum, the area of the one-hundred-year frequency flood plain within a reach of the watershed of sufficient length to ensure that a comprehensive evaluation can be made of the flood problems for a specific reach of the watershed. The plan may or may not include an entire watershed. Comprehensive plans shall also include flood hazard areas not subject to riverine flooding such as areas subject to coastal flooding, flash flooding, or flooding from inadequate drainage. Either the meander belt or floodway ~~((shall))~~ must be identified on aerial photographs or maps ~~((which))~~ that will be included with the plan.

(5) Conclusion and proposed solution(s). The CFCMP ~~((shall))~~ must be finalized by the following action from the appropriate local authority:

- (a) Evaluation of problems and needs;
- (b) Evaluation of alternative solutions;
- (c) Recommended corrective action ~~((s))~~ with proposed impact resolution measures for resource losses; and
- (d) Corrective action priority.
- (6) A certification from the state department of community, trade, and economic development that the local emergency management organization is administering an acceptable comprehensive emergency operations plan.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-050 Flood plain management activities. Local jurisdictions within which flood control maintenance projects are located, must be engaging in flood plain management activities. ~~((Pursuant to))~~ Under chapter 86.26 RCW the director of the department of ecology must approve the flood plain management activities of the county, city, or town ~~((having))~~ that has jurisdiction over the area where the project will be located. To be eligible for FCAAP funding the local jurisdiction ~~((shall))~~ must be required to:

- (1) Participate in the National Flood Insurance Program (NFIP) and meet all of the NFIP requirements.
- (2) Restrict land uses within the meander belt or floodway of rivers to only flood compatible uses. Where applicable, adopted shoreline management master programs will be considered a minimum land use measure.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-060 FCAAP project application process. The project application process for the eligible municipal corporations' applications ~~((shall))~~ includes the following in the general sequence given.

(1) The applicant shall prepare the project application to comply with the provisions of chapter 86.26 RCW and this chapter. The application ~~((shall))~~ must be made on a form furnished by ecology. A complete application shall include the following:

- (a) A written description of the project containing the following as a minimum: Name of applicant, name of affected water body, project summary, location, amount of local match, and proposed local funding source;
 - (b) A detailed cost estimate identifying major project elements;
 - (c) A map to identify water body names, stream river mile, section-township-range;
 - (d) Construction plans; and
 - (e) A description of the project benefits ~~((which))~~ that describes how the project will mitigate flood damages and describes development which exists on adjacent and nearby lands which are protected by the facility.
- (2) The applicant shall review the preliminary project proposal with the county engineer, the Washington department ~~((s))~~ of ~~((fisheries or game))~~ fish and wildlife and the

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department of natural resources and any affected Indian tribes.

(3) The applicant shall submit a prioritized list of project applications to the county engineer.

(4) The county engineer shall submit a prioritized list of all project applications within the county to ecology.

(5) The county engineer shall furnish evidence to ecology that the comprehensive flood control management plan described in WAC 173-145-040 is being prepared or is completed and adopted by the appropriate local authority ~~((or))~~ and the flood plain management activities described in WAC 173-145-050 are being implemented.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-070 FCAAP project approval process.

The project approval process for the eligible municipal corporations' applications ~~((shall))~~ includes the following in the general sequence given.

(1) Ecology will review all projects for compliance with the requirements ~~((pursuant to))~~ under this chapter and chapter 86.26 RCW.

(2) Ecology shall consult with the state department~~((s))~~ of ~~((fisheries))~~ fish and ~~((game))~~ wildlife in the development of a project priority list. The state department of natural resources, affected Indian tribes, and other affected parties may review and comment on the proposed project plans ~~((prior to))~~ before the approval of those plans.

(3) Thirty days public notice ~~((shall))~~ must be given that the project priority list will be the subject of a public hearing. Notice of this hearing shall appear in the *Washington State Register* ~~((pursuant to))~~ in accordance with chapter 34.08 RCW.

(4) The project priority list will be available at the ~~((flood plain management section))~~ shorelands and environmental assistance program of the department of ecology, at least fifteen days ~~((prior to))~~ before the public hearing.

(5) The public comments will be reviewed and ecology shall approve the project priority list as proposed or as revised in accordance with public comments.

(6) Ecology shall prepare and finalize the written agreements with the counties.

(7) The counties shall prepare and finalize the written agreements with the involved eligible municipal corporations within the county.

(8) ~~((The construction plans and specifications shall be prepared by the applicant for approval by the county engineer prior to submission))~~ The applicant shall prepare the construction plans and specifications for approval by the county engineer before submitting them to ecology for review and approval of each project for compliance with all requirements.

(9) The applicant shall acquire the necessary federal, state, and local permits or authorizations along with any other permission required to complete the project.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-080 Criteria for allocation of funds.

The priority given to projects by ecology, the counties, and other eligible municipal corporations shall involve consideration of the following criteria:

(1) The relationship of public benefits to total project costs~~((:))~~;

(2) The priority ~~((which))~~ that has already been established by each county~~((:))~~;

(3) Intensity of local flood control management problems~~((:))~~ including, but not limited to, their inter-relationships with:

(a) Population affected;

(b) Property and related development affected;

(c) Land management and zoning;

(d) Existing flood control management practices.

(4) Where the CFCMP is completed and adopted, the following will be considered:

(a) Consistency with the plan or plan recommendations;

(b) Priority of the project as identified in the plan;

(c) Implementation of the plan or plan recommendations;

(d) Potential impacts of instream uses and resources;

(5) Where a CFCMP is being developed or has not been initiated, the following will be considered:

(a) Evidence of multijurisdictional cooperation necessary for development of a comprehensive county or multi-county comprehensive flood control management plan (CFCMP);

(b) Availability of qualified personnel or resources for planning purposes;

(c) Availability of qualified personnel or resources for project construction purposes;

(d) Other planning efforts undertaken or proposed within the planning jurisdiction and their relationship to flood control management;

(e) Ability to make rapid progress toward development of a comprehensive flood control management plan;

(f) Existing and proposed participation of community groups, private industry, professional organizations, the general public, and others toward the development and implementation of the proposed comprehensive flood control management plan.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-090 Flood control assistance account funding and matching requirements. The flood control assistance account is established at four million dollars at the beginning of each biennium. The following criteria ~~((shall))~~ must be used for allocating FCAAP funds:

(1) The amount of FCAAP funding for any project, except emergency projects described in WAC 173-145-100, ~~((shall))~~ may not exceed ~~((fifty))~~ seventy-five percent of the total project cost, including planning and design costs.

(2) The amount of FCAAP funds for cost sharing feasibility studies for new flood control projects shall not exceed

fifty percent of the matching funds that are required by the federal government, and shall not exceed twenty-five percent of the total cost of the feasibility study.

~~((3))~~ (3) The amount of FCAAP funds to prepare a CFCMP ~~((shall))~~ may not exceed seventy-five percent of the full planning costs.

~~((3))~~ (4) The amount of FCAAP funds available for all nonemergency projects and CFCMP's in any county ~~((shall))~~ may not exceed five hundred thousand dollars per biennium.

~~((4))~~ (5) In addition to the limits in subsection ~~((3))~~ (4) of this section, an agency formed under chapter 86.13 RCW ~~((shall))~~ must be allowed up to one hundred thousand dollars in FCAAP funds per biennium.

~~((5))~~ (6) In those areas where a designated CFCMP area extends into two or more jurisdictions, costs for a CFCMP may be shared by the involved local authorities.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-100 Emergency fund administration.

Funds ~~((shall))~~ must be available for flood control projects in response to unusual, unforeseeable, and emergent flood conditions and ~~((shall))~~ must be allocated in amounts adequate for the preservation of life and property. The following criteria ~~((shall))~~ must be the basis of allocating the emergency funds:

(1) Appropriations from the FCAAP fund for emergency projects will require the declaration of an emergency by the appropriate local authority.

(2) Application for emergency funds must be made on the same form used for nonemergency fund applications.

(3) Payment of FCAAP funds for emergency projects will be based on project construction costs. Flood fighting costs may be included.

(4) Payment for emergency work ~~((shall))~~ must be allocated on a first-come first-serve basis and ~~((shall))~~ may not be based on any priority system.

(5) At the discretion of ecology, emergency funds may be made available for use on nonemergency projects.

(6) The maximum amount of emergency funds initially available for any one county is one hundred fifty thousand dollars per biennium. If the total available emergency funds are not needed by other counties, and the amount of emergency funds needed in a county exceeds one hundred fifty thousand dollars, the county can request additional emergency funds.

(7) The flood control assistance account contribution ~~((shall))~~ may not exceed eighty percent of the eligible project cost of an emergency project.

(8) Emergency funds will only be made available to projects ~~((which))~~ that have been given approval for matching funds by the department of ecology ~~((prior to))~~ before construction work ~~((being))~~ is performed.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-110 Multiyear projects. Approval for eligibility by ecology will only be required once for a project ~~((which))~~ that continues more than one biennium, but funding

for each subsequent biennium is subject to further FCAAP appropriation by the legislature.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-120 Work standards for all FCAAP projects. All work ~~((which))~~ that is funded from the flood control assistance account shall conform to the standards and specifications of the county engineer.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-130 Project construction monitoring. The following are the responsibilities and criteria for project construction monitoring and final approval:

(1) County engineer responsibilities. Associated with responsibility for project plan approval and supervision of the project work, the county engineer shall provide inspection to assure that all project work is conducted and completed according to the construction plans and specifications.

(2) Ecology's responsibilities. The authorized representative of the department of ecology ~~((shall have))~~ has the right to enter at all reasonable times in or upon any property, public or private, for the purpose of monitoring and inspecting the project work as necessary to assure compliance with the terms of the appropriate written agreement. The authorized representative of the department of ecology is the contract officer and ~~((shall))~~ must be identified in the written agreement. The county engineer will be informed ~~((prior to))~~ before any inspection for purposes of construction monitoring and guidance by any representative of ecology other than the contract officer. Representatives of ecology may observe the construction process without prior notification of the county engineer.

(3) Final inspection and approval. Upon completion of the work, ~~((a final detailed inspection shall be made by))~~ the county engineer, along with representatives from ecology and the applicant, shall make a final detailed inspection. Results of the final inspection ~~((shall))~~ must be displayed in a written report prepared by ecology and, when appropriate, on "as built" construction plans. "As built" construction plans ~~((shall))~~ must be submitted to ecology within thirty days after the final project inspection.

AMENDATORY SECTION (Amending Order 86-36, filed 1/28/87)

WAC 173-145-155 Approval of changes to written agreements. All flood control maintenance and comprehensive flood control management planning (CFCMP) projects subject to the provisions of this ~~((regulation shall))~~ rule must be conducted in accordance with the plans, specifications, and conditions approved by ecology. Any contemplated changes during construction or planning process ~~((which))~~ that are significant deviations from conditions of the approved agreement, ~~((shall))~~ must first be submitted to ecology for approval. Any changes to the total cost of the project following execution of the written agreement must be sub-

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mitted to ecology for approval (~~prior to~~) before the con-
struction or (~~plan~~) the completion of the plan.

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WSR 00-18-001
PERMANENT RULES
CODE REVISER'S OFFICE

[Filed August 23, 2000, 1:24 p.m., effective December 31, 2000]

Date of Adoption: August 23, 2000.

Purpose: To make housekeeping changes and to delete the references to the expedited adoption process which expires December 31, 2000.

Citation of Existing Rules Affected by this Order: Amending WAC 1-04-010, 1-06-010, 1-06-030, 1-06-040, 1-06-130, 1-06-140, 1-06-160, 1-21-020, 1-21-070, 1-21-110, 1-21-140, 1-21-160, and 1-21-170.

Statutory Authority for Adoption: RCW 1.08.110, 34.05.356, 34.05.385, and 34.08.030.

Adopted under notice filed as WSR 00-13-109 on June 21, 2000.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 13, Repealed 0.

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

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

Effective Date of Rule: December 31, 2000.

August 23, 2000

Dennis W. Cooper

Code Reviser

AMENDATORY SECTION (Amending Order 11, filed 9/14/76)

WAC 1-04-010 State Environmental Policy Act. ((Pursuant to)) Under RCW 43.21C.120 and the SEPA guidelines, chapter ((+97-10)) 197-11 WAC, the office of the code reviser has reviewed its authorized activities and has found them all to be exempt under ((the provisions of)) chapter ((+97-10)) 197-11 WAC.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-010 Purpose. The purpose of this chapter shall be to ensure compliance by the statute law committee and the office of the code reviser with the provisions of chapter 42.17 RCW (Initiative 276), and in particular ((with sections 25 through 32 of that act)) RCW 42.17.250 through 42.17.348, dealing with public records.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-030 Description of central and field organization. (1) The office of the code reviser is located on the ground floor of the Legislative Building, Olympia, Washington, 98504.

(2) The committee consists of twelve attorneys. Five are appointed by the Washington State Bar Association, two each by the senate and house judiciary committees, and one each by the governor, the chief justice of the supreme court, and the speaker of the house. The committee employs a code reviser, who serves as its secretary.

(3) Among the primary responsibilities of the committee and the code reviser is the duty to periodically codify, index, and publish the Revised Code of Washington and to revise, correct, and harmonize the statutes by means of administrative or suggested legislative action as may be appropriate. The agency is also the official bill drafting arm of the legislature and its various committees, and prepares for the legislature all bills, memorials, resolutions, amendments, and conference reports, which activities are pursued on a nonpartisan, professional, lawyer-client, confidential basis ((pursuant to)) under RCW 1.08.027, and RCW 1.08.028 prohibits the reviser's office ((pursuant to RCW 1.08.028 is proscribed)) from rendering written opinions concerning the constitutionality of any proposal. The agency also produces the legislative digest and history of bills and the daily status report. Immediately following each session of the legislature, the committee indexes and publishes the temporary edition of the session laws and subsequently publishes the permanent edition; it also responds to citizen's requests for copies of recently enacted laws. The committee administers the Administrative Procedure Act ((and the State Higher Education Administrative Procedure Act)), serving as official repository for the rules ((and regulations)) of the various state agencies and the institutions of higher learning, and creating and publishing the Washington Administrative Code. ((Through its legislative information system, the committee supplies data processing services to the legislative branch including special reports to legislative members and to the legislative leadership, as well as creating and publishing the legislative digest and history of bills and the daily status report. The legislative information system also supplies all branches of government with automated legal research services.))

AMENDATORY SECTION (Amending WSR 91-10-010, filed 4/19/91, effective 5/20/91)

WAC 1-06-040 Operations and procedures. (1) Practice and procedure in and before the agency are governed by the ((uniform procedure)) model rules of procedure, chapter 10-08 WAC.

(2) The operations of the agency, including meetings, selection of officers, filling of vacancies, and fiscal matters, are conducted according to the provisions of chapter 1.08 RCW.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-130 Records index. (1) A chronological index is maintained providing identifying information as to all governmental records issued, adopted, or promulgated after June 30, 1972, ((which)) that are deemed by the agency to fall within the purview of RCW 42.17.260 and ((which)) that are not exempted under ((the provisions of)) RCW 1.08.027 ((of RCW)), 40.14.180((of RCW)), 42.17.310, or WAC 1-06-020.

(2) The current index promulgated by the agency ((shall)) must be available to all persons under the same rules and on the same rules and on the same conditions as are applied to public records available for inspection.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-140 Communications with the agency. All communications with the agency including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the agency's rules and other matters, shall be addressed as follows: Office of the Code Reviser, c/o Public Records Officer, ((Legislative Building)) P.O. Box 40551, Olympia, ((Washington)) WA 98504-0551.

AMENDATORY SECTION (Amending Order 18, filed 5/10/78)

WAC 1-06-160 Request for public record—Form.



REQUESTER: Please complete form and submit to "Public Records Officer" of the state agency identified.

REQUEST FOR PUBLIC RECORD

TO > NAME OF STATE AGENCY STATUTE LAW COMMITTEE/OFFICE OF THE CODE REVISER		DATE OF REQUEST	TIME OF REQUEST
PUBLIC RECORDS OR INFORMATION REQUESTED		REQUESTED BY	
REQUESTER READ AND SIGN			
COMPLETED BY AGENCY PUBLIC RECORDS OFFICER		ACKNOWLEDGEMENT OF RECEIPT	
NO. OF COPIES	AMOUNT RECEIVED \$	DATE OF RECEIPT	TIME OF RECEIPT
PUBLIC RECORDS OFFICER		RECIPIENT'S SIGNATURE =>	
REASON IF AGENCY IS UNABLE TO COMPLY		I understand that I must abide by the Rules and Regulations published by the agency identified, for the protection of public records, a copy of which I have read and understand. I understand that I will be charged twenty-five cents per copy for all standard letter size copies I desire and that other size publications are available at cost.	
		REQUESTER'S SIGNATURE =>	

Form S.F. 276 (6/75)

Public records of the agency are provided for inspection and copying subject to the following regulations:

- (1) No person shall knowingly alter, deface, or destroy public records of the agency.
- (2) Original copies of public records of the agency shall not be removed from the offices of the agency.
- (3) Care and safekeeping of public records of the agency, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.
- (4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.
- (5) Boisterous or otherwise disruptive conduct by those requesting public records of the agency shall not be permitted.

I have read, understand, and will comply with the above-stated regulations.

.....
(Signature and date)

A copy of the request for public records form may be obtained from the code reviser's office.

PERMANENT

AMENDATORY SECTION (Amending WSR 98-14-048, filed 6/24/98, effective 7/25/98)

WAC 1-21-020 Notice—Form, contents, numbers.

(1) ~~((a))~~ An agency shall file a regular notice of proposed rule making under RCW 34.05.320 with the code reviser's office on a CR-102 form (Proposed Rule Making). The agency must file the full text of the proposed rule along with the Notice form (RCW 34.08.020). This filing must be at least thirty days after the CR-101 form, if required, was published (RCW 34.05.310) ~~((or~~

~~((b) An agency shall file notice for the expedited adoption of rules under RCW 34.05.356 with the code reviser's office on a CR-102XA form (Expedited Adoption—Proposed Rule Making). The agency must file the full text of the proposed rule along with the CR-102XA form (RCW 34.05.356). This filing must be published in the Register at least forty-five days before the agency may adopt the proposal and file a CR-103 form (Rule-Making Order)).~~

(2) The agency shall file the original and six copies of ~~((either))~~ the notice package (form and text). The code reviser's office will keep the original and two copies and return four stamped copies to the agency. The joint administrative rules review committee has requested that the agency submit three of these copies to the committee for purposes of legislative review. The agency should keep the remaining copy for its files.

AMENDATORY SECTION (Amending WSR 97-15-035, filed 7/10/97, effective 7/27/97)

WAC 1-21-070 Administrative order. (1) The administrative order by which an agency adopts a rule shall be done on a CR-103 form (Rule-making Order) provided by the code reviser's office or, if required by agency practice, on an agency form that provides the information required by RCW 34.05.360.

(2) The agency shall file with the code reviser's office the original and three copies of the text of permanent rules, along with four copies of the administrative order. Emergency rules require an additional three copies of the order and the text, which the agency shall file with the joint administrative rules review committee after the copies have been stamped by the code reviser's office.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

WAC 1-21-110 Amendatory rules. (1) Designate each amendatory section with the heading "AMENDATORY SECTION" followed by a reference to the WSR number or agency order number and the filing date of the latest permanent order affecting that section. Show amendments to the text in terms of the latest permanent version of the section that has been filed with the code reviser.

(2) If a section to be amended has been exempted from publication under RCW 34.05.210 and is not published in the WAC, in later orders amending or repealing the section refer to it by the original agency order and section number or other appropriate description.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

WAC 1-21-140 Review of previously adopted rules.

When an agency is required under RCW 34.05.630 to review permanent or emergency rules previously adopted, the agency shall file notice of the review with the code reviser on a CR-104 form (Review of Previously Adopted Rules). The agency shall file the original and six copies of the notice. Four copies will be returned to the agency, three of which shall be delivered to the joint administrative rules review committee. The notice is subject to the twenty-day requirement of RCW 34.05.320. The text of the rule under review is not needed with this notice.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

WAC 1-21-160 ~~((Emergency rules—))~~Filing after office hours. The code reviser's office is open for the filing of agency rule-making notices and orders from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. The code reviser delegates to the Washington State Patrol the authority to accept at other times the filing of ~~((emergency))~~ orders adopting, amending, or repealing rules when the ~~((emergency))~~ nature of the order ~~((s))~~ requires their immediate filing and/or ~~((immediate))~~ effectiveness. To use this service, the agency may telephone the capitol security unit of the state patrol at 753-2191 to arrange for receipt of the filing by the state patrol. The agency shall notify the code reviser's office of the filing by 9:00 a.m. on the next business day after the filing.

AMENDATORY SECTION (Amending WSR 97-15-035, filed 7/10/97, effective 7/27/97)

WAC 1-21-170 Official forms. Agencies may obtain the following official forms from the code reviser's office upon request:

- (1) Form CR-101 Preproposal Statement of Inquiry
- (2) Form CR-101XR Expedited Repeal—Preproposal Statement of Inquiry
- (3) Form CR-102 Proposed Rule Making
- (4) ~~((Form CR-102XA Expedited Adoption—Proposed Rule Making~~
- ~~((5)))~~ Form CR-103 Rule-making Order
- ~~((6)))~~ (5) Form CR-104 Review of Previously Adopted Rules.

WSR 00-18-005

**PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-164—Filed August 23, 2000, 3:20 p.m.]

Date of Adoption: August 11, 2000.

Purpose: Adopt commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-040 and 220-52-043.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-14-037 on June 30, 2000.

Changes Other than Editing from Proposed to Adopted Version: WAC 220-52-043, none.

WAC 220-52-040, subsection (14)(b)(i), change three-tier pot limit to two-tier by rewriting two sentences to read: "Of the three qualifying seasons, the one with the most poundage of Dungeness crab landed on a license will determine the crab pot limit for that license. A crab pot limit of 300 shall be assigned to a license with landings that total from zero to 35,999 pounds and a crab pot limit of 500 shall be assigned to a license with landings that total 36,000 pounds or more."

Subsection (14)(b)(ii), change, "...invalidated by any subsequent change in ownership..." to, "...invalidated by any subsequent split in ownership..."

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

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

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

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

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

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

August 21, 2000

Debbie Nelson

for Kelly White, Chairman
Fish and Wildlife Commission

AMENDATORY SECTION (Amending Order 98-185, filed 9/4/98, effective 10/5/98)

WAC 220-52-040 Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts. (1) **Net fishing boats shall not have crab aboard.** It is unlawful for any vessel geared or equipped with commercial net fishing gear to have aboard any quantity of crab while it is fishing with the net gear or when it has other food fish or shellfish aboard for commercial purposes.

(2) **Area must be open to commercial crabbing.** Unless otherwise provided, it is unlawful to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crabs for commercial purposes in any area or at any time when the location is not opened for taking crabs for commercial purposes by permanent rule or emergency rule of the department: Provided, That following the close of a commercial crab season, permission may be granted by the direc-

tor or his or her designee on a case-by-case basis for crab fishers to recover shellfish pots that were irretrievable due to extreme weather conditions at the end of the lawful opening. Crab fishers must notify and apply to department enforcement for such permission within twenty-four hours prior to the close of season.

(3) **Crabs must be male and 6-1/4 inches.** It is unlawful for any person acting for commercial purposes to take, possess, deliver, or otherwise control:

(a) Any female Dungeness crabs; or

(b) Any male Dungeness crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.

(4) **Each person and each Puget Sound license limited to 100 pots.** It is unlawful for any person to take or fish for crab for commercial purposes in the Puget Sound licensing district using, operating, or controlling any more than an aggregate total of 100 shellfish pots or ring nets. This limit shall apply to each license. However, this shall not preclude a person holding two Puget Sound crab licenses from designating and using the licenses from one vessel as authorized by RCW 75.28.048(4).

(5) **Dungeness Bay Area Limit of 20 pots.** No person, nor any group of persons using the same vessel, may take or fish for crabs for commercial purposes by setting, using, operating, or controlling more than 20 shellfish pots and/or ring nets within the waters of Dungeness Bay lying west of a line projected from the new Dungeness Light southward to the outermost end of the abandoned dock at the Three Crabs Restaurant on the southern shore of Dungeness Bay.

(6) **Additional area gear limits.** The following Marine Fish-Shellfish Management and Catch Reporting Areas are restricted in the number of pots fished, operated, or used by a person or vessel and it is unlawful for any person to use, maintain, operate, or control pots in excess of the following limits:

(a) 10 pots in Marine Fish-Shellfish Management and Catch Reporting Area 25E.

(b) 10 pots in all waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A south of a line projected true west from Travis Spit on Miller Peninsula.

(c) 30 pots in Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the mouth of Cooper Creek.

(7) **Groundline gear is unlawful.** No crab pot or ring net may be attached or connected to other crab pot or ring net by a common groundline or any other means that connects crab pots together.

(8) **Puget Sound crab pots must be tagged.** In Puget Sound it is unlawful to place in the water, pull from the water, possess on the water, or transport on the water any crab pot without a pot tag that meets the requirements of WAC 220-52-043.

(9) **Puget Sound - No person can possess or use gear with other person's tag.** In Puget Sound no person may possess, use, control, or operate any crab pot not bearing a tag identifying the pot as that person's, except that an alternate operator designated on a primary license may possess and operate a crab pot bearing the tag of the license holder.

(10) **Cannot tamper with pot tags.** No person shall remove, damage, or otherwise tamper with crab pot tags except when lawfully applying or removing tags on the person's own pots.

(11) **Thirty-day period when it is unlawful to buy or land crab from ocean without crab vessel inspection.** It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, Washington coastal or adjacent waters of the Pacific Ocean during the first thirty days following the opening of a coastal crab season from any vessel which has not been issued a Washington crab vessel inspection certificate. The certificate will be issued to vessels made available for inspection in a Washington coastal port and properly licensed for commercial crab fishing if no Dungeness crabs are aboard. Inspections will be performed by authorized department personnel not earlier than twelve hours prior to the opening of the coastal crab season and during the following thirty-day period.

(12) **Grays Harbor pot limit of 200.** It is unlawful for any person to take or fish for crab for commercial purposes in Grays Harbor (catch area 60B) with more than 200 shellfish pots in the aggregate. It shall be unlawful for any group of persons using the same vessel to take or fish for crab for commercial purposes in Grays Harbor with more than 200 shellfish pots.

(13) Coastal crab pot limit.

(a) It is unlawful for a person to take or fish for Dungeness crab for commercial purposes in Grays Harbor, Willapa Bay, the Columbia River, or waters of the Pacific Ocean adjacent to the state of Washington unless a shellfish pot limit has been assigned to the Dungeness crab-coastal fishery license held by the person, or to the equivalent Oregon or California Dungeness crab fishery license held by the person.

(b) It is unlawful for a person to deploy or fish more shellfish pots than the number of shellfish pots assigned to the license held by that person, and it is unlawful to use any vessel other than the vessel designated on a license to operate or possess shellfish pots assigned to that license.

(c) It is unlawful for a person to take or fish for Dungeness crab or to deploy shellfish pots unless the person is in possession of valid documentation issued by the department that specifies the shellfish pot limit assigned to the license.

(14) Determination of coastal crab pot limits.

(a) The number of shellfish pots assigned to a Washington Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license will be based on documented landings of Dungeness crab taken from waters of the Pacific Ocean south of the United States/Canada border and west of the Bonilla-Tatoosh line, and from coastal estuaries in the states of Washington, Oregon and California. Documented landings may be evidenced only by valid Washington state shellfish receiving tickets, or equivalent valid documents from the states of Oregon and California, that show Dungeness crab were taken between December 1, 1996, and September 16, 1999. Such documents must have been received by the respective states no later than October 15, 1999.

(b) The following criteria shall be used to determine and assign a shellfish pot limit to a Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license:

(i) The three "qualifying coastal Dungeness crab seasons" are from December 1, 1996, through September 15, 1997, from December 1, 1997, through September 15, 1998, and from December 1, 1998, through September 15, 1999. Of the three qualifying seasons, the one with the most poundage of Dungeness crab landed on a license shall determine the crab pot limit for that license. A crab pot limit of 300 shall be assigned to a license with landings that total from zero to 35,999 pounds and a crab pot limit of 500 shall be assigned to a license with landings that total 36,000 pounds or more.

(ii) Landings of Dungeness crab made in the states of Oregon or California on valid Dungeness crab fisheries licenses during a qualifying season may be used for purposes of assigning a shellfish pot limit to a Dungeness crab fishery license, provided that documentation of the landings is provided to the department by the Oregon Department of Fish and Wildlife and/or the California Department of Fish and Game. Landings of Dungeness crab made in Washington, Oregon, and California on valid Dungeness crab fishery licenses during a qualifying season may be combined for purposes of assigning a shellfish pot limit, provided that the same vessel was named on the licenses, and the same person held the licenses. A shellfish pot limit assigned as a result of combined landings is invalidated by any subsequent split in ownership of the licenses. No vessel named on a Dungeness crab fishery license shall be assigned more than one shellfish pot limit.

(15) **Appeals of coastal crab pot limits.** An appeal of a shellfish pot limit by a coastal commercial license holder shall be filed with the department on or before the 30th day following the department's assignment of a shellfish pot limit under subsection (14) of this section. The shellfish pot limit assigned to a license by the department shall remain in effect until such time as the appeal process is concluded.

(16) **Coastal - Barging of crab pots by undesignated vessels.** It is lawful for a vessel not designated on a Dungeness crab-coastal fishery license to be used to deploy shellfish pot gear provided that:

(a) Such a vessel may not carry aboard more than 150 shellfish pots at any one time.

(b) Such a vessel may deploy shellfish pot gear only during the 64-hour period immediately preceding the season opening date and during the 48-hour period immediately following the season opening date.

(c) The lawful owner of the shellfish pot gear must be aboard the vessel when the gear is being deployed.

(17) **Coastal shellfish pot tags.** It is unlawful for a person to use a shellfish pot in the coastal Dungeness crab fishery unless the pot bears a tag that identifies either the name of the vessel being used to operate the pot or the Dungeness crab fishery license number of the owner of the pot, and the telephone number of a contact person. No person may operate or possess a pot that bears another person's tag, except that a person who is licensed as an alternate operator may operate or possess a pot that bears the tag of the primary license

holder. It is unlawful for any person who is not the owner of Dungeness crab pot gear to remove, damage, or otherwise tamper with pot gear tags.

(18) Coastal - Registration and use of buoy brands and colors.

(a) It is unlawful for any coastal Dungeness crab fishery license holder to fish for crab unless the license holder has registered the buoy brand and buoy color(s) to be used with the license. A license holder shall be allowed to register with the department only one, unique buoy brand and one buoy color scheme per license. Persons holding more than one license state shall register buoy color(s) for each license that are distinctly different. The buoy color(s) shall be shown in a color photograph.

(b) It is unlawful for a coastal Dungeness crab fishery license holder to fish for crab using any other buoy brand or color(s) than those registered with and assigned to the license by the department.

AMENDATORY SECTION (Amending Order 98-185, filed 9/4/98, effective 10/5/98)

WAC 220-52-043 Commercial crab fishery—Additional gear and license use requirements. (1) **Commercial gear limited to pots and ring nets.** It shall be unlawful to take or fish for crabs for commercial purposes except with shellfish pots and ring nets.

(2) **Commercial gear escape rings and ports defined.** It shall be unlawful to use or operate any shellfish pot gear in the commercial Dungeness crab fishery unless such gear meets the following requirements:

(a) Pot gear must have not less than two escape rings or ports not less than 4-1/4 inches inside diameter.

(b) Escape rings or ports described above must be located in the upper half of the trap.

(3) **Puget Sound commercial gear tagging requirements.**

In Puget Sound, all crab pots must have a durable, non-biodegradable tag permanently and legibly marked with the primary license owner's name or license number, and telephone number securely attached to the pot. If the tag information is illegible, or if the tag is lost for any reason, the pot is not in compliance with law.

(4) **Puget Sound - Description of lawful buoys.** All buoys attached to commercial crab gear in Puget Sound waters must consist of a durable material and remain floating on the water's surface when five pounds of weight is attached. It is unlawful to use bleach or antifreeze bottles or any other container as a float. All buoys fished under a single license must be marked in a uniform manner using one buoy brand number registered by the license holder with the department and be of identical color or color combinations. No buoys attached to commercial crab gear in Puget Sound may be both red and white in color unless a minimum of thirty percent of the surface of each buoy is also prominently marked with an additional color or colors other than red or white, as the red and white colors are reserved for personal use crab gear as described in WAC 220-56-320 (1)(c).

(5) **Commercial crab license requirements.** In addition to, and separate from, all requirements in this chapter that govern the time, area, gear, and method for crab fishing, landing, possession, or delivery of crabs, no commercial crab fishing is allowed except when properly licensed. A person may take, fish for, land, or deliver crabs for commercial purposes in Washington or coastal waters only when the person has the license required by statute, or when the person is a properly designated alternative operator to a valid license. For Puget Sound, a person must have a "Dungeness crab - Puget Sound" fishery license provided by RCW 75.28.130. For coastal waters, such person must have a "Dungeness crab - Coastal" fishery license provided by RCW 75.28.130. To use ring nets instead of or in addition to pots, then the licensee must also have the "Crab ring net - Puget Sound" or "Crab ring net - non-Puget Sound" license in RCW 75.28.130. Qualifications for the limited entry licenses, requirements for designating vessels, and use of alternate operators is provided by and controlled by chapters 75.28 and 75.30 RCW.

(6) **Maximum size for coastal crab pots.** The maximum volume of a crab pot used to fish for or take Dungeness crab from the waters provided for in WAC 220-52-040(12) is thirteen cubic feet.

(7) **Incidental catch may not be retained.** It is unlawful to retain salmon, food fish, or any shellfish other than octopus that is taken incidental to any crab fishing.

WSR 00-18-006

PERMANENT RULES

WASHINGTON STATE PATROL

[Filed August 24, 2000, 8:36 a.m., effective August 24, 2000]

Date of Adoption: August 23, 2000.

Purpose: To allow employers to retrieve company vehicles when an employee has been arrested for driving with a suspended license and to require that employers and spouses show significant hardship before the vehicle can be released to them.

Citation of Existing Rules Affected by this Order: Amending WAC 204-96-010.

Statutory Authority for Adoption: RCW 46.55.113, 46.55.120.

Adopted under notice filed as WSR 00-15-036 on July 13, 2000.

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

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

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

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

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

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The effective date is necessary because of imminent peril to the public health, safety, or welfare. The amendment prevents unnecessary harm to employers and their business operations by suspended employees.

Effective Date of Rule: August 24, 2000.

August 23, 2000

Annette M. Sandberg
Chief

AMENDATORY SECTION (Amending WSR 99-18-026, filed 8/24/99, effective 9/24/99)

WAC 204-96-010 Vehicle impounds. When a driver of a vehicle is arrested for a violation of:

- RCW 46.61.502 Driving under the influence,
- RCW 46.61.504 Physical control of vehicle under the influence,
- RCW 46.20.342 Driving while license suspended or revoked,
- RCW 46.20.420 Operation of motor vehicle under other license/permit prohibited while suspended or revoked,

the arresting officer shall cause the vehicle to be impounded.

If the driver is arrested for a violation of RCW 46.20.342 (1)(c) (3rd degree suspended/revoked) and has no convictions for violations of RCW 46.20.342 in the past five years, the vehicle shall be impounded, but no suspended driver hold shall be placed on the vehicle. If the driver is also the registered owner then the vehicle shall be held until all outstanding penalties, fines, and forfeitures owed by him/her are satisfied. The driver/registered owner must present proof from a court of law that he/she has no outstanding penalties, fines, or forfeitures.

If the driver is arrested for a violation of RCW 46.20.342 (1)(c) (3rd degree suspended/revoked) and has any prior convictions for violations of RCW 46.20.342 in the past five years, the vehicle shall be held for thirty days.

If the driver of the vehicle is arrested for a violation of RCW 46.20.342 (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has no convictions for violations of RCW 46.20.342 in the past five years, the vehicle shall be held for thirty days.

If the driver of the vehicle is arrested for a violation of RCW 46.20.342 (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has been convicted of a violation of RCW 46.20.342 (1)(a) or (b) in the past five years, the vehicle shall be held for sixty days.

If the driver of the vehicle is arrested for a violation of RCW 46.20.342 (1)(a) or (b) (1st or 2nd degree sus-

pended/revoked) and has been convicted of a violation of RCW 46.20.342 (1)(a) or (b) two or more times in the past five years, the vehicle shall be held for ninety days.

The release of all vehicles impounded under this WAC shall be governed by RCW 46.55.120. Commercially rented vehicles may be impounded, however no suspended driver holds shall be placed upon the vehicle. The rental company shall be notified by phone.

A vehicle may be released prior to the mandated hold period if the employer or spouse of the arrested driver establishes significant economic or personal hardship with the district commander of the district in which the vehicle was impounded. In making a hardship determination, the district commander shall consider public safety factors, including the driver's criminal history and driving record. All hardship release requests shall be in writing. Any denial or approval of a hardship release shall be in writing and shall include factors considered by the district commander in reaching the decision.

WSR 00-18-009

PERMANENT RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 00-169—Filed August 24, 2000, 4:52 p.m.]

Date of Adoption: August 11, 2000.

Purpose: Amend personal use rules.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-14-082 on July 5, 2000.

Changes Other than Editing from Proposed to Adopted Version: Western Washington Goose Management Area 2:

(1) Open Saturdays, Sundays and Wednesdays only, except Ridgefield National Wildlife Refuge (Zone 1) open Saturdays, Mondays and Wednesdays only, same dates, same closures.

(2) Late Canada goose season open only in areas with agricultural goose damage.

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

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

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

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

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

PERMANENT

Effective Date of Rule: Thirty-one days after filing.
 August 24, 2000
 Debbie Nelson
 for Kelly White, Chairman
 Fish and Wildlife Commission

NEW SECTION

WAC 232-28-424 2000-2001 Migratory waterfowl seasons and regulations.

DUCKS

Western Washington

Oct. 7-18, 2000 and Oct. 21, 2000 - Jan. 21, 2001

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 23-24, 2000

Daily bag limit: 7 ducks—to include not more than 2 hen mallards, 1 pintail, 4 scaup, 2 redheads, 1 canvasback, 1 harlequin, 4 scoters, and 4 oldsquaws.

Possession limit: 14 ducks—to include not more than 4 hen mallards, 2 pintails, 8 scaup, 4 redheads, 2 canvasbacks, 1 harlequin, 8 scoters, and 8 oldsquaws.

Eastern Washington

Oct. 7-18, 2000 and Oct. 21, 2000 - Jan. 21, 2001

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 23-24, 2000

Daily bag limit: 7 ducks—to include not more than 2 hen mallards, 1 pintail, 4 scaup, 2 redheads, and 1 canvasback.

Possession limit: 14 ducks—to include not more than 4 hen mallards, 2 pintails, 8 scaup, 4 redheads, and 2 canvasbacks.

COOT (Mudhen)

Same areas, dates (including Youth Hunting Weekend), and shooting hours as the general duck season.

Daily bag limit: 25 coots.

Possession limit: 25 coots.

COMMON SNIPE

Same areas, dates (except Youth Hunting Weekend), and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

GEESE (except Brant and Aleutian Canada geese)

Special Youth Hunting Weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 23-24, 2000, state-wide except Western Washington Goose Management Area 2

Daily bag limit: 4 Canada geese.

Possession limit: 8 Canada geese.

Western Washington Goose Seasons

Western Washington Goose Management Area 1 Island, Skagit, Snohomish counties

Oct. 7, 2000 - Jan. 1, 2001 for snow, Ross', or blue geese
 Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001 for other geese (except Brant and Aleutian Canada geese)

Daily bag limit: 4 geese, to include not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 6 snow, Ross', or blue geese.

WRITTEN AUTHORIZATION REQUIRED TO HUNT SNOW GEESSE. All persons hunting snow geese in this season are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Hunters who held a 1999-2000 authorization and returned the harvest report prior to the deadline will be mailed a 2000-01 authorization in early October. Hunters who did not possess a 1999-2000 authorization must fill out an application (available at Washington department of fish and wildlife Olympia and regional offices). Application forms must be delivered to a department office no later than September 25 or post-marked on or before September 25 in order for applicants to be mailed a 2000-01 authorization before the season starts. No applications will be accepted after October 31, 2000. Immediately after taking a snow goose into possession, hunters must record in ink the information required on the harvest report. Return of the harvest report is mandatory. Those hunters not returning the harvest report to the Washington department of fish and wildlife by January 31, 2001, will be ineligible to participate in the 2001-02 snow goose season.

Western Washington Goose Management Area 2

Cowlitz, Pacific, Wahkiakum counties, that part of Clark County north of the Washougal River, and that part of Grays Harbor County south of U.S. Highway 12 and east of U.S. Highway 101.

Open on the following days from 8:00 a.m. to 4:00 p.m.:

Saturdays, Sundays, and Wednesdays only, Nov. 22, 2000 - Jan. 14, 2001, except closed Dec. 25, 2000 and Jan. 1, 2001, except Ridgefield NWR (Zone 1). Ridgefield NWR (Zone 1): Saturdays, Mondays, and Wednesdays only, Nov. 22, 2000 - Jan. 14, 2001, except closed Dec. 25, 2000 and Jan. 1, 2001.

Bag limits for all of Western Washington Goose Management Area 2:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose, and not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose, and not more than 6 snow, Ross', or blue geese.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

The Canada goose season for Western Washington Goose Management Area 2 will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 80 geese. The fish and wildlife commission has authorized the director to implement emergency area closures in accordance with the following quotas: A total of 80 dusky, to be distributed 10 for Zone 1 (Ridgefield NWR); 25 for Zone 2 (Cowlitz County south of the Kalama River); 20 for Zone 3 (Clark County private lands); 10 for Zone 4 (Cowlitz County north of the Kalama River and Wahkiakum County); 10 for Zone 5 (Pacific County); and 5 for Zone 6 (Grays Harbor County). Quotas may be shifted to other zones during the season to optimize use of the state-wide quota and minimize depredation.

Hunting is only permitted by written authorization from the Washington department of fish and wildlife. Hunters who maintained a valid 1999-2000 written authorization will be mailed a 2000-01 authorization card prior to the 2000-01 season. New hunters and those who did not maintain a valid 1999-2000 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive written authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time. Information on training materials and testing dates/locations is available at the Olympia and regional offices.

With written authorization, hunters will receive a harvest report. Hunters must carry the authorization card and harvest report while hunting. Immediately after taking a Canada goose (dusky, lesser/Taverner, cackling, or other subspecies) into possession, hunters must record in ink the information required on the harvest report. Hunters must go directly to the nearest check station and have geese tagged when leaving a hunt site, before 6:00 p.m. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding checking of birds and recording harvest on the harvest report, written authorization will be invalidated and the hunter will not be able to hunt in Western Washington Goose Management Area 2 for the remainder of the season and the Special Late Canada Goose Season. It is unlawful to fail to comply with all provisions listed above for Western Washington Goose Management Area 2.

Western Washington Goose Management Area 2 Special Late Canada Goose Season

Open to Washington department of fish and wildlife Advanced Hunter Education (AHE) program graduates and youth hunters (15 years of age or under, who are accompanied by an AHE hunter) possessing a valid 2000-01 southwest Washington Canada goose hunting authorization, in areas with agricultural goose damage in Western Washington Goose Management Area 2 on the following days, from 7:00 a.m. to 4:00 p.m.:

Saturdays, Sundays, and Wednesdays, January 20 - March 10, 2001

Daily bag limit: 4 Canada geese, to include not more than 1 dusky Canada goose.

Possession limit: 4 Canada geese, to include not more than 1 dusky Canada goose.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted Canada goose (as shown in the Munsell color chart 10 YR, 5 or less) with a culmen (bill) length of 40-50 mm.

Hunters qualifying for the season will be placed on a list for participation in this hunt. Washington department of fish and wildlife will assist landowners with contacting qualified hunters to participate in damage control hunts on specific agricultural lands incurring goose damage. The Special Late Canada Goose Season will be closed by emergency action if the harvest of dusky Canada geese exceeds 85 for the regular and late seasons. All provisions listed above for Western Washington Goose Management Area 2 regarding written authorization, harvest reporting, and checking requirements also apply to the Special Late Season; except hunters must confirm their participation at least 24 hours in advance by calling the goose hunting hotline (listed on hunting authorization), and hunters must check out by 5:00 p.m. on each hunt day regardless of success. It is unlawful to fail to comply with all provisions listed above for the Special Late Season in Western Washington Goose Management Area 2.

Western Washington Goose Management Area 3

Includes all parts of Western Washington not included in Western Washington Goose Management Areas 1 and 2.

Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001

Daily bag limit: 4 geese, to include not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 6 snow, Ross', or blue geese.

Eastern Washington Goose Seasons

Eastern Washington Goose Management Area 1

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. 7-26, 2000 and Nov. 4 - Jan. 14, 2001; Nov. 23, 24, Dec. 25, 2000, and Jan. 1, 2001; and every day Jan. 15-21, 2001.

Eastern Washington Goose Management Area 2

Includes all other parts of Eastern Washington not included in Eastern Washington Goose Management Area 1.

Every day, from Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001.

Bag limits for all Eastern Washington Goose Management Areas:

Daily bag limit: 4 geese, to include not more than 3 snow, Ross', or blue geese.

Possession limit: 8 geese, to include not more than 6 snow, Ross', or blue geese.

BRANT

Open in Skagit and Pacific counties only on the following dates:

Jan. 13, 14, 17, 20, and 21, 2001

In 2000, the brant wintering population in Padilla/Samish/Fidalgo bays remained below objective levels. If the 2000-01 preseason wintering brant population in Skagit County is below 6,000 (as determined by the winter survey in late December/early January), the brant season in Skagit County will be closed or shortened.

WRITTEN AUTHORIZATION REQUIRED: All hunters participating in this season are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Hunters who held a 1999-2000 authorization and returned the harvest report prior to the deadline will be mailed a 2000-01 authorization in December. Hunters who did not possess a 1999-2000 authorization must fill out an application (available at Washington department of fish and wildlife regional offices). Application forms must be delivered to a department office no later than 5:00 p.m. on November 13 or postmarked on or before November 13, after which applicants will be mailed a 2000-01 authorization in early December. Late applications will not be accepted. Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest report. Return of the harvest report is mandatory. Those hunters not returning the harvest report to the Washington department of fish and wildlife by January 31, 2001, will be ineligible to participate in the 2001-02 brant season.

Bag limits for Skagit and Pacific counties:

Daily bag limit: 2 brant.

Possession limit: 4 brant.

ALEUTIAN CANADA GEESE AND SWANS

Season closed state-wide.

FALCONRY SEASONS

DUCKS, COOTS, AND SNIPE (Falconry)

(Bag limits include geese and mourning doves.)

Oct. 7-18, 2000 and Oct. 21, 2000 - Jan. 21, 2001, state-wide

Daily bag limit: 3, straight or mixed bag with geese and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese and mourning doves during established seasons.

GEESE (Falconry)

(Bag limits include ducks, coot, snipe, and mourning doves.)

Oct. 7-26, 2000 and Nov. 4 - Jan. 21, 2001, state-wide, except Western Washington Goose Management Area 2.

Western Washington Goose Management Area 2: Nov. 22, 2000 - Jan. 14, 2001 and Jan. 20, 2001 - Mar. 10, 2001, except closed Dec. 25, 2000 and Jan. 1, 2001.

Daily bag limit: 3, straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

WSR 00-18-020
PERMANENT RULES
COUNTY ROAD
ADMINISTRATION BOARD

[Filed August 28, 2000, 11:29 a.m.]

Date of Adoption: July 20, 2000.

Purpose: Add new section WAC 136-10-035 regarding charter counties.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Adopted under notice filed as WSR 00-12-003 on May 24, 2000.

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

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

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

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

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

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

August 21, 2000

Jay P. Weber

Executive Director

NEW SECTION

WAC 136-10-035 Charter counties. In counties that have adopted a home rule charter, as provided for in Article 11 §4 of the state Constitution, the duties and responsibilities of the county engineer set forth in chapter 36.80 RCW may be modified by the county legislative authority as allowed by existing constitutional law, statutory law, and the county's charter.

WSR 00-18-021
PERMANENT RULES
COUNTY ROAD
ADMINISTRATION BOARD

[Filed August 28, 2000, 11:30 a.m.]

Date of Adoption: July 20, 2000.

Purpose: Amend WAC 136-150-022.

Citation of Existing Rules Affected by this Order: Amending WAC 136-150-022.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Adopted under notice filed as WSR 00-12-004 on May 24, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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

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

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

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

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

August 21, 2000

Jay P. Weber

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-150-022 Ascertaining the expenditures for traffic law enforcement. In those counties in which road fund dollars or diverted road levy has been budgeted for traffic law enforcement, ((and for which a RAP project is awaiting approval by the county road administration board,)) the county sheriff ((will be required to)) shall submit a certification showing the actual expenditure for traffic law enforcement in the previous budget year, provided that counties with a population of less than eight thousand shall be exempt from this requirement.

WSR 00-18-023

PERMANENT RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 00-172—Filed August 28, 2000, 2:34 p.m.]

Date of Adoption: August 22, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-47-304, 220-47-311, 220-47-401, 220-47-411, 220-47-427, and 220-47-428.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 00-13-095 on June 21, 2000.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 6, Repealed 0.

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

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

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

August 28, 2000

J. P. Koenigs

Director

by Larry Peck

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-304 Puget Sound—All citizen salmon species seasons and gill net mesh sizes. (1) The following are the ((+999)) 2000 Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	((9/19)) 9/17	- ((10/23)) 10/28
	((FRASER SOCKEYE AND PINK CHUM	6/26 9/26	- 9/25 - 11/13))
7, 7A:	FRASER SOCKEYE ((AND PINK)) CHUM	((6/26) 9/26)	- ((9/25) - 11/13))
		6/25 10/1	9/9 11/11
7B:	CHINOOK COHO CHUM	((8/8) 9/5 10/24)	- ((9/4) - 10/23 - 12/11))
		8/16 9/10 10/29	9/9 10/28 12/16
7C:	CHINOOK	((8/8)) 8/16	- ((10/9)) 10/7
8:	((PINK COHO CHUM	8/22 8/29 ((10/24))	- 9/18 - 10/23)) - ((11/27))
		10/22	11/25
8A:	((PINK COHO CHUM	8/8 9/5 ((10/17))	- 9/11 - 10/16)) - ((11/27))
		10/22	12/2
8D:	COHO CHUM	((9/19) 11/7)	- ((11/6) - 12/18))
		9/24 11/5	11/4 12/16
9A:	COHO	((9/19)) 9/17	- ((10/30)) 11/4
10, 11:	((COHO CHUM	9/5 ((10/10))	- 10/9)) - ((11/27))
		10/15	12/2
12, 12B:	((COHO CHUM	9/26 ((10/17))	- 10/16)) - ((11/20))
		10/15	11/18
12A:	COHO	((8/29)) 8/27	- ((10/16)) 10/14

PERMANENT

AREA	SPECIES	DATE	RANGE	AREA	TIME	DATE	TIME	DATE
((12B:	COHO	10/13	- 10/16	8D:	7AM	-	7PM	9/21, 9/22
	CHUM	10/17	- 11/20))					9/23, 9/28,
12C:	CHUM	((10/31))	- ((11/27))					9/29, 9/30,
		<u>10/29</u>	<u>11/25</u>					10/4, 10/5,
								10/6, 10/7,
								10/11

(2) It is unlawful to fish for or possess salmon taken with gill net gear using mesh other than the mesh listed below for the species seasons set out in this section:

CHINOOK SEASON	7 INCH MINIMUM MESH							
COHO SEASON	5 INCH MINIMUM MESH							
PINK SEASON	5 INCH MINIMUM MESH							
	5-1/2 INCH MAXIMUM MESH			10, 11:	7AM	-	6PM	10/19, 10/25
	AND IN SMCRA 8 - 60 MESH				7AM	-	5PM	11/2, 11/3,
	MAXIMUM DEPTH							11/8, 11/16
CHUM SEASON	6-1/4 INCH MINIMUM MESH			12, 12B:	7AM	-	6PM	10/19, 10/25
FRASER SOCKEYE	5 INCH MINIMUM MESH				7AM	-	5PM	11/3, 11/4,
	5-1/2 INCH MAXIMUM MESH							11/8, 11/9,
								11/16

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-311 Purse seine—Open periods. ((During 1999,)) It is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

<u>7.7A:</u>	<u>7AM</u>	=	<u>5PM</u>	<u>10/30, 10/31, 11/1, 11/2, 11/6, 11/7, 11/8, 11/9</u>	
<u>7B:</u>	<u>6AM</u>	<u>9/11</u>	=	<u>8PM</u>	<u>9/13</u>
	<u>6AM</u>	<u>9/18</u>	=	<u>7PM</u>	<u>9/20</u>
	<u>6AM</u>	<u>9/24</u>	=	<u>4PM</u>	<u>10/28</u>
	<u>6AM</u>	<u>10/30</u>	=	<u>4PM</u>	<u>11/3</u>
	<u>6AM</u>	<u>11/6</u>	=	<u>4PM</u>	<u>11/10</u>
	<u>6AM</u>	<u>11/13</u>	=	<u>4PM</u>	<u>11/17</u>
	<u>6AM</u>	<u>11/20</u>	=	<u>4PM</u>	<u>11/24</u>
	<u>6AM</u>	<u>11/27</u>	=	<u>4PM</u>	<u>12/1</u>
	<u>6AM</u>	<u>12/4</u>	=	<u>4PM</u>	<u>12/8</u>
<u>8:</u>	<u>7AM</u>	=	<u>5PM</u>	<u>10/30</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/7</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/13</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/21</u>	
<u>8A:</u>	<u>7AM</u>	=	<u>5PM</u>	<u>10/31, 11/1, 11/9</u>	
	<u>7AM</u>	=	<u>4PM</u>	<u>11/10</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/14, 11/15, 11/20, 11/21, 11/22, 11/27, 11/28, 11/29, 11/30</u>	
	<u>7AM</u>	=	<u>4PM</u>	<u>12/1</u>	
<u>8D:</u>	<u>7AM</u>	=	<u>7PM</u>	<u>9/28, 10/3, 10/4, 10/12</u>	
	<u>7AM</u>	=	<u>4PM</u>	<u>10/13</u>	
	<u>7AM</u>	=	<u>6PM</u>	<u>10/17, 10/18, 10/26</u>	
	<u>7AM</u>	=	<u>4PM</u>	<u>10/27</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>10/31, 11/1, 11/9</u>	
	<u>7AM</u>	=	<u>4PM</u>	<u>11/10</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/14, 11/15, 11/20, 11/21, 11/22</u>	
<u>10, 11:</u>	<u>7AM</u>	=	<u>6PM</u>	<u>10/24</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>10/30, 10/31</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/7</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/13</u>	
	<u>7AM</u>	=	<u>5PM</u>	<u>11/21</u>	

AREA	TIME	DATE	TIME	DATE
((7, 7A:	7AM	-	6PM	10/19, 10/25
	7AM	-	5PM	11/3, 11/4, 11/8, 11/9, 11/10, 11/11
7B:	6AM	9/7	4PM	9/9
	6AM	9/13	4PM	9/15
	6AM	9/19	4PM	10/23
	6AM	10/25	4PM	10/29
	6AM	11/1	4PM	11/5
	6AM	11/8	4PM	11/12
	6AM	11/15	4PM	11/19
	6AM	11/22	4PM	11/26
	6AM	11/29	4PM	12/3
	6AM	12/6	4PM	12/10
8:	7AM	-	6PM	10/25
	7AM	-	5PM	11/2, 11/8, 11/16, 11/22
8A:	5AM	-	9PM	8/24, 8/30
	7AM	-	7PM	10/11
	7AM	-	6PM	10/20, 10/21, 10/25, 10/26
	7AM	-	5PM	11/3, 11/4, 11/8, 11/9, 11/17, 11/18, 11/22, 11/23, 11/24

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12, 12B:	7AM	=	6PM	10/16
	7AM	=	6PM	10/24
	7AM	=	5PM	10/30, 10/31
	7AM	=	5PM	11/8, 11/9
	7AM	=	5PM	11/13
12C:	7AM	=	5PM	11/13
	7AM	=	5PM	11/21

It is unlawful to retain chinook salmon taken with purse seine gear in Areas 7, 7A, 8, 8A, 8D, 10, 11, 12, 12B and 12C. It is unlawful to retain coho salmon taken with purse seine gear in Areas 7 ((and)), 7A, 8, 8A, 10, 11, 12, 12B and 12C. It is unlawful to retain chum salmon taken with purse seine gear in Areas 7 and 7A prior to October 1. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-401 Reef net open periods. ((During 1999,)) It is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME	-	DATE(S)
7, 7A	7AM - 7PM Daily		((9/12 through 11/13)) 9/10 - 11/11

It is unlawful to retain chinook salmon taken with reef net gear in Areas 7 and 7A. It is unlawful to retain coho salmon taken with reef net gear in Areas 7 and 7A while the Fraser River Panel of the Pacific Salmon Commission maintains regulatory control of fisheries in Area 7. It is unlawful to retain chum salmon taken with reef net gear prior to October 1. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-411 Gill net—Open periods. ((During 1999,)) It is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

AREA	TIME	-	DATE(S)	
((6D:	7AM	-	7PM	9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15, 10/18, 10/19, 10/20, 10/21, 10/22))
6D	7AM	=	7PM	9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13, 10/16, 10/17, 10/18, 10/19, 10/20, 10/23, 10/24, 10/25, 10/26, 10/27

Note: In Area 6D it is unlawful to use other than 5-inch minimum and 5 1/2-inch maximum mesh in the skiff gill net (only, using 5-inch minimum and 5 1/2-inch maximum mesh) fishery. It is unlawful to retain chinook or pink salmon taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. In Area 6D, any chinook or pink salmon captured at any time, or any chum salmon captured prior to October 16, must be removed from the net by cutting the meshes ensnaring the fish.

((7,7A:	7AM	-	8PM	10/18, 10/26, 11/1, 11/2, 11/8, 11/9, 11/10, 11/11
7B:	7PM-9AM	NIGHTLY		8/16, 8/23, 8/24, 8/30, 8/31
	6AM	9/7	-	4PM 9/9
	6AM	9/13	-	4PM 9/15
	6AM	9/19	-	4PM 10/23
	6AM	10/25	-	4PM 10/29
	6AM	11/1	-	4PM 11/5
	6AM	11/8	-	4PM 11/12
	6AM	11/15	-	4PM 11/19
	6AM	11/22	-	4PM 11/26
	6AM	11/29	-	4PM 12/3
	6AM	12/6	-	4PM 12/10
7C:	7PM-9AM	NIGHTLY		8/16, 8/23, 8/24, 8/30, 8/31
8:	6AM	-	11PM	8/24, 8/30
	7AM	-	8PM	10/26, 11/1, 11/9, 11/15, 11/23
8A:	6AM	-	11PM	8/23, 8/31
	7AM	-	8PM	10/12, 10/18, 10/19, 10/27, 10/28, 11/1, 11/2, 11/10, 11/11, 11/15, 11/16, 11/22, 11/23, 11/24
8D:	6PM-8AM	NIGHTLY		9/20, 9/21, 9/22, 9/27, 9/28, 9/29, 10/4, 10/5, 10/6, 10/7
	7AM	-	8PM	10/12, 10/18, 10/19, 10/27, 10/28, 11/1, 11/2, 11/10, 11/11, 11/15, 11/16, 11/22, 11/23, 11/24
9A:	6AM	9/19	through	4PM 10/30
10, 11:	5PM-8AM	NIGHTLY		10/18, 10/25
	4PM-8AM	NIGHTLY		11/1, 11/2, 11/8, 11/15
12, 12B:	7AM	-	8PM	10/18, 10/26, 11/1, 11/2, 11/10, 11/11, 11/15
12C:	7AM	-	8PM	11/15, 11/23))
7, 7A:	7AM	=	8PM	10/30, 10/31, 11/1, 11/2, 11/6, 11/7, 11/8, 11/9
7B:	7PM-9AM	NIGHTLY		8/16, 8/21, 8/22, 8/28, 9/4
	6AM	9/11	=	8PM 9/13
	6AM	9/18	=	7PM 9/20
	6AM	9/24	=	4PM 10/28
	6AM	10/30	=	4PM 11/3
	6AM	11/6	=	4PM 11/10
	6AM	11/13	=	4PM 11/17
	6AM	11/20	=	4PM 11/24
	6AM	11/27	=	4PM 12/1
	6AM	12/4	=	4PM 12/8
7C:	7PM-9AM	NIGHTLY		8/16, 8/21, 8/22, 8/28, 9/4
8:	7AM	=	8PM	10/31, 11/6, 11/14, 11/20
8A:	7AM	=	8PM	11/2
	7AM	=	4PM	11/3
	7AM	=	8PM	11/7, 11/8, 11/16

PERMANENT

	7AM	:	4PM	11/17
	7AM	:	8PM	11/20, 11/21, 11/22
	7AM	:	8PM	11/27, 11/28, 11/29, 11/30
	7AM	:	4PM	12/1
8D:	7AM-8PM	DAILY		9/27
	6PM	10/4	:	8AM 10/6
	6PM	10/10	:	8AM 10/12
	6PM	10/18	:	8AM 10/20
	6PM	10/24	:	8AM 10/26
	7AM	:	8PM	11/2
	7AM	:	4PM	11/3
	7AM	:	8PM	11/7, 11/8, 11/16
	7AM	:	4PM	11/17
	7AM	:	8PM	11/20, 11/21, 11/22
9A:	7AM	9/17 through	8PM	10/28

It is unlawful to retain chum salmon taken in Area 9A prior to October 1. Any chum salmon netted prior to October 1 must be released from the net by cutting the meshes ensnaring the fish.

10, 11:	5PM-8AM	NIGHTLY		10/23
	4PM-8AM	NIGHTLY		10/30, 10/31, 11/6, 11/13, 11/20
12, 12B:	7AM	:	8PM	10/17, 10/23, 11/1, 11/2, 11/6, 11/7, 11/14
12C:	7AM	:	8PM	11/14, 11/20

All other saltwater and freshwater areas - closed.

Nightly openings refer to the start date.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-427 Puget Sound—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.

(1) The Puget Sound beach seine salmon fishery is designated as an emerging commercial fishery for which a vessel is required. An emerging commercial fishery license and an experimental fishery permit are required to participate in this fishery.

(2) The department will issue five Quilcene Bay salmon beach seine experimental fishery permits (Quilcene permits).

(3) The following is the selection process the department will use to offer a Quilcene permit.

(a) Persons who held a Quilcene Bay salmon beach seine experimental fishery permit in ~~((1998))~~ the previous management year will be eligible for a permit in ~~((1999))~~ the current management year.

(b) The department established a pool of applicants by drawing on September 9, 1996. The pool established by this drawing will be maintained to replace any permit(s) which may be voided.

(4) Permit holders are required to participate in the Quilcene Bay salmon beach seine experimental fishery.

(a) For purposes of this section, "participation" means the holder of the Quilcene permit being aboard the designated vessel in the open fishery area two days each week during the open fishing period.

(b) If the Quilcene permit holder fails to participate, the Quilcene permit issued to that fisher will be void and a new Quilcene permit will be issued through a random drawing from the applicant pool established in 1996.

(c) The department may require proof of participation by maintaining a department approved log book or registering with state, federal or tribal officials each day the Quilcene permit holder participates.

(d) Persons who participate, but violate conditions of a Quilcene permit, will have the permit voided and a new Quilcene permit will be reissued through a random drawing from the pool of the voided permit holder.

(5) Chum salmon may not be retained by a Quilcene permit holder. Chum salmon must be released alive, or, at the direction of federal or state officials, submitted for brood-stock purposes.

(6) Any person who fails to purchase the license, fails to participate, or violates the conditions of a Quilcene permit will have his or her name permanently withdrawn from the pools.

(7) It is unlawful to take salmon with beach seine gear that does not meet the requirements of this subsection.

(a) Beach seine salmon nets in Puget Sound shall not exceed 600 feet in length or 100 meshes in depth, or contain meshes of a size less than 3 inches or greater than 4 inches.

(b) Mesh webbing must be constructed with a twine size no smaller than 210/30d nylon, 12 thread cotton, or the equivalent diameter in any other material.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-428 Beach seine—Open periods. (~~During 1999,~~)

It is unlawful to take, fish for, or possess salmon taken with beach seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE(S)
((12A:	7AM—7PM Daily	8/30, 8/31, 9/1, 9/2, 9/3, 9/6, 9/7, 9/8, 9/9, 9/10, 9/13, 9/14, 9/15, 9/16, 9/17, 9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15))
12A:	7AM-7PM Daily	8/28, 8/29, 8/30, 8/31, 9/1, 9/4, 9/5, 9/6, 9/7, 9/8, 9/11, 9/12, 9/13, 9/14, 9/15, 9/18, 9/19, 9/20, 9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13

PERMANENT

WSR 00-18-032
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed August 29, 2000, 4:38 p.m.]

Date of Adoption: August 29, 2000.

Purpose: MAA is establishing new chapters in WAC in order to concentrate most of the agency's rules in one area of Title 388 WAC. The rule in WAC 388-86-300 Chemical dependency outpatient services, is being moved into new WAC 388-556-0100. This rule has been rewritten to meet the clear-writing standards in the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-86-300 Chemical dependency outpatient services.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.035, and 74.50.055.

Adopted under notice filed as WSR 00-14-045 on June 30, 2000.

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

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

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

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

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

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

August 29, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

NEW SECTION

WAC 388-556-0100 Chemical dependency treatment services. The department covers chemical dependency treatment services, as defined in chapter 388-805 WAC, for Medicaid and children's health clients. Coverage is limited to services performed by providers defined in WAC 388-502-0010.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-300 Chemical dependency outpatient services.

WSR 00-18-038
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed August 30, 2000, 3:37 p.m., effective October 1, 2000]

Date of Adoption: August 30, 2000.

Purpose: The following rules are being repealed because the content of the rules was incorporated into chapter 388-474 WAC, the more current supplemental security income WAC chapter.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-275-0010, 388-275-0040, and 388-275-0080.

Statutory Authority for Adoption: RCW 74.04.620, 74.08.090.

Adopted under notice filed as WSR 00-15-070 on July 18, 2000.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, 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 3.

Effective Date of Rule: October 1, 2000.

August 30, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-275-0010	Purpose.
WAC 388-275-0040	Effect on other programs.
WAC 388-275-0080	Overpayment and underpayment.

WSR 00-18-057
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(WorkFirst Division)

[Filed September 1, 2000, 11:16 a.m., effective September 4, 2000]

Date of Adoption: September 1, 2000.

Purpose: Describes eligibility rules for the WorkFirst work study program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0035 Educational benefits.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Adopted under notice filed as WSR 00-10-087 on May 2, 2000.

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

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The department is requesting an earlier effective date of this rule to protect the welfare of TANF participants, allowing them to enter the WorkFirst work study program, receive wages and start to learn the new skills that will allow them to achieve self-sufficiency.

Effective Date of Rule: September 4, 2000.

September 1, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-450-0035 Educational benefits. This section applies to TANF/SFA, RCA, GA, TANF/SFA-related medical and food assistance programs. Unless otherwise stated, exclusions and disregards of educational benefits apply to clients engaged in undergraduate studies only.

(1) We exclude the educational assistance in the form of grants, loans or work study, issued from Title IV of the Higher Education Amendments (Title IV - HEA) and Bureau of Indian Affairs (BIA) education assistance programs. Examples of Title IV - HEA and BIA educational assistance include but are not limited to:

(a) College work study (federal and state);

(b) Pell grants; and

(c) BIA higher education grants.

(2) We do not count the following types of educational assistance, in the form of grants, loans, or work study when determining a student's need:

(a) Assistance under the Carl D. Perkins Vocational and Applied Technology Education Act, P.L. 101-391 for attendance costs identified by the institution as specified in subsections (3) and (4) of this section; and

(b) Educational assistance made available under any program administered by the Department of Education (DOE) to an undergraduate student. Examples of programs administered by DOE include but are not limited to:

(i) Christa McAuliffe Fellowship Program;

(ii) Jacob K. Javits Fellowship Program; and

(iii) Library Career Training Program.

(3) Educational assistance under subsection (2)(a) of this section is disregarded when used for the following attendance costs when a student is attending school less than half-time:

(a) Tuition;

(b) Fees; and

(c) Costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study.

(4) Educational assistance under subsection (2)(a) of this section that is used for the following expenses is disregarded in addition to the costs specified in subsection (3) of this section when the student is attending school at least half-time:

(a) Books;

(b) Supplies;

(c) Transportation;

(d) Dependent care; and

(e) Miscellaneous personal expenses.

(5) For TANF/SFA, RCA, GA, and TANF/SFA-related medical assistance, the amount of a student's remaining educational assistance equal to the difference between the student's appropriate need standard and payment standard is excluded.

(6) Any remaining income is unearned income and budgeted using the appropriate budgeting method for the assistance unit.

(7) When a student participates in WorkFirst work study, educational assistance made available to the student is:

(a) Disregarded for cash and medical assistance;

(b) Counted as earned income for food assistance.

(8) When a student participates in a work study program that is not excluded by subsections (1) and (2) or (7)(a) of this section, the income received is treated as earned income:

(a) Applying the applicable earned income disregards;

(b) For TANF/SFA, RCA, GA, and TANF/SFA-related medical assistance, excluding the difference between the student's appropriate need standard and payment standard; and

(c) Budgeting remaining income using the appropriate budgeting method for the assistance unit.

~~((8))~~ (9) When a student receives Veteran's Administration Educational Assistance:

(a) All applicable attendance costs are subtracted; and

(b) The remaining unearned income is budgeted using the appropriate budgeting method for the assistance unit.

((9)) (10) When a student participates in graduate school studies, educational assistance made available to the student is counted as:

- (a) Assistance from another agency for cash and medical assistance;
- (b) Earned income for food assistance if there are work requirements; or
- (c) Unearned income for food assistance if there are no work requirements.

WSR 00-18-058
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed September 1, 2000, 11:19 a.m.]

Date of Adoption: September 1, 2000.

Purpose: DSHS is repealing chapter 388-08 WAC, Practice and procedure—Fair hearings. It is being replaced by chapter 388-02 WAC, DSHS hearing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-08-410 Application of chapter 388-08 WAC, 388-08-413 Application for an adjudicative proceeding, 388-08-425 Administrative law judge (ALJ)—Authority—Application of law—Assignment—Disqualification, 388-08-428 Representation, 388-08-431 Prehearing conference, 388-08-434 Notice of hearing, 388-08-437 Filing and service of papers, 388-08-440 Vacating an order of dismissal for reason of default or withdrawal, 388-08-446 Subpoenas, 388-08-449 Teleconference hearing, 388-08-452 Rules of evidence, 388-08-461 Contents of orders, 388-08-462 Corrected decision, 388-08-464 Petition for review—Response to petition—Disqualification of review judge, 388-08-466 Procedure on review by review judge, 388-08-470 Reconsideration, 388-08-515 Notice to limited-English-speaking parties, 388-08-525 Interpreters, 388-08-535 Group hearing, 388-08-545 Continuance, 388-08-555 Separate hearing regarding disclosure of investigative and intelligence files, 388-08-565 Computation of time, 388-08-575 Judicial review of final adjudicative order, and 388-08-585 Equitable estoppel.

Statutory Authority for Adoption: RCW 34.05.020.

Adopted under notice filed as WSR 00-10-094 on May 2, 2000.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 24.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 24.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 24.

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

September 1, 2000

Edith M. Rice, Chief
Office of Legal Affairs

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-08-410	Application of chapter 388-08 WAC.
WAC 388-08-413	Application for an adjudicative proceeding.
WAC 388-08-425	Administrative law judge (ALJ)—Authority—Application of law—Assignment—Disqualification.
WAC 388-08-428	Representation.
WAC 388-08-431	Prehearing conference.
WAC 388-08-434	Notice of hearing.
WAC 388-08-437	Filing and service of papers.
WAC 388-08-440	Vacating an order of dismissal for reason of default or withdrawal.
WAC 388-08-446	Subpoenas.
WAC 388-08-449	Teleconference hearing.
WAC 388-08-452	Rules of evidence.
WAC 388-08-461	Contents of orders.
WAC 388-08-462	Corrected decision.
WAC 388-08-464	Petition for review—Response to petition—Disqualification of review judge.
WAC 388-08-466	Procedure on review by review judge.
WAC 388-08-470	Reconsideration.
WAC 388-08-515	Notice to limited-English-speaking parties.
WAC 388-08-525	Interpreters.
WAC 388-08-535	Group hearing.
WAC 388-08-545	Continuance.
WAC 388-08-555	Separate hearing regarding disclosure of investigative and intelligence files.
WAC 388-08-565	Computation of time.

PERMANENT

WAC 388-08-575 Judicial review of final adjudicative order.

WAC 388-08-585 Equitable estoppel.

WAC 388-02-0375, 388-02-0520 and 388-02-0570, corrected the cite.

WAC 388-02-0475, clarified the language.

WAC 388-02-0515, prescribed where deadlines are found.

WAC 388-02-0590, added language to clarify the timeline for requesting more time to respond to a petition for review.

WAC 388-02-0610, deleted inaccurate language.

WAC 388-02-0630, added language to clarify the timeline for requesting more time to respond to a reconsideration request.

WAC 388-02-0650, added in-person service information for the AAG's office.

Variation from the Model Rules of Procedure: Under RCW 34.05.250 agencies are required to report any variation from model rules of procedures outlined by the Office of Administrative Hearings (chapter 10-08 WAC). DSHS hearing rules are now found in chapter 388-02 WAC. They are written using clear rule-writing techniques to supplement the model rules of procedure.

Questions were used in the titles of the rule to assist users to quickly and easily find information. The rules also clarify DSHS responsibilities for hearings, extend the time for vacating dismissal orders, and specify the authority of administrative law judges to stay an action. The rule puts legal terms such as evidence, subpoenas, and burden of proof in language the public can understand. Prehearing guidelines are incorporated into the rule to encourage early dispute resolution between DSHS and its clients, vendors, contractors, and customers.

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 130, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 130, 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 130, Amended 0, Repealed 0.

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

September 1, 2000

Edith M. Rice, Chief

Office of Legal Affairs

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 00-20 issue of the Register.

WSR 00-18-059

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

[Filed September 1, 2000, 11:19 a.m.]

Date of Adoption: September 1, 2000.

Purpose: The DSHS hearing rules, chapter 388-02 WAC, supplement the procedural provisions Model rules of procedure, chapter 10-08 WAC from the Office of Administrative Hearings. These rules describe procedures for resolution of disputes between DSHS and its clients, vendors, contractors, and customers. The rules clarify DSHS hearing procedures. These rules have been written to comply with Executive Order 97-02 and use clear rule-writing techniques to make information easy to find and understand by DSHS clients, vendors, contractors, and customers.

Statutory Authority for Adoption: RCW 34.05.020.

Adopted under notice filed as WSR 00-10-034 on April 24, 2000.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-02-0010, corrected grammatical error in definition of "DSHS representative." The definition of "party" was reorganized to clarify that DSHS is also a party in a hearing.

WAC 388-02-0070 and 388-02-0075, clarified that delivery is required for filing documents.

WAC 388-02-0085, reorganized and added language encouraging an individual to request a hearing if they are not sure whether they actually have a hearing right.

WAC 388-02-0115, clarified that a person may withdraw a hearing request if the ALJ and the other party are present.

WAC 388-02-0125, corrected subsection (1) by stating that an "intermediary interpreter" means an interpreter who is a certified deaf interpreter (CDI). Added that a qualified interpreter for a person with a hearing impairment includes a visual language interpreter certified by a national association of the deaf.

WAC 388-02-0145, added the "hearing impaired person" to the list of people who choose the appropriate interpretive mode when interpreters are used.

WAC 388-02-0155, added language stating that a person requesting a hearing should let DSHS or OAH know the name, address, and telephone number of their representative.

WAC 388-02-0160, corrected a term to be consistent with WAC 388-02-0180.

WAC 388-02-0210, added the term "reverse" to show that an ALJ may reverse the DSHS action if DSHS does not attend the prehearing conference.

WAC 388-02-0225, added language emphasizing that only a court may decide if a DSHS rule is invalid.

WSR 00-18-060
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed September 1, 2000, 11:44 a.m.]

Date of Adoption: August 25, 2000.

Purpose: To delete the requirement that a microfilm copy of construction plans and specifications be provided to the Office of Superintendent of Public Instruction.

Citation of Existing Rules Affected by this Order: Amending WAC 180-29-085 Construction and other documents—Submittal.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 00-10-060 on April 28, 2000.

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

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

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

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

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

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

August 31, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-24-126, filed 12/1/99, effective 1/1/00)

WAC 180-29-085 Construction and other documents—Submittal. (1) For the purpose of determining that the provisions set forth in chapters 180-25 through 180-29 WAC have been complied with prior to the opening of bids of any project to be financed with state moneys, the school district shall have on file with the superintendent of public instruction the following:

(a) One (~~microfilm~~) copy of the construction documents forwarded by others;

(b) Cost estimate of construction on a form approved by the superintendent of public instruction, completed and signed by the architect-engineer;

(c) Signed copy or photocopy of letters of approval by other governmental agencies in accordance with WAC 180-29-090;

(d) Area analysis on a form approved by the superintendent of public instruction in accordance with chapter 180-27 WAC;

(e) Complete listing of construction special inspections and/or testing to be performed by independent sources that are included in the project pursuant to WAC 180-27-100;

(f) One copy of the value engineering and constructability review reports as accepted by the school district board of directors. The reports shall include the following:

(i) A brief description of the original design;

(ii) A brief description of the value engineering or constructability review methodology used;

(iii) The areas analyzed;

(iv) The design alternatives proposed;

(v) The cost changes proposed;

(vi) The alternates accepted; and

(vii) A brief statement explaining why each alternate not accepted was rejected;

(g) Completed Building Condition Evaluation Forms (BCEF) as required by WAC 180-27-535 for every school facility in the district.

(2) If the above documents reflect an increase in square foot size from the application approved by the state board of education as per WAC 180-29-030 which will result in an increase in state support, a new application must be submitted to the state board of education.

WSR 00-18-061

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed September 1, 2000, 11:47 a.m.]

Date of Adoption: August 25, 2000.

Purpose: The amendments create primary endorsements in drama, dance, and English as a second language. Other amendments are editorial.

Citation of Existing Rules Affected by this Order: Amending WAC 180-82-202 and 180-82-342.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 00-15-091 on July 19, 2000.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 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 3, Amended 2, Repealed 0.

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

August 31, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

WAC 180-82-202 Certificate endorsements. Teacher certificates shall be endorsed as follows:

- (1) **All levels:**
 - (a) Bilingual education, (supporting).
 - (b) Designated arts: Dance, (primary and supporting).
 - (c) Designated arts: Drama, (primary and supporting).
 - (d) Designated arts: Music: Choral, instrumental or general, (primary and supporting).
 - (e) Designated arts: Visual arts, (primary and supporting).
 - (f) Designated world languages, (primary and supporting).
 - (g) English as a second language, (primary and supporting).
 - (h) Health/fitness, (primary and supporting).
 - (i) Library media, (primary and supporting).
 - (j) Reading, (primary and supporting).
 - (k) Special education, (primary).
- (2) **Early childhood:**
 - (a) Early childhood education, (primary and supporting).
 - (b) Early childhood special education, (primary).
- (3) **Elementary education**, (primary).
- (4) **Middle level**, (primary).
- (5) **Secondary level:**
 - (a) Designated science: Biology, (primary and supporting).
 - (b) Designated science: Chemistry, (primary and supporting).
 - (c) Designated science: Earth science, (primary and supporting).
 - (d) Designated science: Physics, (primary and supporting).
 - (e) Designated vocational/technical: Agriculture education, business education, family and consumer sciences education, marketing education, and technology education, (primary).
 - (f) English, (primary and supporting).
 - (g) English/language arts, (primary).
 - (h) History, (primary and supporting).
 - (i) Mathematics, (primary and supporting).
 - (j) Science, (primary).
 - (k) Social studies, (primary).

(6) **Traffic safety** endorsements may be noted on certificates issued under chapter 180-79A WAC if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.220.020(3).

NEW SECTION

WAC 180-82-303 Designated arts: Dance—All levels, primary. In order to receive a primary endorsement in designated arts: Dance, the candidate shall have completed a state approved preparation program in designated arts: Dance which shall be comprised of the appropriate pedagogy courses and field experience/internship, pursuant to chapter

180-78A WAC, as well as forty-five quarter credit hours (thirty semester credit hours) in the subject areas below and shall have demonstrated a level of artistic and technical proficiency appropriate for his/her dance concentration. Through the completion of this course work and/or an alternative performance-based assessment acceptable to the college/university, the candidate shall have demonstrated knowledge and skills in the following areas:

- (1) Elements of dance.
- (2) Composition, improvisation, or choreography.
- (3) Dance science.
- (4) Dance production.
- (5) Social, cultural, and historical contexts and connections.
- (6) Equipment and facilities safety.

NEW SECTION

WAC 180-82-307 Designated arts: Drama—All levels, primary. In order to receive a primary endorsement in designated arts: Drama, the candidate shall have completed a state approved preparation program in designated arts: Drama which shall be comprised of the appropriate pedagogy courses and field experiences/internship, pursuant to chapter 180-78A WAC, as well as forty-five quarter credit hours (thirty semester credit hours) in the subject areas below. Through the completion of this course work and/or an alternative performance-based assessment acceptable to the college/university the candidate shall have demonstrated knowledge and skills in the following areas:

- (1) Acting skills, including improvisational and script-based.
- (2) Theatrical design and construction.
- (3) Directing.
- (4) Stage management.
- (5) Analysis and criticism of both script and performances.
- (6) Equipment, materials, and facilities safety.

NEW SECTION

WAC 180-82-338 English as a second language—All levels, primary. In order to obtain a primary endorsement in English as a second language, the candidate shall have demonstrated proficiency in the English language and shall have completed a state approved preparation program in English as a second language which shall be comprised of the appropriate pedagogy courses and field experience/internship pursuant to chapter 180-78A WAC as well as forty-five quarter credit hours (thirty semester credit hours) in the subject areas below. Through the completion of this course work and/or an alternative performance-based assessment acceptable to the college/university, the candidate shall have demonstrated knowledge and skills in the following areas:

- (1) Language acquisition theory.
- (2) Cross-cultural teaching and learning strategies.
- (3) Literacy development (reading, writing, listening, speaking).
- (4) History and theory of ESL.
- (5) Instructional strategies for ESL.

AMENDATORY SECTION (Amending WSR 00-09-047, filed 4/14/00, effective 5/15/00)

WAC 180-82-342 History—((All levels)) Secondary, primary. In order to receive a primary endorsement in history the candidate shall have completed a state-approved preparation program in history which shall be comprised of the appropriate pedagogy courses and field experiences/internship, pursuant to chapter 180-78A WAC, as well as forty-five quarter credit hours (thirty semester credit hours) in the subject areas below. Through the completion of this course work and/or an alternative performance-based assessment acceptable to the college/university the candidate shall have demonstrated knowledge and skills in the following areas:

- (1) Pacific Northwest history.
- (2) United States history, including chronological, thematic, multicultural, ethnic, and women's history.
- (3) World, regional, or country history.
- (4) Civics/political science/United States government.
- (5) Geography.
- (6) Economics.

WSR 00-18-062
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed September 1, 2000, 11:50 a.m.]

Date of Adoption: August 25, 2000.

Purpose: These amendments require colleges/universities to include a common set of performance indicators in the development of their professional certificate program for teachers and also in the assessment of their candidates for the certificate.

Citation of Existing Rules Affected by this Order: Amending WAC 180-78A-535.

Statutory Authority for Adoption: RCW 28A.410.010, 28A.305.130 (1) and (2).

Adopted under notice filed as WSR 00-15-088 on July 19, 2000.

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

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

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

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

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

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

August 31, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 00-03-049, filed 1/14/00, effective 2/14/00)

WAC 180-78A-535 Approval standard—Program design. The following requirements shall govern the design of the professional certificate program:

(1) To be eligible to apply for admission to a professional certificate program, a candidate shall hold a contract as a teacher in a public or a state board of education approved private school and shall have completed provisional status with a school district under RCW 28A.405.220 or the equivalent with an approved private school.

(2) The professional certificate program must be available to all qualified candidates.

(3) Using the set of common performance indicators as approved by the state board of education and published by the office of the superintendent of public instruction, the professional certificate program shall be developed by a college or university and its professional education advisory board. Additional agencies may participate in the development of the program if the college or university and professional education advisory board so choose.

(4) Each program shall consist of:

(a) A preassessment seminar which considers input from the candidate's "professional growth team" (WAC 180-78A-505), the candidate's past experience, the context in which he/she teaches, information from past annual evaluations if the individual chooses, the candidate's personal and professional goals, his/her self-evaluation, and evidences of the candidate's impact on student learning.

The seminar will culminate in preparation and approval of the candidate's individual professional growth plan designed to provide the candidate with the knowledge and skills needed to demonstrate successfully the standards and criteria required by WAC 180-78A-540.

A representative of the college/university and the candidate shall develop the professional growth plan to be reviewed and agreed upon after input from and consultation and "collaboration" (WAC 180-78A-010(9)) with his/her "professional growth team" (WAC 180-78A-010(10)).

The individual professional growth plan shall be based on:

(i) An analysis of the instructional context and teaching assignment(s) to determine strategies which the teacher should use to achieve a positive impact on student learning.

(ii) An assessment of the candidate's ability to demonstrate successfully the professional certificate standards and criteria.

(iii) Specifications of assistance and instructional components needed and any required course work.

(b) Course work, past and current experience, inservice, continuing education and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill and performance on all criteria required

state-wide as essential to "effective teaching" as defined in WAC 180-78A-540(1).

(c) Course work, past and current experience, inservice, continuing education and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill and performance on all criteria required state-wide as essential to "professional development" as defined in WAC 180-78A-540(2).

(d) Course work, past and current experience, inservice, continuing education and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill and performance on all criteria required state-wide as essential to "leadership" as defined in WAC 180-78A-540(3).

(e) A culminating seminar in which the candidate presents his/her final documentation and evidence of professional certificate level knowledge, skill and performance; positive impact on student learning; identification of future goals and professional/career interests; and specification of areas for continuing education and development. The candidate must provide multiple forms of evidence (~~as required by WAC 180-78A-535(4)(c)(i)(D) of his/her positive impact on student learning.~~

~~(i) The final program component, the culminating seminar, shall include the following performance-based assessments:~~

~~(A) K-12 student achievement data, whenever appropriate, related to one or more of the Washington state essential academic learning requirements.~~

~~(B) Evidence of the candidate's positive impact on student learning as defined in WAC 180-78A-010(8) for the standard of effective teaching.~~

~~(C) Assessment data for a selected number of students.~~

~~(D) Multiple forms of evidence presented over time which may include, but are not limited to, the following: Classroom-based evidence of student learning; portfolios; statements from parents, peer teachers, and/or administrators; and student scores on standardized achievement tests)) which shall include, but are not limited to, the set of common performance indicators as approved by the state board of education and published by the office of the superintendent of public instruction.~~

(5) Candidates who do not successfully complete a culminating seminar shall receive an individualized analysis of strengths and weaknesses and a plan for appropriate assistance and instruction.

(6) No limits shall be placed on the number of times a candidate with a valid residency certificate may participate in the culminating seminar.

waiver would have in order to qualify for the special education endorsement.

Citation of Existing Rules Affected by this Order: Amending WAC 180-82-110.

Statutory Authority for Adoption: RCW 28A.150.220(4), 28A.305.130(1), 28A.410.018.

Adopted under notice filed as WSR 00-15-089 on July 19, 2000.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

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

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

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

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

August 31, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

WAC 180-82-110 Exceptions to classroom teacher assignment policy. Exceptions to the classroom teacher assignment policy specified in WAC 180-82-105 shall be limited to the following:

(1) Upon determination by school districts that teachers have the competencies to be effective teachers in areas other than their endorsed areas, individuals with initial, residency, endorsed continuing, or professional teacher certificates who have completed provisional status with a school district under RCW 28A.405.220 may be assigned to classes other than in their areas of endorsement. If teachers are so assigned, the following shall apply:

(a) A designated representative of the district and any such teacher so assigned shall mutually develop a written plan which provides for necessary assistance to the teacher, and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement assignment;

(b) Such teachers shall not be subject to nonrenewal or probation based on evaluations of their teaching effectiveness in the out-of-endorsement assignments;

(c) Such teaching assignments shall be approved by a formal vote of the local school board for each teacher so assigned; and

(d) The assignment of such teachers for the previous school year shall be reported annually to the state board of education by the employing school district as required by

WSR 00-18-063

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed September 1, 2000, 11:53 a.m.]

Date of Adoption: August 25, 2000.

Purpose: This amendment extends from three to five the number of years a teacher assigned to teach special education

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WAC 180-16-195. Included in the report shall be the number of teachers in out-of-endorsement assignments and the specific assistance being given to the teachers.

(2) Teachers with initial, residency, endorsed continuing, or professional teacher certificates who have not completed provisional status with a school district under RCW 28A.405.220 may be assigned to one out-of-endorsement assignment for a maximum of two periods (not more than forty percent full-time equivalent) a day. Conditions described in subsection (1)(a) through (d) of this section shall apply to teachers so assigned.

(3) After August 31, 2000, a teacher who has completed twenty-four quarter credit hours (sixteen semester credit hours) of the required special education course work in WAC 180-82-360 shall be eligible for a waiver from the special education office which will allow that person to be employed as a special education teacher. The remaining credits and all endorsement requirements shall be completed within ((three)) five years of service as a special education teacher. Teachers who hold certificates endorsed in special education or who have received waivers from the special education office prior to September 1, 2000, shall not be affected by the requirements of this subsection.

WSR 00-18-064
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed September 1, 2000, 11:57 a.m.]

Date of Adoption: August 25, 2000.

Purpose: The amendments to these rules make it possible to obtain a regular certificate by completing a college/university program in five vocational areas. A vocational certificate would then be obtained by these individuals by documentation of work experience. Other amendments are editorial.

Citation of Existing Rules Affected by this Order: Amending WAC 180-77-014 Requirements for limited certification, 180-77-031 Requirements for candidates seeking vocational certification through completion of approved college/university programs, 180-77-041 Requirements for candidates seeking vocational certification on the basis of business and industry work experience, 180-77-075 Levels, validity and standards for certification of local vocational counselors, 180-77-110 Vocational instructor certification reciprocity, 180-77A-004 Overview, 180-77A-006 Purpose, 180-77A-025 Program approval, 180-77A-029 Procedures for initial approval of a vocational-technical teacher preparation program for candidates applying under WAC 180-77-041, 180-77A-030 Length of time for which vocational-technical approval status shall be granted, 180-77A-033 Probationary status, 180-77A-037 Procedures for reestablishment of approval status for a vocational-technical teacher preparation program, 180-77A-040 Responsibilities of the designated program administrator, 180-77A-057 Approval of vocational-technical teacher preparation program offered by an out-of-state provider within the state applicable to certification, 180-77A-165 General standards for all vocational-

technical teacher certificate candidates, 180-77A-180 Vocational-technical teacher preparation specialty standards, 180-77A-195 Course work/internship waiver, 180-79A-300 Certificate endorsement and 180-82-322 Designated vocational/technical—Secondary, primary; and repealing WAC 180-77-004 Review of program approval standards, 180-77-106 Transition policies, 180-77A-012 Required vocational-technical professional education council, 180-77A-014 Qualifications to be appointed to the vocational-technical professional education council, 180-77A-016 Vocational-technical professional education council—Membership, 180-77A-018 Substitute pay for members of the vocational-technical professional education council, 180-77A-020 Vocational-technical professional education council—Duties, 180-77A-026 Existing approved programs, 180-77A-028 Procedures for initial approval of a vocational-technical teacher preparation program for candidates applying under WAC 180-77-031, and 180-77A-170 Program area standards.

Statutory Authority for Adoption: RCW 28A.305.130 (1) and (2), 28A.410.010.

Adopted under notice filed as WSR 00-15-090 on July 19, 2000.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 19, Repealed 10.

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 19, Repealed 10.

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

August 31, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 98-01-026, filed 12/8/97, effective 1/8/98)

WAC 180-77-014 Requirements for limited certification. (1) Probationary certificate. The probationary certificate is valid for two years and is renewable one time for two additional years upon recommendation of the employing district if the individual has completed the procedures outlined for the first year in the professional growth plan and has made additional progress in meeting the requirements for the initial vocational certificate.

The candidate for a probationary certificate must have substantially completed requirements for the initial vocational certificate as set forth in WAC 180-77-031 or 180-77-041.

(a) Such a certificate may be issued upon recommendation by the employing school district.

(b) The candidate shall have developed a professional growth plan in cooperation with the vocational administrator. The plan must be approved by the local school district vocational program advisory committee, to which the candidate is assigned. The plan shall provide for orientation, prior to the commencement of the teaching assignment, in the following:

- (i) Issues related to legal liability;
- (ii) The responsibilities of professional vocational educators; and
- (iii) The lines of authority in the employing school district and/or building.

Within the first sixty working days, the plan shall establish procedures for the vocational instructor to develop competencies in the following:

- (iv) Vocational methods; and
- (v) General and specific safety.

If the candidate does not have access to the required course work within the first ninety working days, the local school district vocational advisory committee responsible may authorize the completion of the course work at a later date. The required course work shall be completed prior to the second year of employment.

(vi) The plan shall develop procedures and timelines for the vocational instructor to meet the requirements for the initial vocational certificate.

(vii) Provided, That candidates for probationary certificates as a coordinator of work-based learning shall have completed a course in coordination techniques and either:

(A) Possess a valid initial or continuing vocational teacher certificate; or

(B) Have completed five hundred hours of occupational experience within the past six years.

(2) Conditional vocational certificate. Notwithstanding other requirements prescribed in this chapter for eligibility for vocational certification in the state of Washington, the one-year conditional vocational certificate may be issued under specific circumstances set forth below for limited service:

(a) The issuance of the conditional vocational certificate may be issued only under unique and special circumstances where no regularly certificated vocational instructor is available and is limited to:

(i) Persons highly qualified and experienced in the knowledge and occupational skills of the vocational program to be certified; or

(ii) Persons who meet the occupational experience requirements for vocational certification; or

(iii) Persons who will be employed in new and emerging occupations as identified by the state board of education and/or its designee.

(b) The certificate is issued to individuals who are screened by the local vocational administrator and school district superintendent or designee. The local vocational administrator or superintendent will verify that the following criteria have been met when requesting the conditional vocational certificate:

(i) No person with vocational certification in the field is available as verified by the local vocational administrator or superintendent;

(ii) The individual is being certified for a limited assignment and responsibility in a specified vocational program area;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority and the duration of the assignment;

(iv) The vocational administrator and local program advisory committee will indicate the basis on which he/she has determined that the individual is competent for the assignment;

(v) A written work and/or educational experience training plan as specified in WAC 180-77-014 (1)(b) is on file with the employing district.

(c) The certificate is valid for one year and only for the teaching area specified on the certificate. The certificate may be reissued on application and evidence that requirements continue to be met.

(3) Substitute vocational certificates. Substitute vocational certificates may be issued to candidates who meet the requirements in WAC ~~((180-79A-230(2)))~~ 180-79A-231 (2) or (4).

AMENDATORY SECTION (Amending WSR 98-01-026, filed 12/8/97, effective 1/8/98)

WAC 180-77-031 Requirements for candidates seeking vocational certification ~~((through completion of))~~ who have completed approved college/university programs in a vocational endorsement area. Candidates ~~((for certification through the completion of approved programs))~~ shall complete the following requirements in addition to those set forth in WAC ~~((180-79A-122,))~~ 180-79A-150 ~~((1) and (2)),~~ 180-79A-155, 180-82-322, and chapter 180-78A WAC.

(1) Initial.

(a) Candidates for the initial certificate shall hold a baccalaureate degree from a regionally accredited college or university which includes a minimum of forty-five quarter hours of study in the specific vocational subject area for which certification is sought.

(b) Candidates for the initial certificate shall demonstrate competency in one or more of the ~~((major categories))~~ specific endorsement areas of WAC ~~((180-77A-170, Program area standards))~~ 180-82-322.

(c) Candidates for the initial certificate shall complete a state approved vocational teacher training program through a regionally accredited college or university which shall include completion of student teaching in the relevant vocational subject area.

(d) Candidates for the initial certificate shall ~~((demonstrate competence in the general standards for all vocational-technical teacher certificate candidates pursuant to WAC 180-77A-165, which include but are not limited to knowledge and skills in the following areas:~~

- ~~(i) General and specific safety;~~
- ~~(ii) Vocational teaching methods;~~

- (iii) Occupational analysis;
- (iv) Course organization and curriculum design;
- (v) Philosophy of vocational education;
- (vi) Personal student development and leadership techniques

provide documentation of one year of paid occupational experience (two thousand hours) in the specific vocational field for which certification is sought. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.

(e) In addition, candidates for initial certification in diversified occupations or coordinator of work based learning shall demonstrate competency in knowledge and skills described in WAC 180-77A-180.

~~((f) Candidates for the initial certificate shall provide documentation of one year of paid occupational experience (two thousand hours) in the specific vocational field for which certification is sought. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.))~~

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of vocational educator training in the subject area certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of vocational educator training in the vocational subject area to be certified completed subsequent to the conferral of the baccalaureate degree.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the vocational subject area certified to teach with an authorized employer—i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

- (i) Six quarter hours or sixty clock hours of vocational educator training;
- (ii) Three quarter hours or thirty clock hours of vocational educator training and three quarter hours or thirty clock hours of technical education/upgrading;
- (iii) Three quarter hours or thirty clock hours of vocational educator training and three hundred hours of occupational experience.

AMENDATORY SECTION (Amending WSR 98-01-026, filed 12/8/97, effective 1/8/98)

WAC 180-77-041 Requirements for candidates seeking vocational certification on the basis of business and industry work experience. Candidates for certification who have not completed approved programs set forth in WAC ((180-77A-028)) 180-82-322 shall complete the following

requirements in addition to those set forth in WAC ((180-79A-122 and)) 180-79A-150 (1) and (2) and 180-79A-155 (1) and (2).

(1) Initial.

(a) Candidates for the initial certificate shall provide documentation of three years (six thousand hours) of paid occupational experience in the specific vocational subcategory for which certification is sought. One year (two thousand hours) must be within the past six years. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.

(b) Candidates for the initial certificate shall demonstrate competence in the general standards for all vocational-technical teacher certificate candidates pursuant to WAC 180-77A-165, which include but are not limited to knowledge and skills in the following areas:

- (i) General and specific safety;
- (ii) Vocational teaching methods;
- (iii) Occupational analysis;
- (iv) Course organization and curriculum design;
- (v) Philosophy of vocational education;
- (vi) Personal student development and leadership techniques.

(c) Provided, until such time as two or more programs are approved by the SBE under WAC 180-77A-029, candidates shall complete a minimum of twenty-five quarter hours or two hundred fifty hours of vocational educator training and/or technical education/upgrading of which a minimum of ten quarter hours or one hundred clock hours of competency-based course work must be in the above areas.

(d) Candidates for the initial certificate shall also demonstrate knowledge and skills in the following areas:

- (i) School law;
- (ii) Issues related to abuse as specified in WAC 180-78A-165 (1)(t).

(e) In addition, candidates for initial certification in diversified occupations or coordinator of work based learning shall demonstrate competency in knowledge and skills described in WAC 180-77A-180.

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of vocational educator training in the subject matter certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of vocational educator training in the vocational subject matter to be certified completed subsequent to the issuance of the initial certificate.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the vocational subject matter certified to teach with an authorized employer—i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

- (i) Six quarter hours or sixty clock hours of vocational educator training;
- (ii) Three quarter hours or thirty clock hours of vocational educator training and three quarter hours or thirty clock hours of technical education/upgrading;
- (iii) Three quarter hours or thirty clock hours of vocational educator training and three hundred hours of occupational experience.

AMENDATORY SECTION (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

WAC 180-77-075 Levels, validity and standards for certification of local vocational counselors. Vocational counselors are required to meet the following:

(1) Counselors are required to possess a valid educational staff associate—counselor certificate as provided in WAC ((180-79-125(1))) 180-79A-221(1), in counseling and/or graduated from an institution of higher education in a counselor education program which includes study in such subjects as economics, sociology, psychology, political science and sources of occupational information in order to obtain a one-year certificate. All vocational counselors must have completed courses in the following or equivalent experiences:

- (a) Techniques of counseling or counseling theory to include individual and/or group;
- (b) Tests and measurements and/or individual mental measurement and/or psychological evaluation;
- (c) Counseling practice;
- (d) Philosophy of vocational education;
- (e) Counselors must have had two years of varied work experience in the last ten years other than teaching or counseling experience;
- (f) Experience is suggested in dealing with employment and personnel problems and with placement and evaluation of workers in business, industry, agriculture, education and/or government service.

(2) The requirements for a three-year certificate are as follows:

- (a) The counselor must have possessed a one-year certificate in the past two years;
- (b) Counselors must have had one year of vocational counseling;
- (c) Counselors must have three quarter credits or the equivalent of approved professional education since the previous certificate.

(3) The requirements for a five-year certificate are as follows:

- (a) Counselors must have had two years of vocational counseling during the previous three-year certificate;
- (b) Counselors are required to have had six quarter credits or the equivalent of approved training in vocational counseling and/or vocational education since the previous certificate.

(4) To renew a counselor certificate the following is required:

- (a) The one-year certificate may be renewed two times;
- (b) The three-year certificate may be renewed one time provided:

(i) The counselor has had one year of vocational counseling during the life of the previous certificate; and

(ii) The counselor has had three quarter credits or the equivalent training in vocational counseling and/or vocational education since the previous certificate.

(c) The five-year certificate may be renewed every five years provided:

(i) The counselor has had two years of vocational counseling during the previous five-year vocational certificate; and

(ii) The counselor has had six quarter credits or the equivalent of vocational training and/or equivalent experience.

AMENDATORY SECTION (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

WAC 180-77-110 Vocational instructor certification reciprocity. The superintendent of public instruction will recognize community and technical college instructors certified under WAC 131-16-091 through 131-16-095 when these individuals provide instruction to high school students. These instructors must maintain their certification in good standing and, when employed to provide services within a public common school shall be required to have completed and have on file:

(1) Documentation of completion of the issues of abuse requirement pursuant to RCW 28A.410.035; and

(2) A background check as defined in WAC ((180-75-085(2))) 180-79A-150(2) and RCW 28A.410.010((, when employed to provide services within a public common school)); and

(3) Evidence of good moral character as required in WAC 180-79A-155.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-77-004	Review of program approval standards.
WAC 180-77-106	Transition policies.

Chapter 180-77A WAC

APPROVAL STANDARDS FOR VOCATIONAL-TECHNICAL TEACHER PREPARATION PROGRAMS BASED ON BUSINESS AND INDUSTRY WORK EXPERIENCE

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-004 Overview. These rules establish a performance-based preparation system for educators that supports the Improvement of Student Achievement Act of 1993 (1209) which will enable educators to implement the Washington state student learning goals and essential aca-

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demical learning requirements. These rules also provide a framework for consistency and quality preparation of vocational-technical teacher certification candidates (~~(completing baccalaureate degrees or)~~) using industry or business work experience.

Specifically, this chapter describes the procedures and standards for colleges/universities and other agencies or institutions to be approved as providers of preparation programs for vocational-technical teacher certification based on business and industry work experience. In addition to colleges and universities, programs may be provided by community and technical colleges, school districts, educational service districts, or any combination of the above.

~~(In addition, this chapter authorizes the establishment of a state-wide vocational-technical professional education council which will make recommendations to the state board of education regarding approval of the vocational-technical teacher preparation programs and will advise the programs on an ongoing basis. The council will consist of practicing vocational-technical teachers and administrators, representatives from business, industry, labor and the community, and representatives from colleges and universities and other program providers.)~~

Finally, this chapter identifies the general standards which must be demonstrated by all successful applicants for vocational-technical teacher certification based on business and industry work experience and the specific standards which will be demonstrated by those applying for certification in ~~((particular subject))~~ specialty areas.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-006 Purpose. This chapter establishes (~~(, pursuant to WAC 180-77-004,)~~) procedures, standards, and criteria to be used in the development and approval of vocational-technical teacher preparation programs based on business and industry work experience and identifies the knowledge and skill expected of all (~~(vocational-technical teacher certificate))~~ candidates.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-025 Program approval. All programs leading to vocational certification based on business and industry work experience offered in Washington state to prepare vocational-technical teachers shall be approved pursuant to the requirements of this chapter.

AMENDATORY SECTION (Amending WSR 99-12-014, filed 5/21/99, effective 6/21/99)

WAC 180-77A-029 Procedures for initial approval of a vocational-technical teacher preparation program for candidates applying under WAC 180-77-041. Using the criteria (~~(developed by the vocational-technical professional education council))~~ published by the office of the superintendent of public instruction as a guideline, each program provider, which shall be a college or university, community or

technical college, school district, educational service district, or any combination of the above, desiring to establish a vocational-technical teacher preparation program for candidates applying under WAC 180-77-041 shall comply with the following:

(1) Advise the (~~(vocational-technical professional education council))~~ state board of education of the desire to establish the vocational-technical teacher preparation program, identifying the agencies involved and the administrator of the program.

(2) Establish and maintain a representative program advisory committee including vocational teachers from the discipline, at least one first-year teacher (if applicable) who has completed the respective program, vocational administrators, and industry and/or community representatives.

The purpose of the program advisory committee is to advise, validate, and review the integrity of the respective vocational-technical teacher education program.

(3) Describe the planned process that the approved vocational-technical teacher preparation program will use to assess, in multiple ways, over time, its vocational-technical teacher candidates knowledge and skills as required by WAC 180-77A-165, including, where appropriate, evidence related to positive impact on student learning.

(4) Describe the plan for assuring that adequate resources will be provided to support the program and that faculty will have the appropriate qualifications and work experience for the roles assigned.

(5) Present the plan to the (~~(vocational-technical professional education council which shall review such plan and shall make a recommendation regarding approval to the))~~ state board of education.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-030 Length of time for which a vocational-technical teacher program (~~(approval status))~~ based on business and industry work experience shall be (~~(granted))~~ approved. (1) The state board of education shall approve all (~~(vocational-technical teacher preparation))~~ programs under these program approval standards for five years unless the state board of education approves a variation.

(2) The state board of education, upon receipt of a complaint from any source or upon its initiative, may review all or any part of a (~~(vocational-technical teacher preparation))~~ program for compliance with the provisions of this chapter. If deviations are found, the state board of education is authorized to rescind program approval until the program provider submits an acceptable compliance agreement which will bring the (~~(vocational-technical teacher 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) If an acceptable compliance agreement is not developed and approved by the state board of education, the (~~(vocational-technical teacher preparation))~~ program shall be placed on probationary status and the probationary status provision of WAC 180-77A-033 shall apply.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-033 Probationary status for a vocational-technical teacher preparation program based on business and industry work experience. Program providers with approved (~~((vocational-technical teacher preparation))~~) programs shall not lose official approval status until the state board of education has taken final action to disapprove the (~~((vocational-technical teacher preparation))~~) program: Provided, That programs shall be permitted for the current and one additional academic year following receipt of the formal notice of disapproval to continue as an approved preparation program on probationary status for the purpose of completing the (~~((vocational-technical teacher preparation))~~) program for those candidates for certification currently enrolled in the (~~((vocational-technical teacher preparation))~~) program and who are scheduled to complete such (~~((vocational-technical teacher preparation))~~) program within such academic years and for the purpose of regaining state board of education approval.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-037 Procedures for reestablishment of approval status for a vocational-technical teacher preparation program based on business and industry work experience. The procedures for the reestablishment of state board of education approval of a (~~((vocational-technical teacher preparation))~~) program shall be the same as the procedure for initial approval as provided in WAC (~~((180-77A-028 and))~~) 180-77A-029.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-040 Responsibilities of the designated program administrator. Each provider of an approved vocational-technical teacher preparation program based on business and industry work experience pursuant to WAC 180-77A-029 shall require the administrator to coordinate the following responsibilities:

- (1) Submit to the (~~((vocational-technical professional education council))~~) state board of education information required for obtaining and maintaining program approval.
- (2) Coordinate the process established for the candidate's demonstration of required knowledge and skills.
- (3) Establish procedures for providing the candidate with documentation of the successful demonstration of the required knowledge and skills.
- (4) Establish a process to counsel the candidate's application process for certification.
- (5) Coordinate management of operations and resources for the preparation program.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-057 Approval of a vocational-technical teacher preparation program based on business and industry work experience offered by an out-of-state provider within the state applicable to certification. No out-of-state provider shall offer a program of courses within Washington state for purposes of Washington state vocational-technical teacher certification based on business and industry work experience without meeting all program approval requirements set forth in this chapter.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-165 General standards for all vocational-technical teacher (~~((certificate candidates))~~) certification based on business and industry work experience. All candidates (~~((for initial vocational-technical teacher certification))~~) shall demonstrate competence in the following standards:

- (1) State learning goals—The (~~((vocational-technical))~~) teacher is able to apply and integrate the state's learning goals and essential academic learning requirements in program implementation and assessment.
- (2) Learning environments—The (~~((vocational-technical))~~) teacher is able to create and sustain safe learning environments which prepare diverse students for the workplace, advanced training, and continued education.
- (3) Student characteristics and related instructional strategies—The (~~((vocational-technical))~~) teacher is able to identify the diverse needs of students and implement programs and strategies which promote student competency development and success.
- (4) Personal and professional attributes—The (~~((vocational-technical))~~) teacher models personal and professional attributes and leadership skills which reflect productive life and work roles.
- (5) Partnerships—The (~~((vocational-technical))~~) teacher implements and maintains collaborative partnerships with students, colleagues, community, business, industry, and families, which maximize resources and promote student self-sufficiency.
- (6) Law—The teacher understands school law and educational policy.
- (7) Issues of abuse—The teacher understands issues related to abuse including the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-180 Vocational-technical teacher preparation specialty standards. In addition to the stan-

dards identified in WAC ((180-77A-170)) 182-82-332 or 180-77A-175, individuals obtaining certification in the areas of coordinator of work-based learning or diversified occupations must demonstrate competency in the following standards.

(1) Coordinator of work-based learning.

(a) The work-based learning coordinator demonstrates the knowledge and ability to develop, implement, manage, and evaluate a diversified work-based learning program that utilizes local resources.

(b) The work-based learning coordinator models ethical behavior and demonstrates the ability to facilitate, supervise, and evaluate student leadership activities.

(c) The work-based learning coordinator demonstrates the ability to team with vocational-technical teachers and prospective employers to relate work-based learning with school-based learning and to measure student performance.

(d) The work-based learning coordinator demonstrates a commitment to professional development.

(e) The work-based learning coordinator demonstrates a current knowledge of the essential academic learning requirements and skills for entry level workers and uses a variety of methods to insure that students master the essential academic learning requirements.

(2) Diversified occupations.

(a) The diversified occupations teacher demonstrates competency in the areas of career exploration, employment acquisition, job retention, resource management (personal, community, workplace technology, consumerism), economic systems (entrepreneurship, economics), basis skills development, and leadership development.

(b) The diversified occupations teacher demonstrates the ability to link classroom learning with the world of work and coordinate work-based learning which prepares students for the world of work.

AMENDATORY SECTION (Amending WSR 97-04-087, filed 2/5/97, effective 3/8/97)

WAC 180-77A-195 Course work/internship waiver.

The provider of approved vocational-technical teacher programs based on business and industry work experience may waive required course work and/or waive or reduce in length the required internship for any candidate, based on an individual review if the college or university or approved provider determines that previous course work, work experiences, or alternative learning experiences have or will provide the candidate knowledge and skills to be otherwise gained from the required course work or internship.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-77A-012 Required vocational-technical professional education council.

WAC 180-77A-014 Qualifications to be appointed to the vocational-technical professional education council.

WAC 180-77A-016 Vocational-technical professional education council—Membership.

WAC 180-77A-018 Substitute pay for members of the vocational-technical professional education council.

WAC 180-77A-020 Vocational-technical professional education council—Duties.

WAC 180-77A-026 Existing approved programs.

WAC 180-77A-028 Procedures for initial approval of a vocational-technical teacher preparation program for candidates applying under WAC 180-77-031.

WAC 180-77A-170 Program area standards.

AMENDATORY SECTION (Amending WSR 99-06-006, filed 2/18/99, effective 3/21/99)

WAC 180-79A-300 Certificate endorsement. Teacher certificates shall be endorsed as follows:

(1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s).

(2) In order to change or add an endorsement to any teaching certificate, the candidate must complete an application, pay the certification fee specified in WAC 180-79A-130, and submit verification of completion of the necessary requirements specified in this chapter(~~— Provided, That in order to change or add an endorsement to any teaching certificate in the vocational areas of agriculture education, business education, family and consumer sciences education, marketing education, and technology education after August 31, 2000, the candidate must also complete requirements under WAC 180-77-031).~~)

AMENDATORY SECTION (Amending WSR 99-04-008, filed 1/21/99, effective 2/21/99)

WAC 180-82-322 Designated vocational/technical—Secondary, primary. In order to obtain a primary endorsement in designated vocational/technical: Agriculture education, business education, family and consumer sciences education, marketing education, or technology education, the candidate shall have completed a state approved preparation program (~~(pursuant to WAC 180-77A-170))~~ which shall be comprised of the appropriate pedagogy courses and field experiences/internship, pursuant to chapter 180-78A WAC, as well as forty-five quarter credit hours (thirty semester credit hours) in one of the endorsement areas below. Through completion of this course work and/or an alternative

PERMANENT

performance based assessment acceptable to the college/university, the candidate shall have demonstrated knowledge and skills in the general areas below. In addition, the candidate shall have demonstrated the knowledge and skills identified in one of the specific endorsement areas:

(1) General areas.

(a) General and specific safety.

(b) Occupational analysis.

(c) Philosophy of vocational education.

(d) Partnerships - The vocational-technical teacher implements and maintains collaborative partnerships with students, colleagues, community, business, industry and families, which maximize resources and promote student self-sufficiency.

(e) Personal and professional attributes - The vocational-technical teacher models personal and professional attributes and leadership skills which reflect productive life and work roles.

(2) Specific endorsement areas.

(a) Agriculture education.

(i) The agriculture education teacher demonstrates essential skills and knowledge including the scientific/technical, safety and career information in the areas of: Natural resource science, agricultural economics, horticultural science, animal science, crop science, soil science, and agricultural technology and management.

(ii) The agriculture education teacher demonstrates a philosophy of education which reflects the unique student/community and industry interaction and includes the technical, personal leadership, and school to work components which comprise a comprehensive agricultural education program.

(iii) The agriculture education teacher develops a comprehensive instructional program based on identified agriculture industry needs while recognizing the social economic, demographic, diversity of the community in consultation with an appropriate advisory committee.

(iv) The agriculture education teacher demonstrates personal and professional leadership skills as an integral part of agriculture programs and applies these competencies through the agriculture education student organization, FFA.

(v) The agriculture education teacher demonstrates the necessary skills and abilities to implement and manage a supervised agriculture experience including: Accounting practices, career experiences, entrepreneurial, and job-related skills.

(vi) The agriculture education teacher develops and maintains a safe environment while dealing with agricultural chemicals, scientific apparatus and solvents during classroom, laboratory, and supervised agricultural experiences.

(vii) The agriculture education teacher is able to develop and demonstrate the scientific process through the preparation of mechanical and research experiences in the classroom, laboratory, leadership, and supervised agriculture experiences.

(b) Business education.

(i) The business education teacher demonstrates workplace competencies in keyboarding and information processing, computer technology and applications, information sys-

tems and management, accounting principles and applications, business communications, and business systems, and procedures.

(ii) The business education teacher demonstrates the ability to apply the principles of business management and entrepreneurship, leadership, economics, international business, business law, and computation.

(iii) The business education teacher demonstrates teaching competence in keyboarding, information processing, and microcomputer applications; accounting and computation; specific business content areas of business management and procedures, business law, economics, business communications, career development, and work-based coordination; and integration of leadership development into the curriculum and management of Future Business Leaders of America (FBLA) activities.

(c) Family and consumer sciences education.

(i) The family and consumer sciences teacher demonstrates the ability to prepare students for family life and responsible participation and leadership in work and community roles.

(ii) The family and consumer sciences teacher demonstrates knowledge and skills in individual and family wellness; resource creation, access maintenance and management; and individual and family development across the life span.

(iii) The family and consumer sciences teacher creates environments and utilizes strategies which enhance student ability to value diverse populations and their contributions to society.

(iv) The family and consumer sciences teacher demonstrates the ability to advocate for technological and societal change that benefits the family system.

(v) The family and consumer sciences teacher encourages the use of thinking skills and the planning process for problem solving and decision making through the designated vocational student organization for family and consumer sciences.

(d) Marketing education.

(i) The marketing education teacher models effective leadership traits and demonstrates the ability to facilitate, supervise, and evaluate DECA student leadership activities.

(ii) The marketing education teacher demonstrates the ability to link classroom learning of work and work-based learning to prepare students for the world of marketing.

(iii) The marketing education teacher demonstrates a commitment to professional development.

(iv) The marketing education teacher applies understanding of the foundations and functions of marketing, management, and entrepreneurial competencies.

(v) The marketing education teacher is able to successfully implement and provide leadership for a school-based enterprise as an instructional strategy.

(vi) The marketing education teacher demonstrates the ability to plan and implement a marketing education program following national and state curriculum guidelines.

(e) Technology education.

(i) The technology education teacher demonstrates knowledge and understanding of systems and concepts

related to all areas of technological study referred to as core technologies including: Power and energy, controls, materials science, problem solving, and technology in society.

(ii) The technology education teacher demonstrates knowledge and understanding of the relationship of mathematics, science, computer science, and communications to the technological process.

(iii) The technology education teacher demonstrates competency in the areas of communications, manufacturing, construction, transportation, and bio-related with a concentration in at least one of the areas.

(iv) The technology education teacher demonstrates ability to manage a traditional shop; as well as convert a traditional shop to an exemplary technology education laboratory.

(v) The technology education teacher demonstrates knowledge and understanding of communications and technological concepts related to technical systems created for encoding, transmitting, receiving, decoding, storing, retrieving, and using information.

(vi) The technology education teacher demonstrates the fundamental knowledge of manufacturing and manufacturing systems and technological concepts related to technical systems associated with research, extraction, processing, recycling, and conversion of materials for consumer and industrial goods.

(vii) The technology education teacher demonstrates fundamental knowledge of construction and construction systems, including the technological concepts related to technical systems associated with the design, creation, and maintenance associated with construction of residential, commercial, industrial, and civil structures; as well as consideration of economics, management, power, and energy.

(viii) The technology education teacher demonstrates knowledge and understanding of transportation systems, including technological concepts related to technical systems associated with the design, development, evaluation, and operation of subsystems, and components of terrestrial, marine, atmospheric, and space vehicles.

(ix) The technology education teacher demonstrates knowledge and understanding of biological systems in areas such as botany, environmental biology, medical, and biotechnology and zoology.

WSR 00-18-067

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 1, 2000, 1:36 p.m.]

Date of Adoption: August 31, 2000.

Purpose: Update the model traffic ordinance to incorporate recent statutory changes.

Citation of Existing Rules Affected by this Order: Amending WAC 308-330-307, 308-330-316, 308-330-325, 308-330-406, 308-330-415, 308-330-421, and 308-330-423.

Statutory Authority for Adoption: RCW 46.90.010.

Adopted under notice filed as WSR 00-15-083 on July 19, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 6, Repealed 0.

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

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

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

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

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

August 31, 2000

Denise M. Movius

Assistant Director

AMENDATORY SECTION (Amending WSR 99-04-070, filed 2/1/99, effective 3/4/99)

WAC 308-330-307 RCW sections adopted—Driver licenses(-) and identicards. The following sections of the Revised Code of Washington (RCW) pertaining to driver licenses and identification cards as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.20.001, 46.20.005, 46.20.015, 46.20.017, 46.20.021, 46.20.022, 46.20.024, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.055, 46.20.070, ~~((46.20.190))~~ 46.20.0921, 46.20.109, 46.20.220, 46.20.308, 46.20.3101, ~~((46.20.336,))~~ 46.20.338, 46.20.342, ~~((46.20.343))~~ 46.20.345, 46.20.349, 46.20.391, 46.20.394, 46.20.410, ~~((46.20.420, 46.20.430,))~~ 46.20.500, 46.20.510, ~~((46.20.550,))~~ 46.20.720, ~~((46.20.730,))~~ 46.20.740, and 46.20.750.

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

WAC 308-330-316 RCW sections adopted—Vehicle lighting and other equipment. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle lighting and other equipment as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.37.010, 46.37.020, 46.37.030, 46.37.040, 46.37.050, 46.37.060, 46.37.070, 46.37.080, 46.37.090, 46.37.100, 46.37.110, 46.37.120, 46.37.130, 46.37.140, 46.37.150, 46.37.160, 46.37.170, 46.37.180, 46.37.184, 46.37.185, 46.37.186, 46.37.187, 46.37.188, 46.37.190, 46.37.193, 46.37.196, 46.37.200, 46.37.210, 46.37.215, 46.37.220, 46.37.230, 46.37.240, 46.37.260, 46.37.270, 46.37.280, 46.37.290, 46.37.300, 46.37.310, 46.37.340, 46.37.351, 46.37.360, 46.37.365, 46.37.369, 46.37.375, 46.37.380, 46.37.390, 46.37.400, 46.37.410, 46.37.420,

46.37.4215, 46.37.4216, 46.37.423, 46.37.424, 46.37.425, 46.37.430, 46.37.435, 46.37.440, 46.37.450, ((46.37.460,)) 46.37.465, 46.37.467, 46.37.470, 46.37.480, 46.37.490, 46.37.495, 46.37.500, 46.37.510, 46.37.513, 46.37.517, 46.37.518, 46.37.520, 46.37.522, 46.37.523, 46.37.524, 46.37.525, 46.37.527, 46.37.528, 46.37.529, 46.37.530, 46.37.535, 46.37.537, 46.37.539, 46.37.540, 46.37.550, 46.37.560, 46.37.570, 46.37.590, 46.37.600, 46.37.610, 46.37.620, and 46.37.630.

AMENDATORY SECTION (Amending WSR 94-01-082, filed 12/13/93, effective 7/1/94)

WAC 308-330-325 RCW sections adopted—Accidents, reports. The following sections of the Revised Code of Washington (RCW) pertaining to accidents and accident reports as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.52.010, 46.52.020, 46.52.030, 46.52.040, 46.52.070, 46.52.080, 46.52.088, 46.52.090, and ~~((46.52.100))~~ 46.52.101.

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

WAC 308-330-406 RCW sections adopted—Abandoned, unauthorized, and junk vehicle tow truck operators. The following sections of the Revised Code of Washington (RCW) pertaining to abandoned, unauthorized, and junk vehicle tow truck operators as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.55.010, 46.55.020, 46.55.025, 46.55.035, 46.55.037, 46.55.040, 46.55.050, 46.55.060, 46.55.063, 46.55.070, 46.55.075, 46.55.080, 46.55.085, 46.55.090, 46.55.100, 46.55.105, 46.55.110, 46.55.113, 46.55.120, 46.55.130, 46.55.140, 46.55.150, 46.55.160, 46.55.170, 46.55.230, and 46.55.240.

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

WAC 308-330-415 RCW sections adopted—Right of way. The following sections of the Revised Code of Washington (RCW) pertaining to vehicles and pedestrians use of roadways, right of way, rights and duties as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.100, 46.61.105, 46.61.110, 46.61.115, 46.61.120, 46.61.125, 46.61.130, 46.61.135, 46.61.140, 46.61.145, 46.61.150, 46.61.155, 46.61.160, 46.61.165, 46.61.180, 46.61.183, 46.61.185, 46.61.190, 46.61.195, 46.61.200, 46.61.202, 46.61.205, 46.61.210, 46.61.215, 46.61.220, 46.61.230, 46.61.235, 46.61.240, 46.61.245, 46.61.250, 46.61.255, 46.61.260, 46.61.261, 46.61.264, 46.61.266, and 46.61.269.

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

WAC 308-330-421 RCW sections adopted—Turning, starting and stopping. The following sections of the Revised Code of Washington (RCW) pertaining to turning, starting, signals on stopping and turning, and special stops as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.290, 46.61.295, 46.61.300, 46.61.305, 46.61.310, 46.61.315, 46.61.340, 46.61.345, 46.61.350, 46.61.355, 46.61.365, 46.61.370, 46.61.371, 46.61.372, 46.61.375, 46.61.380, and 46.61.385.

AMENDATORY SECTION (Amending WSR 94-01-082, filed 12/13/93, effective 7/1/94)

WAC 308-330-423 RCW sections adopted—Speed restrictions. The following sections of the Revised Code of Washington (RCW) pertaining to speed restrictions as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.400, 46.61.415, 46.61.425, 46.61.427, 46.61.428, 46.61.435, 46.61.440, 46.61.445, 46.61.450, 46.61.455, 46.61.460, 46.61.465, and 46.61.470(~~(, and 46.61.475))~~.

WSR 00-18-068

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 1, 2000, 1:37 p.m.]

Date of Adoption: August 31, 2000.

Purpose: Make technical changes, incorporate provisions of state law, delete outdated provisions, and clarify language in rules relating to commercial driver's licenses and third-party testers.

Citation of Existing Rules Affected by this Order: Amending WAC 308-100-010, 308-100-020, 308-100-040, 308-100-050, 308-100-100, 308-100-110, 308-100-130, 308-100-140, 308-100-150, and 308-100-190.

Statutory Authority for Adoption: RCW 46.01.110, 46.25.010, 46.25.060, and 46.25.140.

Adopted under notice filed as WSR 00-15-084 on July 19, 2000.

Changes Other than Editing from Proposed to Adopted Version: Proposed amendment to WAC 308-100-090 has been withdrawn.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 10, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 9, Repealed 0.

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

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

August 31, 2000

Denise M. Movius
Assistant Director

AMENDATORY SECTION (Amending WSR 90-17-028, filed 8/8/90)

WAC 308-100-010 Vehicles requiring ~~((endorsement or))~~ a commercial driver's license for their operation. The director of the department of licensing hereby finds that the following vehicles require special operating skills by the drivers of those vehicles:

(1) Single vehicles with a gross vehicle weight rating (GVWR) of 26,001 pounds or more ~~((and any such vehicle towing a vehicle with a GVWR not in excess of 10,000 pounds; or any single vehicles with a GVWR of less than 26,001 pounds or any such vehicle towing a vehicle with a GVWR not in excess of 10,000 pounds consisting of:))~~;

(2) Any combination of vehicles where:

(a) The vehicle being driven has a GVWR of 26,001 pounds or more; or

(b) The vehicle being towed has a GVWR of 10,001 pounds or more and the gross combination weight rating (GCWR) of the vehicles is 26,001 pounds or more;

~~((1))~~ (3) Vehicles designed to transport sixteen or more passengers, including the driver;

~~((2))~~ (4) Vehicles used in the transportation of hazardous materials that requires the vehicle to be identified with a placard under 49 C.F.R., part 172, subpart F; and

~~((3))~~ (5) All public school buses, regardless of capacity.

All persons driving such vehicles, other than those exempt under RCW ~~((46.25.020))~~ 46.25.050, must have ~~((an endorsement on their driver's license designated as intermediate or must possess))~~ a commercial driver's license with the proper classification(s) and endorsements.

As used in this section, "gross vehicle weight rating" has the meaning defined by RCW 46.25.010(12). ~~((Drivers of trucks having two axles and with a GVWR of 26,001 pounds or more must obtain a commercial driver's license in the manner prescribed by WAC 308-100-100, no later than April 1, 1992.))~~

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-020 ~~((Combination motor vehicles requiring an endorsement or commercial driver license for their operation.~~ The director of the department of licensing hereby finds that all combinations of vehicles with a gross combined weight rating (GCWR) of 26,001 pounds or more,

~~if the GVWR of the vehicle being towed is in excess of 10,000 pounds, require special operating skills by the drivers of those combination vehicles. All persons driving such combination vehicles must have an endorsement on their driver's license designated as combination or must possess a commercial driver's license with the proper classification(s))~~
Commercial driver's license—Eligibility. Any person who is at least eighteen years of age and who meets the requirements of chapter 46.25 RCW may apply to the department for a commercial driver's license.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-040 Examination requirement for ~~((endorsements))~~ Commercial driver's license. Persons receiving ~~((an endorsement or))~~ a commercial driver's license by virtue of a waiver will be required to pass a written examination testing their knowledge of motor vehicle laws, rules of the road, and of the ~~((type))~~ class of vehicle for which they are seeking the ~~((endorsement or))~~ commercial driver's license.

Persons who receive ~~((an endorsement or))~~ a commercial driver's license, without a waiver, will be required to pass a written examination testing their knowledge of motor vehicle laws, rules of the road, and of the ~~((type))~~ class of vehicle for which they are seeking the ~~((endorsement or))~~ commercial driver's license. They will also be required to demonstrate successfully their operating abilities for the ~~((type))~~ class of vehicle for which they seek the ~~((endorsement or))~~ commercial driver's license.

The department may conduct written examinations in a group setting. Group examinations may be conducted at job sites, union halls, or other locations deemed appropriate by the department. If the department is conducting the written examination in a group setting, the payment of the basic fee and knowledge examination fee may be deferred until the applicant completes his or her application for a commercial driver's license.

AMENDATORY SECTION (Amending WSR 00-02-017, filed 12/27/99)

WAC 308-100-050 Fees. The basic fee for obtaining or renewing any class of commercial driver's license shall be twenty dollars, unless the commercial driver's license is renewed or extended for a period other than five years, in which case the fee for each class shall not exceed four dollars for each year that the commercial driver's license is renewed or extended. The examination fee for each ~~((classified))~~ commercial driver's license knowledge examination, ~~((classified))~~ commercial driver's license endorsement knowledge examination, or any combination of ~~((classified))~~ commercial driver's license and endorsement knowledge examinations, shall be ten dollars. ~~((The applicant may take the same knowledge examination(s) up to three times without paying an additional fee.))~~ The examination fee for each ~~((classified))~~ commercial driver's license skill examination ~~((or combination of skill examinations))~~ conducted by the department

shall be fifty dollars. An application for a commercial driver's instruction permit shall be accompanied by a fee of five dollars. Drivers selected for re-examination by the department may be subject to cost associated with the testing. These fees are in addition to the regular drivers' licensing fees. ((If the department is conducting the written examination in a group setting, the payment of the basic fee and knowledge examination fee may be deferred until the applicant completes his or her application for a commercial driver's license.))

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-100 ((Commercial driver license conversion)) Intrastate waiver. ((Any person with a driver's license which has an **intermediate** or **combination** endorsement, or who is engaged in the operation of a commercial motor vehicle, and who renews his or her driver's license between October 1, 1989, and December 31, 1991, inclusive, must obtain a commercial driver's license upon renewal in order to continue to operate a commercial motor vehicle. Any person with a driver's license which has an **intermediate** or **combination** endorsement, or who is engaged in the operation of a commercial motor vehicle, and whose license expires after December 31, 1991, must obtain a commercial driver's license two years prior to the date their regular driver's license would otherwise expire in order to continue to operate a commercial motor vehicle. The basic fee for a commercial driver license will be prorated to six dollars for persons who must obtain a commercial driver license prior to the expiration of their regular driver license. A license with an **intermediate** or **combination** endorsement shall not authorize a person to operate a commercial motor vehicle after April 1, 1992. Nothing in this section shall be construed to prevent the department from accelerating the commercial driver license conversion program when agreed to by an applicant or to prevent an applicant from taking a knowledge examination in a group setting prior to his or her scheduled conversion date)) A person who is not physically qualified to drive a commercial motor vehicle under section 391.41 of the Federal Motor Carrier Safety Regulations (49 C.F.R. 391.41), and who is otherwise qualified to drive a motor vehicle in the state of Washington, may apply to the department of licensing for an intrastate waiver. Upon receipt of the application for an intrastate waiver, the department shall review and evaluate the driver's physical qualifications to operate a motor vehicle in the state of Washington, and shall issue an intrastate waiver if the applicant meets all applicable licensing requirements and is qualified to operate a motor vehicle within the state of Washington.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-110 Expiration—Extension or renewal by mail. Except as otherwise provided by this section, any person who is outside the state at the time his or her commercial driver's license expires may request an extension

or renewal by mail as permitted by RCW 46.20.120(3). ((Upon request, the department may grant an extension)) The department shall not renew an endorsement to a commercial driver's license for the operation of a vehicle transporting hazardous materials by mail, and any extension granted for such endorsement shall be for no more than ((thirty)) forty-five days after the date the commercial driver's license would normally expire.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-130 Serious traffic violations. In addition to the violations enumerated in ((section 3(16), chapter 178, Laws of 1989)) RCW 46.25.010(16), "Serious traffic violation" shall include:

(1) Negligent driving in the first or second degree, as defined by RCW 46.61.5249 or 46.61.525;

(2) Following too closely, as defined by RCW 46.61.145; ((and))

(3) Failure to stop, as defined by RCW 46.61.055, 46.61.065, 46.61.195, 46.61.200, 46.61.340, 46.61.345, 46.61.350, 46.61.365, 46.61.370, or 46.61.375;

(4) Failure to yield right of way, as defined by RCW 46.61.180, 46.61.185, 46.61.190, 46.61.202, 46.61.205, 46.61.210, 46.61.215, 46.61.220, 46.61.235, 46.61.245, 46.61.261, 46.61.300, or 46.61.427;

(5) Speed too fast for conditions, as defined by RCW 46.61.400;

(6) Improper lane change or travel, as defined by RCW 46.61.140; and

(7) Improper or erratic lane changes, including ((violations of)):

(a) ((RCW 46.61.115;)) improper overtaking on the right, as defined by RCW 46.61.115;

(b) ((RCW 46.61.120;)) improper overtaking on the left, as defined by RCW 46.61.120; and

(c) ((RCW 46.61.125, further limitations on)) improper driving to left of center of roadway, as defined by RCW 46.61.125.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-140 Third party tester. The department may enter into an agreement with third party testers to conduct the commercial driver's license classified skill examination. An agreement will only be made where the department has determined that a need for a third party tester exists in the location covered by the third party tester, and that the third party tester is otherwise qualified. The department may suspend an agreement with a third party tester for any length of time upon a showing of good cause. An agreement between the department and a third party tester will be valid for no more than two years, provided that the department may extend an agreement for up to an additional two years at its

discretion. The department may renew an agreement if it has determined that a need for a third party tester still exists in the location covered by the third party tester.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-150 Third party tester—Qualifications. A third party tester is a person meeting the minimum qualifications who is trained, tested and certified by the department to conduct a standardized behind-the-wheel test of a commercial driver, such test to be used in determining the driver's qualification to obtain a commercial driver's license. A person applying to be a third party tester must meet the following requirements:

~~((a))~~ **(1)** ~~((is))~~ Be qualified and licensed to operate and ~~((has))~~ have no less than two years of experience operating vehicles representative of the class of vehicle for which he or she would conduct testing and has no less than five years of total driving experience(-);

~~((b))~~ **(2)** A check of ~~((applicant's driver's))~~ the person's driving record shows:

~~((1))~~ **(a)** The ~~((applicant))~~ person has not been convicted or found to have committed any of the following offenses within the three year period preceding the date of application:

(i) Driving a motor vehicle while under the influence of alcohol or any drug;

(ii) Driving a commercial motor vehicle while the alcohol concentration in the person's system is 0.04 or more as determined by any testing methods approved by law in this state or any other state or jurisdiction;

(iii) Leaving the scene of an accident involving a commercial motor vehicle driven by the person;

(iv) Using a commercial motor vehicle in the commission of a felony; and

(v) Refusing to submit to a test to determine the driver's alcohol concentration while driving a motor vehicle(-);

~~((2))~~ **(b)** No more than one conviction ~~((of))~~ or finding that the person committed a serious traffic violation~~((s))~~, as defined in WAC 308-100-130 (**Serious traffic violations**), within three years preceding the date of application(-);

~~((3))~~ **(c)** No driver's license suspension, cancellation, revocation, disqualification, or denial within three years preceding the date of application(-); and

~~((4))~~ **(d)** No more than one conviction or finding that the person committed a moving traffic ~~((violations convictions))~~ violation within one year or more than three convictions or findings that the person committed moving traffic violations ~~convictions~~ within three years preceding the date of application. Defective equipment violations shall not be considered moving traffic violations for the purpose of determining the applicant's qualification(-);

~~((e))~~ **(3)** Complete an acceptable application on a form prescribed by the department(-);

~~((f))~~ **(4)** Have no conviction of a felony or any crime involving violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude(-);

~~((e))~~ **(5)** Maintain or be employed by a business or agency in which driver testing records would be maintained and available to the state or federal representatives for announced or unannounced inspections and audits(-);

~~((f))~~ **(6)** ~~((is))~~ Be or ~~((is))~~ be employed by a licensed business or government agency within the state of Washington or within fifty miles of state boundaries(-);

~~((g))~~ ~~If the applicant is part of a commercial (truck/bus) driver training facility the training course must approved by the department.)~~ **(7)** Submit to announced or unannounced audits; and

(8) Attend all training required by the department of licensing.

Failure to maintain the above qualifications will result in the termination of a third party tester agreement.

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

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89)

WAC 308-100-190 Requirements for exceeding base fee. A third party tester may petition the department for a waiver of the skill examination fee ceiling imposed by WAC 308-100-180 (Third party testing fee). The third party tester shall indicate the amount of the proposed fee, the location of the test and provide detailed justification for the increase. ~~((Where proper justification exists,))~~ The department may grant the higher fee, provided that the service cannot be performed within a reasonable time by another tester at the standard fee. The department will review any complaints regarding higher fees, and may impose a reduction where warranted.

WSR 00-18-069

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 1, 2000, 1:38 p.m.]

Date of Adoption: August 31, 2000.

Purpose: Consolidate definitions, clarify language, make technical corrections, and incorporate legislative changes to rules regarding driver's license requirements and license suspension, revocation, or denial.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-104-060 and 308-104-120; and amending WAC 308-104-004, 308-104-006, 308-104-008, 308-104-012, 308-104-025, 308-104-035, 308-104-047, 308-104-056, 308-104-070, 308-104-080, and 308-104-090.

Statutory Authority for Adoption: RCW 46.01.110.

Adopted under notice filed as WSR 00-15-085 on July 19, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 2.

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 10, Repealed 0.

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

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

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

August 31, 2000

Denise M. Movius

Assistant Director

AMENDATORY SECTION (Amending WSR 87-19-129 (Order DS 3), filed 9/22/87)

WAC 308-104-004 Definitions (~~for purposes of driver licensing requirements~~). As used in this chapter, unless the context requires otherwise, the term:

(1) ~~((A "resident" is a person who manifests an intent to live or be located in this state on more than a temporary or transient basis. Evidence of residency includes but is not limited to:~~

~~(a) Becoming a registered voter in this state; or~~

~~(b) Receiving benefits under one of the Washington public assistance programs; or~~

~~(c) Declaring that he or she is a resident for the purpose of obtaining a state license, including but not limited to hunting or fishing license, or tuition fees at resident rates.~~

~~(2) The term "Washington public assistance programs" referred to in this chapter includes only public assistance programs for which more than fifty percent of the combined costs of benefits and administration are paid from state funds. Programs which are not included within the term "Washington public assistance programs" pursuant to the above criteria include, but are not limited to, the food stamp program under the Federal Food Stamp Act of 1964; programs under the Child Nutrition Act of 1966, 42 U.S.C. Secs. 1771 through 1788; and aid to families with dependent children, 42 U.S.C. Secs. 601 through 606.~~

~~(3) "Military personnel" means active members of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, commissioned officers of the Public Health Service, and members of foreign military organizations assigned to this state on official duty.~~

~~(4) "Examination," for purposes of RCW 46.20.305, means any one or combination of the following:~~

~~(a) A medical certificate to be completed by a competent medical authority;~~

~~(b) A vision certificate to be completed by a competent vision authority such as an optometrist or ophthalmologist;~~

~~(c) A psychiatric evaluation by a competent authority;~~

~~(d) An alcohol or drug evaluation or report of progress in alcohol or drug treatment from an alcohol or drug treatment agency approved by the department of social and health services;~~

(e) A re-examination of knowledge and driving ability conducted by a licensing services representative;

(f) A special examination of knowledge and driving ability conducted by a licensing services representative;

(2) "Jurisdiction" means a state, territory, or possession of the United States; the District of Columbia; or a province of Canada;

(3) "Military personnel" means active members of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, commissioned officers of the Public Health Service, and members of foreign military organizations assigned to this state on official duty. For purposes of this section, a person in the reserves will not be considered an "active member" unless he or she has been called to active duty for a period exceeding the full period specified for license expiration in RCW 46.20.181;

(4) "State" means a state of the United States, the District of Columbia, or a United States territory or possession.

AMENDATORY SECTION (Amending WSR 93-22-071, filed 11/1/93, effective 12/2/93)

WAC 308-104-006 Driver's license required. ~~((+))~~
No person, except as expressly exempted by chapter 46.20 RCW or by this chapter, may drive any motor vehicle upon a highway in this state unless the person has in his or her possession a valid driver's license issued under the provisions of chapter 46.20 RCW.

~~((2) A new Washington resident must make application for a Washington state driver's license within thirty days of establishing residency.))~~

AMENDATORY SECTION (Amending WSR 98-19-129 (Order DS 3), filed 9/22/87)

WAC 308-104-008 Persons exempt from driver's license requirement. In addition to persons exempt from driver license requirement pursuant to RCW 46.20.025, the following persons are exempt from the requirement to obtain a valid driver's license ((requirement)) issued to Washington residents under chapter 46.20 RCW:

(1) ((Nonresident)) A student who maintains his or her legal home of record at a location outside Washington state, or the spouse or dependent of the student, who is at least sixteen years of age and who has in his or her immediate possession a valid driver's license issued ((by)) to him or her in his or her home jurisdiction. The student must be enrolled as a full-time nonresident student at an institution of higher learning in Washington accredited by the Northwest Association of Schools and Colleges or by an accrediting association recognized by the higher education board, or at a private vocational school as that term is defined by RCW 28C.10.020(7). ((The student must maintain his or her legal home of record at a location outside the state of Washington.)) The student must carry documentation issued by the institution ((which)) that readily establishes his or her status as a nonresident student. A spouse or dependent of a nonresident student must carry a copy of the documentation issued to the student by the institution and documentation establishing the relationship with the student;

(2) ~~((The spouse or dependent of the nonresident student has the same licensing privilege as the nonresident student if the spouse or dependent has a valid driver's license which was issued by the same jurisdiction as the nonresident student. Documentation issued by the institution attended by a student must be carried by the spouse or dependent.~~

~~(3) Nonresident)) Military personnel who are at least sixteen years of age who ~~((has))~~ have in ~~((his or her))~~ their immediate possession a valid driver's license issued by the jurisdiction designated as ~~((his or her))~~ their home of record. A spouse or dependent of a person who meets the criteria of this subsection is also exempt from the driver's license requirement, provided that the spouse or dependent has in his or her immediate possession a valid driver's license issued by the jurisdiction designated as his or her home of record.~~

~~((4) The spouse or dependent of the nonresident military personnel has the same licensing privilege as the nonresident military personnel if the spouse or dependent has a valid driver's license which was issued by the same jurisdiction as the home of record of the nonresident military personnel.))~~

AMENDATORY SECTION (Amending WSR 86-07-018 (Order DS 2), filed 3/12/86)

WAC 308-104-012 ((Definition of)) **Suspension or denial for refusing or neglecting to submit to an examination.** ((For purposes of RCW 46.20.305 an examination required by the department for driver licensing purposes may consist of any one or combination of the following:

- ~~(1) A medical certificate to be completed by a competent medical authority.~~
- ~~(2) A vision certificate to be completed by a competent vision authority such as an optometrist or ophthalmologist.~~
- ~~(3) A psychiatric evaluation by a competent authority.~~
- ~~(4) An alcohol evaluation or report of progress in alcohol treatment from an approved alcohol agency.~~
- ~~(5) A reexamination of knowledge and driving ability conducted by a license examiner.~~
- ~~(6) A special examination of knowledge and driving ability conducted by a license examiner.))~~

A person's failure to complete an examination as required by RCW 46.20.305 may ~~((constitute reason for))~~ result in the suspension or denial of the person's driving privilege. ~~((Completion of an examination but dissatisfaction))~~ A person dissatisfied with the departmental action which follows ~~((that))~~ an examination he or she has taken under RCW 46.20.305 may ~~((be grounds for))~~ appeal ~~((of the departmental action by the affected driver. Such driver may request))~~ the department's action by requesting a formal hearing as provided in RCW 46.20.329. A request for a hearing under this section must be made in writing within fifteen calendar days from the date notice of the departmental action was given. If no request is made within the prescribed time the right to a hearing is waived.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89, effective 9/24/89)

WAC 308-104-025 Effect of accumulation of traffic offenses. Whenever the official records of the department show that a person has committed at least four traffic offenses within a twelve-month period, or at least five traffic offenses within a twenty-four-month period, the department may require the person to appear for a driver improvement interview, as provided in chapter 46.20 RCW: Provided, That when a person has committed fewer traffic offenses than set forth in this section, the department may require the person to appear for a driver improvement interview or suspend or deny the person's driving privilege when such action appears to be in the interest of the safety of other persons on the highways. For purposes of this section, the driver improvement interview may be conducted in a group setting.

Failure to appear at the interview may result in a suspension or denial of the driving privilege. For purposes of this section "traffic offense" means a conviction as defined in RCW 46.20.270(4), or a finding that a traffic infraction has been committed as defined in RCW ~~((46.63.020))~~ 46.20.270(5), of a moving violation as defined in WAC 308-104-160. A traffic offense committed under the provisions of chapter 46.37 RCW by a commercial driver with respect to equipment required on commercial motor vehicles shall not be considered for driver improvement purposes.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89, effective 9/24/89)

WAC 308-104-035 Interest of safety. For purposes of RCW 46.20.291~~((e))~~(3), whenever the records of the department show that a person has committed at least four traffic offenses within a twelve month period, or at least five traffic offenses within a twenty-four month period, this shall be considered prima facie evidence of violations of such frequency as to indicate a disrespect for traffic laws or a disregard for the safety of other persons on the highways. A traffic offense committed under the provisions of chapter 46.37 RCW by a commercial driver with respect to equipment required on commercial motor vehicles shall not be considered for the purposes of this section.

AMENDATORY SECTION (Amending WSR 91-01-063, filed 12/14/90, effective 1/14/91)

WAC 308-104-047 Driving test—Waiver. For purposes of issuance of an original driver's license, the department may waive the actual demonstration of the ability to operate a motor vehicle where the applicant meets all other licensing requirements, has successfully completed the appropriate Washington knowledge test or tests, and:

(1) If the application is for a basic driver's license, the applicant has:

(a) Surrendered a valid driver's license issued by the applicant's previous home state, or presented a letter of clearance from the previous home state showing a valid license record on file;

(b) Not taken a Washington driving test on which the applicant has been disqualified; and

(c) Not taken a Washington knowledge test on which the applicant has been disqualified three or more times;

(2) If the application is for a driver's license with a motorcycle endorsement, the applicant, along with the requirements listed in subsection (1) of this section, has:

(a) Surrendered a valid motorcycle license or driver's license with motorcycle endorsement issued by the applicant's previous home state, or presented a letter of clearance from the previous home state showing a valid motorcycle license record on file. In order for a surrendered license or letter of clearance to be valid under this subsection, the applicant's previous home state's motorcycle licensing standards must meet or exceed Washington state motorcycle licensing standards, as determined by the department;

(b) Completed a motorcycle skill test waiver certificate; and

(c) If the applicant is under eighteen years of age, presented a certificate verifying completion of an approved motorcycle safety education course;

(3) If the application is for a commercial driver's license, the applicant, along with the requirements listed in subsection (1) of this section, has:

(a) Surrendered a valid commercial driver's license issued by the applicant's previous home state, or presented a letter of clearance from the previous home state showing a valid commercial driver's license record on file; or

(b) Met the requirements for waiver of the commercial driver's license skill test as provided by RCW 46.25.060(2).

Notwithstanding the above provisions, the department may require the applicant to complete the appropriate driving test or tests if the department determines that it is in the interest of safety for the applicant to demonstrate his or her ability to operate a motor vehicle.

~~((For purposes of this section, the term "home state" means a state of the United States, the District of Columbia, or a United States territory or possession.))~~

AMENDATORY SECTION (Amending WSR 93-22-071, filed 11/1/93, effective 12/2/93)

WAC 308-104-056 Convictions—~~((Revocation and))~~ Suspension, revocation, and denial terms. The department shall suspend, ~~((or))~~ revoke, or deny the driver's license or nonresident driving privilege of every person who is convicted of a violation requiring such suspension, ~~((or))~~ revocation, or denial, the term of which, except ~~((the violation of driving while suspended or revoked in the first or second degree))~~ where otherwise required by law, shall commence on the date of conviction.

AMENDATORY SECTION (Amending Order MV-172, filed 7/16/73)

WAC 308-104-070 Concurrent suspension, revocation, and denial terms. Except as otherwise required by law, the department shall suspend, ~~((or))~~ revoke or deny the driver's license or nonresident driving privilege of every person who is convicted of more than one offense requiring such

suspension, ~~((or))~~ revocation, or denial arising from the same incident for one term which will be the longest of the terms of suspension, ~~((or))~~ revocation, or denial.

AMENDATORY SECTION (Amending WSR 93-22-071, filed 11/1/93, effective 12/2/93)

WAC 308-104-080 Reissue fee—When required. The driver's license of any person that has been suspended, ~~((or))~~ revoked or denied for any reason shall not be reissued until such person shall pay the required reissue fee; except, that such reissue fee shall not be required when the imposition of the suspension, ~~((or))~~ revocation, or denial was invalid or void or when the suspension, ~~((or))~~ revocation, or denial was imposed because the subject was incompetent to operate a vehicle due to a physical or mental disability, because the subject had failed to attend a driver improvement interview, because the ~~((subject's))~~ person's filing of proof of financial responsibility for the future had been canceled or terminated, because the ~~((subject))~~ person defaulted on an agreement to pay damages resulting from a vehicle accident, or because the ~~((subject))~~ person was refused a license due to a suspension, revocation, or denial in another jurisdiction.

AMENDATORY SECTION (Amending WSR 93-22-071, filed 11/1/93, effective 12/2/93)

WAC 308-104-090 Reissue fee—Where paid and accepted. ~~((The))~~ Reissue fees ~~((shall))~~ may be paid ~~((by the subject and shall be accepted by the department))~~ at any ~~((driver's license examining station))~~ licensing services office or ~~((through its))~~ at the department's central state office at any time during normal operating hours.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-104-060 Implied consent—Revocation terms.

WAC 308-104-120 Extra-territorial convictions—Hearing.

WSR 00-18-070 PERMANENT RULES DEPARTMENT OF LICENSING

[Filed September 1, 2000, 1:39 p.m.]

Date of Adoption: August 31, 2000.

Purpose: Clarifies language, makes technical corrections, and incorporates recent legislative changes to rules pertaining to driver's license applications and driving records.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-104-015 and 308-104-109; and amending WAC 308-104-040, 308-104-100, 308-104-105, 308-104-130, 308-104-150, 308-104-155; 308-104-160, and 308-104-170.

Statutory Authority for Adoption: RCW 46.01.110.

Adopted under notice filed as WSR 00-15-086 on July 19, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 3, Repealed 2.

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 7, Repealed 0.

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

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

August 31, 2000

Denise M. Movius

Assistant Director

AMENDATORY SECTION (Amending WSR 91-01-063, filed 12/14/90, effective 1/14/91)

WAC 308-104-014 Application for driver's license or identification card. ~~((Every application))~~ A person applying for an original driver's license, instruction permit, or identification card ((shall include)) must provide the following information:

~~((a))~~ (1) The ((applicant's)) person's full name, current mailing and residential address, and telephone number;

~~((b))~~ (2) The ((applicant's)) person's physical description, including sex, height, weight, and eye color;

~~((c))~~ (3) The ((applicant's)) person's date and place of birth;

~~((d))~~ (4) The ((applicant's)) person's social security number, if the social security number is required by state or federal law. If the person's social security number is not required by state or federal law, the person may voluntarily provide his or her social security number in order to assist the department in verifying identity;

~~((e))~~ (5) The ((applicant's)) person's mother's maiden name and whether the ((applicant)) person is one of multiple siblings born at the same time;

~~((f))~~ (6) If the application is for a driver's license or instruction permit, whether the ((applicant)) person has been previously licensed, where such license was issued, and under what name;

~~((g))~~ (7) If the application is for a driver's license or instruction permit, whether the ((applicant)) person has ever had his or her driver's license or driving privilege suspended, revoked, cancelled, disqualified, withheld, or denied, and if so, where and when such driving sanction was imposed and the reason for such action;

~~((h))~~ (8) If the application is for a driver's license or instruction permit, whether ((the applicant is taking medica-

tion or is under the care of a physician for any medical condition(s), and if so, a description of such medication or medical condition(s)) the person has had a loss of consciousness or control within the last six months that could impair his or her ability to operate a motor vehicle;

~~((i))~~ (9) The ((applicant's)) person's signature and, if the application is for a driver's license or instruction permit and the ((applicant)) person is under the age of eighteen, the signature of the ((applicant's)) person's custodial parent or legal guardian; and

~~((j))~~ (10) Any ((other information required by the department, including, but not limited to,)) supplementary documentation ((verifying)) as may be necessary to verify any of the information required by this section.

AMENDATORY SECTION (Amending WSR 93-22-071, filed 11/1/93, effective 12/2/93)

WAC 308-104-040 Driver's licenses for identification and identicards. As provided by RCW 46.20.035, no identicard shall be issued, nor shall any Washington state driver's license be issued, other than as provided in RCW ~~((46.20.116))~~ 46.20.035(5), unless the applicant ~~((therefor shall have))~~ has satisfied the department regarding his or her identity.

(1)(a) Except as provided in subsections (2) and (3) of this section, an applicant has not satisfied the identity requirements of RCW 46.20.035 unless he or she displays or provides the department with at least one of the following pieces of valid identifying documentation:

(i) A valid or recently expired driver's license or instruction permit that contains the signature, date of birth, and a photograph of the applicant;

(ii) A Washington state identicard or an identification card issued by another state that contains the signature and a photograph of the applicant;

(iii) An identification card issued by the United States, a state, or an agency of either the United States or a state, of a kind commonly used to identify the members or employees of the government agency, that contains the signature and a photograph of the applicant;

(iv) A military identification card that contains the signature and a photograph of the applicant;

(v) A United States passport that contains the signature and a photograph of the applicant;

(vi) An immigration and naturalization service form that contains the signature and photograph of the applicant; or

(vii) If the applicant is a minor, an affidavit of the applicant's parent or guardian where the parent or guardian displays or provides at least one piece of identifying documentation as specified in this subsection along with additional documentation establishing the relationship between the parent or guardian and the applicant.

(b) In addition to the valid identifying documentation listed in subsection (1)(a), the department may request supplemental identifying documentation, or may undertake an investigation to verify the validity of any documentation presented, in order to ascertain identity.

(2) An applicant unable to present a piece of identifying documentation listed in RCW 46.20.035 (1) or (2) may

request that other identifying documentation be considered by the department in order to ascertain identity, as provided by RCW ~~((46.20.035(2)))~~ 46.20.035(3). The department may waive the requirement for a piece of valid identifying documentation listed in RCW 46.20.035 (1) or (2) if the applicant presents sufficient valid supporting documents found by the department to clearly establish the identity of the applicant. For purposes of this subsection, the department has found the following pieces of documentation to be sufficient to clearly establish identity:

(a) A foreign country's passport, containing the signature and a photograph of the individual, that has with it a valid United States Immigration and Naturalization entry form (I-94);

(b) An enrollment card issued by a federally recognized Indian tribe, containing the signature and a photograph of the individual, with one other supporting document;

(c) An identification card issued by the United States Bureau of Indian Affairs, containing the signature and a photograph of the individual, with one other supporting document;

(d) A written identification verification document completed by the Washington department of corrections; and

(e) A Washington city or county police employee identification card, containing the signature and a photograph of the individual, with one other supporting document;

(3) If an applicant is unable to satisfy the department regarding his or her identity under subsections (1) or (2) of this section, he or she may request that the department review other documentation in order to ascertain identity, as provided by RCW ~~((46.20.035(2)))~~ 46.20.035(3).

(a) If the licensing services representative assisting the applicant is unable to ascertain identity from the documents presented, the applicant shall be referred to an in-office document reviewer for further assistance. The in-office document reviewer will evaluate the applicant's documentation in order to determine whether identity can be clearly established.

(b) If the in-office document review cannot clearly establish an applicant's identity, and if requested by an applicant, a senior technician for the region in which the applicant is making application will evaluate the applicant's documentation in order to determine whether identity can be clearly established.

(c) If requested by the applicant, the senior technician shall refer the applicant to driver licensing headquarters staff for final determination whether identity can be clearly established.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89, effective 9/24/89)

WAC 308-104-100 Occupational driver's license—Person eligible. The department shall issue an occupational driver's license to any person who has had his or her driver's license suspended or revoked ~~((because of a conviction or bail forfeiture for any offense relating to motor vehicles, other than vehicular assault or vehicular homicide, provided, (1) the person is eligible pursuant to the provisions))~~ who meets the requirements of RCW 46.20.380 and 46.20.391,

~~((2))~~ provided that on the date of conviction for the offense on which the suspension or revocation is based or, if the suspension or revocation is based on an administrative action, on the date the suspension or revocation became effective:

(1) The person had an unexpired driver's license ~~((on the date of conviction for said offense, (3)))~~;

(2) The person did not have his or her resident driver's license or nonresident driving privilege suspended or revoked for any reason ~~((on the date of conviction for said offense,));~~ and

~~((4))~~ (3) The person had not been required ~~((on the date of conviction))~~ to surrender his or her Washington driver's license to the department for failure to maintain ~~((the filing of))~~ proof of financial responsibility for the future ~~((for said offense))~~.

Notwithstanding the provisions of this section, an occupational driver's license shall not be issued for the operation of a commercial motor vehicle when the commercial driver has had his or her license suspended, revoked, or denied, or has been disqualified from operating a commercial motor vehicle.

AMENDATORY SECTION (Amending WSR 89-18-003, filed 8/24/89, effective 9/24/89)

WAC 308-104-105 Occupational license denial hearings. (1) Upon notification by the department that an occupational driver's license has been denied under RCW 46.20.391 the aggrieved person may request a formal hearing to contest the department's decision. No hearing need be granted where the department is prevented from issuing an occupational driver's license by rule or law. A request for a hearing must be submitted in writing.

(2) Within ten days of receipt of a request for a hearing, the department shall notify the ~~((requestor))~~ requester in writing of the time and location of the hearing. The hearing may be held either in the person's county of residence or in any county adjoining the person's county of residence, except that all or part of the hearing may, at the discretion of the department, be conducted by telephone or other electronic means.

(3) The hearing shall be conducted by a ~~((referee))~~ hearing officer appointed by the director. The director may delegate ~~((to such referee))~~ the authority to render final decisions to the hearing officer.

(4) The scope of the hearing shall be limited to the following issues:

(a) Whether the person had a valid license on date of conviction or, if the suspension or revocation is based on an administrative action, on the date the suspension or revocation became effective.

(b) Whether the suspension or revocation giving rise to the application for an occupational driver's license ~~((was based upon one of the following offenses: Driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor, reckless driving, racing, eluding a police vehicle, hit and run, driving while suspended or revoked, or a felony in the commission of which a motor vehicle is used, other than vehicular assault or vehicular homicide))~~ is one for which an occupational driver's license may be issued under RCW 46.20.391.

(c) Whether the person has been convicted of any ~~((of the offenses listed in (b) of this subsection))~~ offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory within the one year immediately preceding the conviction or incident for which the occupational license is requested.

(d) Whether the person has ~~((been convicted of))~~ committed an offense of driving or being in physical control of a vehicle while under the influence of intoxicating liquor, or vehicular assault or vehicular homicide, within the ~~((five))~~ seven years immediately preceding the conviction or incident for which the occupational license is requested.

(e) Whether the person is currently suspended or revoked for any reason other than the offense for which the occupational driver's license is requested.

(f) If the person is applying for an occupational driver's license under RCW 46.20.391(1), whether the person is engaged in an occupation or trade that makes it essential that the person operate a motor vehicle. For purposes of this section, occupation or trade means being self-employed, or in the employ of another, for monetary compensation.

(g) If the person is applying for an occupational driver's license under RCW 46.20.391(2), whether the person is in or has applied for an apprenticeship program or on-the-job training program, or is in a program that assists persons who are enrolled in a WorkFirst program, or is undergoing substance abuse treatment or is participating in meetings of a twelve-step group such as alcoholics anonymous, that makes it essential that the person operate a motor vehicle.

(5) The ~~((applicant's))~~ person's official driving record provided to the hearing officer by the department shall be prima facie evidence of the ~~((facts in))~~ issues contained in subsection (4)(a) through (e) of this section unless the ~~((applicant))~~ person presents clear and convincing evidence to the contrary.

(6) If the person is eligible for an occupational driver's license under RCW 46.20.391(1), the ((applicant)) person shall have the burden of proving that he or she is engaged in an occupation or trade that makes it essential to operate a motor vehicle.

(7) If the person is eligible for an occupational driver's license under RCW 46.20.391(2), the person shall have the burden of proving that he or she is in an apprenticeship program or on-the-job training program, or is in a program that assists persons who are enrolled in a WorkFirst program, or is undergoing substance abuse treatment or is participating in meetings of a twelve-step group such as alcoholics anonymous, that makes it essential that the person operate a motor vehicle.

(8) In the event that the person fails to appear for the hearing, no hearing shall be held. The case shall be remanded to the department and the department's previous decision denying the occupational license shall be affirmed.

AMENDATORY SECTION (Amending WSR 86-07-018 (Order DS 2), filed 3/12/86)

WAC 308-104-130 Convictions—Driving records.

(1) The department shall consider the information transmitted on the abstract of conviction as being accurate for the pur-

poses of recording information on the defendant's driving record and initiating suspension/revocation action. The defendant shall be deemed to have been convicted of the traffic law violation(s) if any of the following appears on the abstract:

~~((1))~~ (a) The payment of a fine.

~~((2))~~ (b) An unvacated forfeiture of bail or collateral deposited to secure the defendant's appearance in court.

~~((3))~~ (c) A plea of guilty by the defendant.

~~((4))~~ (d) A finding of guilt.

(2) For the purposes of maintaining the driving record, initiating a driver's license or driving privilege suspension, ~~((A))~~ revocation, or denial ~~((action))~~, and requiring the filing of proof of financial responsibility, the conviction shall be deemed final if any one or more of the ~~((above))~~ elements listed in subsection (1) is present regardless of whether the imposition of sentence is deferred or penalty suspended. The department will not amend or modify the driving record of any driver's license or driving privilege suspension, ~~((A))~~ revocation, or denial ~~((action))~~ if the court subsequently dismisses the charge at the conclusion of a successful deferral or probation period.

(3) For purposes of Title 46 RCW:

(a) The forfeiture of bail shall be ~~((conclusive evidence of))~~ considered a conviction unless the court vacates that forfeiture. ~~((A vacation of bail forfeiture shall be effective only if that vacation is entered within sixty days of the date of that forfeiture and the case is scheduled by the court for a hearing on the merits. Any transmittal of the vacation of a forfeiture of bail must specify that these two elements exist.))~~

(b) The payment of a fine on a traffic violation charge shall be ~~((conclusive evidence of))~~ considered a conviction unless the court subsequently reimburses the defendant for all fines, costs, and other penalties imposed.

(c) A plea of guilty shall be ~~((conclusive evidence of the))~~ considered a conviction unless the defendant withdraws the plea of guilty during the proceedings, the defendant appeals the judgment ~~((within fourteen days))~~ and there has been a perfection of notice of appeal, or the court sets aside the judgment and orders a new trial ~~((within fourteen days))~~.

(d) A finding of guilt shall be ~~((conclusive evidence of the))~~ considered a conviction unless the court approves a motion for a new trial ~~((within fourteen days))~~ or the defendant appeals the conviction to a higher court ~~((within fourteen days of the conviction))~~ and there has been a perfection of notice of appeal.

(4) If a court defers a finding after hearing the evidence, the department shall not consider the defendant as having been convicted until a final disposition is entered by that court, except when the defendant entered a guilty plea which was not withdrawn, or when the court imposed a penalty or sanction, including the payment of court costs, which could only be imposed upon a determination that the defendant was guilty.

(5) A reporting error by the court ~~((which))~~ that materially alters the original record of a conviction for a mandatory offense must be reported to the department in writing accompanied by a copy of the docket, or other permanent court record.

PERMANENT

AMENDATORY SECTION (Amending WSR 82-03-046 (Order 668 DOL), filed 1/19/82)

WAC 308-104-150 Address requests—Terms and fees. ~~Where not otherwise prohibited by law or rule, the department may ((respond to written requests for addresses of persons whose driving records are)) make available the address of a person whose driving record or identacard record is maintained by ((said)) the department. ((The individual or agency requesting the address must supply the department with)) A request for an address must be in writing, and must include the full name and the driver's license number or date of birth of ((each)) the person whose address is requested. ((The department may deny address information to any person or agency when it has reason to believe that releasing such information could result in harm to the safety or well-being of the person whose address has been requested.))~~

The department shall collect in advance a fee of two dollars for each address requested in a single listing up to and including ten addresses, and fifteen cents for each additional address on that single listing: Provided, That the addresses will be provided to all governmental agencies without charge.

AMENDATORY SECTION (Amending WSR 91-01-063, filed 12/14/90, effective 1/14/91)

WAC 308-104-155 Driving records—Designation of ((nondepartment of licensing)) persons other than employees of the department as agents for certification. For purposes of Title 46 RCW, the director of the department of licensing may designate ((nondepartment of licensing employees)) persons other than employees of the department as agents to furnish certified abstracts of driving records under seal of the director. This section shall only apply when the driving record has been obtained by the designated agent through electronic data transmission from the department's computer records.

AMENDATORY SECTION (Amending WSR 92-08-045, filed 3/25/92, effective 4/25/92)

WAC 308-104-160 Nonmoving violation defined. A "nonmoving violation" as used in RCW 46.65.020 and this chapter shall mean any violation or traffic infraction in Title 46 RCW, other than those moving violations included in the following list or violations of substantially similar laws, administrative regulations, local laws, ordinances, regulations, or resolutions of a political subdivision of this state, the federal government, or any other state:

(1) Driving while under the influence of ((intoxicants)) intoxicating liquor or any ((drugs)) drug as defined by RCW 46.61.502;

- (2) ((Reckless driving
- (3) Hit and run (occupied vehicle)
- (4) Vehicular homicide
- (5) Driving while driving privilege suspended or revoked
- (6) Eluding police vehicle
- (7) Racing
- (8) Embracing

- (9) Manslaughter
 - (10) Speed too fast for conditions
 - (11) Speed 1 to 14 MPH excess
 - (12) Speed 15 to 29 MPH excess
 - (13) Speed over 29 MPH excess
 - (14) Failure to stop
 - (15) Disobey road sign
 - (16) Improper lane change
 - (17) Improper lane travel
 - (18) Prohibited turn
 - (19) Unnecessary noise
 - (20) Negligent driving
 - (21) Wrong way on one-way street
 - (22) Driving over center line
 - (23) Drive wrong side of road
 - (24) Straddling centerline
 - (25) Failure to yield right of way
 - (26) Disobey signalman
 - (27) Disobey school patrol
 - (28) Driving without lights
 - (29) Failure to dim lights
 - (30) Following too closely
 - (31) Improper turn
 - (32) Failure to signal or improper signal
 - (33) Passing stopped school bus
 - (34) Driving on shoulder or sidewalk
 - (35) Violating license restriction(s)
 - (36) Carrying passenger improperly
 - (37) In physical control of vehicle while under the influence of alcohol or drugs
 - (38) Vehicular assault
 - (39) Crossing fire hose
 - (40) Carry passengers outside vehicle
 - (41) Improper backing
 - (42) Obstructed vision or control
 - (43) Following emergency equipment
 - (44) Crossing divider
 - (45) Inattention
 - (46) Improper mirrors
 - (47) Illegal vehicle equipment
 - (48) Handle bars over height
 - (49) Illegal lights
 - (50) Defective equipment
 - (51) Reckless endangerment
 - (52) No helmet, goggles, windshield or face shield
 - (53) Improper overtaking or passing
 - (54) Hit and run (unattended vehicle)
 - (55) Impeding traffic
 - (56) More persons than provided for on motorcycle
 - (57) Operating moped on freeway
 - (58) Wearing earphones/viewing TV in vehicle
 - (59) Open container violation (driver)
 - (60) Permitting illegal vehicle operation
 - (61) Violation of instruction permit.))
- Physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.504;
- (3) Vehicular homicide, as defined by RCW 46.61.520;
 - (4) Vehicular assault, as defined by RCW 46.61.522;
 - (5) Reckless driving, as defined by RCW 46.61.500;

- (6) Racing, as defined by RCW 46.61.530;
- (7) Embracing, as defined by RCW 46.61.665;
- (8) Hit and run (injury, death, or occupied vehicle), as defined by RCW 46.52.020;
- (9) Attempting to elude a police vehicle, as defined by RCW 46.61.024;
- (10) Driving while driving privilege suspended or revoked, as defined by RCW 46.20.342, 46.20.394, or 46.20.420;
- (11) Reckless endangerment of roadway workers, as defined in RCW 46.61.527;
- (12) Driver under twenty-one driving or being in physical control of a motor vehicle after consuming alcohol, as defined in RCW 46.61.503;
- (13) Driving or in physical control of commercial motor vehicle while having alcohol in system, as defined in RCW 46.25.110;
- (14) Open container violation (driver), as defined by RCW 46.61.519;
- (15) Negligent driving in the first degree, as defined by RCW 46.61.5249;
- (16) Negligent driving in the second degree, as defined by RCW 46.61.525;
- (17) Hit and run (unattended vehicle or property), as defined by RCW 46.52.010;
- (18) Disobey road sign, as defined by RCW 46.61.050 and 46.61.070;
- (19) Disobey signalman, officer, or fire fighter, as defined by RCW 46.61.015, 46.61.020, 46.61.021, or 46.61.022;
- (20) Disobey school patrol, as defined by 46.61.385;
- (21) Speed too fast for conditions, as defined by RCW 46.61.400;
- (22) Speed in excess of maximum limit, as defined by RCW 46.61.400 or 46.61.460;
- (23) Speeding in a school zone, as defined by RCW 46.61.440;
- (24) Failure to stop, as defined by RCW 46.61.055, 46.61.065, 46.61.195, 46.61.200, 46.61.340, 46.61.345, 46.61.350, 46.61.365, 46.61.370, or 46.61.375;
- (25) Failure to yield right of way, as defined by RCW 46.61.180, 46.61.185, 46.61.190, 46.61.202, 46.61.205, 46.61.210, 46.61.215, 46.61.220, 46.61.235, 46.61.245, 46.61.261, 46.61.300, or 46.61.427;
- (26) Failure to keep to the right, as defined by RCW 46.61.100 or 46.61.105;
- (27) Wrong way on a one-way street or rotary traffic island, as defined by RCW 46.61.135;
- (28) Improper lane change or travel, as defined by RCW 46.61.140;
- (29) Straddling or driving over centerline, as defined by RCW 46.61.140;
- (30) Driving on the wrong side of the road, as defined by RCW 46.61.150;
- (31) Crossing divider, as defined by RCW 46.61.150;
- (32) Improper entrance to or exit from freeway, as defined by RCW 46.61.155;
- (33) High occupancy vehicle lane violation, as defined by RCW 46.61.165;
- (34) Improper overtaking or passing, as defined by RCW 46.61.110, 46.61.115, 46.61.120, 46.61.125, or 46.61.130;
- (35) Passing stopped school bus, as defined by RCW 46.61.370;
- (36) Passing stopped private carrier bus, as defined by RCW 46.61.375;
- (37) Following too closely, as defined by RCW 46.61.145;
- (38) Following fire apparatus, as defined by RCW 46.61.635;
- (39) Crossing fire hose, as defined by RCW 46.61.640;
- (40) Driving on sidewalk, as defined by RCW 46.61.606;
- (41) Driving through safety zone, as defined by RCW 46.61.260;
- (42) Driving with wheels off roadway, as defined by RCW 46.61.670;
- (43) Impeding traffic, as defined by RCW 46.61.100, 46.61.425, or 46.20.427;
- (44) Improper turn, as defined by RCW 46.61.290;
- (45) Prohibited turn, as defined by RCW 46.61.295;
- (46) Failure to signal or improper signal, as defined by RCW 46.61.305;
- (47) Improper backing, as defined by RCW 46.61.605;
- (48) Unlawful operation of motorcycle on roadway, as defined by RCW 46.61.608;
- (49) Reckless endangerment, as defined by RCW 9A.36.050;
- (50) Failure to maintain control, as defined by RCW 46.61.445;
- (51) Violation of license restriction(s), as defined by RCW 46.20.041 or 46.20.740;
- (52) Violation of instruction permit restrictions, as defined by RCW 46.20.055;
- (53) Violation of out-of-service order, as defined by RCW 46.25.090;
- (54) Obstructed vision or control, as defined by RCW 46.61.615;
- (55) Carrying persons or animals outside of vehicle, as defined by RCW 46.61.660;
- (56) Carrying passenger in towed vehicle, as defined by RCW 46.61.625;
- (57) Coasting on downgrade, as defined by RCW 46.61.630;
- (58) Violation of child restraint requirements, as defined by RCW 46.61.687;
- (59) Carrying child under the age of five years old on motorcycle, as defined by RCW 46.37.530;
- (60) Carrying passenger improperly on motorcycle, as defined by RCW 46.61.610;
- (61) No helmet, goggles, mirrors, windshield or face shield, as defined by RCW 46.37.530;
- (62) Motorcycle handlebars above maximum height, as defined by RCW 46.61.611;
- (63) Operating moped on freeway or sidewalk, as defined by RCW 46.61.710;
- (64) Illegal, improper, defective, or missing vehicle equipment, as defined by RCW 46.37.010;
- (65) Driving without lights, as defined by RCW 46.37.020;

- (66) Failure to dim lights, as defined by RCW 46.37.230;
- (67) Operating motorcycle without lights, as defined by RCW 46.37.522;
- (68) No lamp, reflector, or flag on extended load, as defined by RCW 46.37.140;
- (69) Unnecessary noise, as defined by RCW 46.37.380;
- (70) Wearing earphones or viewing television in vehicle, as defined by RCW 46.37.480;
- (71) Permitting illegal vehicle operation, as defined by RCW 46.20.343 or 46.61.675;
- (72) Failure to secure load, as defined by RCW 46.37.490;
- (73) Spilling load, as defined by RCW 46.61.655; and
- (74) Improper towing, as defined by RCW 46.44.070.

AMENDATORY SECTION (Amending WSR 93-22-071, filed 11/1/93, effective 12/2/93)

WAC 308-104-170 Alcohol or drug abuse treatment program. (1) For the purposes of Title 46 RCW, a person shall be deemed to have undertaken and followed a course of treatment for alcohol or drug abuse on a program approved by the department of social and health services if he or she has been under said program for at least sixty days: Provided, That the department may accept a shorter treatment term upon a showing that the full sixty days of treatment would not be in the best interests of the person's recovery progress.

(2) The term "program approved by the department of social and health services," as used in Title 46 RCW, shall mean an alcohol or drug abuse treatment program meeting the requirements of chapter ((275-19)) 388-305 WAC.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 308-104-015 Identificards.
- WAC 308-104-109 Extension of driver's license

WSR 00-18-078
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 1, 2000, 4:56 p.m.]

Date of Adoption: September 1, 2000.

Purpose: Chapter 296-19A WAC will replace chapter 296-18A WAC as the regulatory basis for vocational rehabilitation for industrial insurance. New sections WAC 296-15-500 and 296-15-510 will move regulations applicable to vocational services provided in the self-insured arena to the self-insured chapter.

Citation of Existing Rules Affected by this Order: Repealing chapter 296-18A WAC.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, 51.36.110.

Adopted under notice filed as WSR 00-10-106 on May 3, 2000, 11:02 a.m.

Changes Other than Editing from Proposed to Adopted Version: Changes were made in proposed WAC 296-19A-010, 296-19A-020, 296-19A-030, 296-19A-040, 296-19A-050, 296-19A-060, 296-19A-070, 296-19A-080, 296-19A-090, 296-19A-100, 296-19A-120, 296-19A-130, 296-19A-140, 296-19A-170, 296-19A-210, 296-19A-220, 296-19A-240, 296-19A-250, 296-19A-260, 296-19A-320, 296-19A-450 and 296-19A-480, based upon public input and further research by the department. For details about the specific changes and the reasons for the changes, please see the following table:

SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
010 (1)	(a)—"...in the labor market to be gainfully employed on a reasonably continuous basis..."	(a)—"...in the labor market to be capable of performing and obtaining gainful employment on a reasonably continuous basis..."	*Inserted language to make this definition consistent with the ruling in <i>Leeper v. Department of Labor and Industries</i> , 123 Wn.2d 803, 872 P.2d 507 (1994).
010 (2)			
010 (3)	"...or other entity..." "injured or ill workers."	"...or other legal entity..." "injured or ill workers, pursuant to RCW 51.32.095. "	*Clarifies that nonlegal entities are not considered vocational providers. *Clarifies that vocational providers are those providers that are delivering services specifically addressed in statute, RCW 51.32.095.
010 (4)	It is the area in which a worker would seek gainful employment. The labor market must be within a reasonable commuting distance and be consistent with the industrially injured or ill worker's physical and mental capacities.	Generally, the worker's relevant labor market is the geographic area where the worker was last gainfully employed. The labor market must be within a reasonable commuting distance and be consistent with the industrially injured or ill worker's physical and mental capacities. The exceptions to this rule are listed in the table below:	Corrects a technical omission from the proposed draft.
010(5)			

PERMANENT

SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
010(6)	It is a description of the knowledge, skills, abilities, and physical requirements necessary for a worker to perform a job.	It is the gathering, evaluating, and recording of accurate, objective data about the characteristics of a particular job.	Clarifies and improves the definition of job analysis.
010(7)			
010(8)			
010(9)			
010(10)			
020			
030	(1)—"...including making an estimate of physical capacities or restrictions. The attending physician may review the vocational plan, and if the attending physician feels that the injured worker is not physically capable of carrying out the plan, or the plan is unnecessary, based on current medical findings, shall notify the referral source immediately of this opinion and the reasons for that opinion."	(1)—"...including making an estimate of the worker's physical or mental capacities that affect the worker's employability. "	Clarifies that the physician should consider not only physical limitations but also any mental limitations that would, for example, prevent the worker from becoming employable from a vocational plan. The physician is elsewhere required to report medical opinion and should not be regulated in this way in a WAC chapter governing vocational rehabilitation.
040	<ul style="list-style-type: none"> •"All vocational services must be preauthorized by the referral source." •"The referral source may make one or more..." •"...plan;" •For example, when a vocational rehabilitation provider receives a referral for early intervention services, the provider may only provide the authorized early intervention services. No other services are authorized until the referral source makes another referral to the vocational rehabilitation provider." 	<ul style="list-style-type: none"> •"All vocational services must be preauthorized" •"The department may make one or more..." •"...plan development; plan implementation;" •Removed 	<ul style="list-style-type: none"> •That the referral source, whether the department or self-insurer, must preauthorize vocational services is understood. •The department uses the listed categories of vocational referrals and recognizes that self-insurers may use other methods to categorize their referrals. •This clarifies that these are separate activities with separate referrals. •With other wording changes, this language was felt to be unnecessarily repetitive.
045	None	"Which rules under "DEPARTMENT VOCATIONAL REHABILITATION REFERRALS" apply only to the department? WAC 296-19A-050 through 296-19A-130 pertain to referrals made only by the department."	Despite the title of this part of chapter 296-19A WAC, there was some confusion as to the applicability of WAC 296-19A-050 to 296-19A-130 to self insurers. This new section clarifies that the sections pertain to department referrals. Self-insurers will continue to be governed by language in chapter 296-15 WAC.
050	<ul style="list-style-type: none"> •(5)—"performing on-site and telephone job analyses; and" •(6)—"...and obtaining a preferred worker card for the worker, if appropriate." 	<ul style="list-style-type: none"> •(5)—"performing job analyses; and" •(6)—"...and educating the worker on the preferred worker benefit, if appropriate." 	<ul style="list-style-type: none"> •WAC 296-19A-170 of this chapter addresses the requirements for conducting job analyses, so the detail is not necessary here. •Preferred worker assistance is not necessary in early intervention, but it is important to educate workers on the benefits entitled to them.
060	<ul style="list-style-type: none"> •(1)—"...to the department every thirty days..." •(1)—"...every thirty days from the date of the referral." •(1)(a)—"...employer of injury or current employer;" •(1)(d)—"...intends to take and the expected time frame..." •(2)(e)—"...salary or wage;" 	<ul style="list-style-type: none"> •(1)—"...to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days..." •(1)—"... every thirty days from the date of the referral, summarizing progress during the most recent reporting period." •(1)(a)—"...employer of injury or current employer, and medical provider(s);" •(1)(d)—"...intends to take to overcome barriers and the expected time frame..." •(2)(e)—"...salary or wage, or document attempts to obtain this information;" 	<ul style="list-style-type: none"> •While information is presently disclosable, sharing progress reports upon request will help facilitate worker participation in the vocational rehabilitation process. •Clarifies the intent of the department to receive progress reports that document recent activities on the referral. •Addresses need of the department to have a summarized record of contacts with medical providers that occur during the referral. •Clarifies the intent of this requirement. •The department recognizes it may not be possible in all cases to obtain this information on a referral.

PERMANENT

SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
	•(2)(h)—None	•(2)(h)—"Any other supporting documentation."	•Clarifies the need to attach any other relevant information to the closing report, even though not specifically spelled out here.
070	•(2)(a)(ii)—"A job analysis; and" •(2)(a)(iii)—"...information supporting the provider's recommendation;" •(2)(b)(iii)—"Labor market information supporting the provider's recommendations;" •(3)—"The provider must immediately notify the department in writing if the worker..." •(4)—"The provider must immediately inform the department orally and in writing if the worker..." •(4)—"This report must include:"	•(2)(a)(ii)—"A job analysis or physical capacities information when a JA is not possible; and" •(2)(a)(iii)—"information supporting the provider's recommendation when not returning to the employer of injury or current employer;" •(2)(b)(iii)—None (3)—"The provider must notify the department in writing within two working days if the worker..." (4)—"The provider must notify the department orally and in writing within two working days if the worker..." (4)—"This report must specify and/or document attempts to obtain the following information:"	•The department recognizes that, in a limited number of cases, a JA may not be possible, and in those cases, physical capacities information may be submitted instead. •Clarifies intent. •This information is not necessary in this case. •Clarifies intent. •Clarifies intent. •The department recognizes that, in some situations, not all information listed will be available to the vocational provider.
080	•"...to the department every thirty days..." •"...every thirty days from the date of the referral." •(4)—"...intends to take and the expected time frame..."	•"...to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days..." •"...every thirty days from the date of the referral, summarizing progress during the most recent reporting period." •(4)—"...intends to take to overcome barriers and the expected time frame..."	•While information is presently disclosable, sharing progress reports upon request will help facilitate worker participation in the vocational rehabilitation process. •Clarifies the intent of the department to receive progress reports that document recent activities on the referral. •Clarifies the intent of this requirement.
090	•(1)—"Vocational counseling;" •(2)—"Identifying training needs..."	•(1)—"Vocational counseling and occupational testing;" •(2)—"Identifying job goal, training needs..."	•Clarifies intent. •This is a needed addition because the purpose of a vocational plan is, in part, to identify a job goal for which the worker will receive training.
100	•(1)—"...to the department every thirty days..." •(1)—"...every thirty days from the date of the referral." •(1)(e)—"...intends to take and the expected time frame..."	•(1)—"...to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days..." •(1)—"...every thirty days from the date of the referral, summarizing progress during the most recent reporting period." •(1)(e)—"...intends to take to overcome barriers and the expected time frame..."	•While information is presently disclosable, sharing progress reports upon request will help facilitate worker participation in the vocational rehabilitation process. •Clarifies the intent of the department to receive progress reports that document recent activities on the referral. •Clarifies the intent of this requirement.
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120	•(1)—"...to the department every thirty days..." •(1)—"...every thirty days from the date of the referral."	•(1)—"...to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days..." •(1)—"...every thirty days from the date of the referral, summarizing progress during the most recent reporting period."	•While information is presently disclosable, sharing progress reports upon request will help facilitate worker participation in the vocational rehabilitation process. •Clarifies the intent of the department to receive progress reports that document recent activities on the referral.
130	"What are forensic services?"	•"What are the requirements for a forensic evaluation?"	•Clarifies intent.

PERMANENT

SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
	<p>•"...to resolve vocational issues."</p>	<p>•"...to resolve vocational issues. Except when necessary to make a determination regarding whether a deceased worker was totally and permanently disabled at the time of death, the department will only authorize a forensic evaluation when previous vocational referrals have not resolved an injured worker's vocational issues"</p>	<p>•Clarifies the situations in which a forensic referral will be made.</p>
140	<p>•(1)(d)—"The LMS must list all employer contacts, positive and negative."</p> <p>•(2)(a)—"...if the LMS shows enough jobs to conclude the worker's lack of employment is not the consequence of his/her industrial injury;"</p> <p>•(2)(b)—"...if the LMS shows the proposed job goal exists in sufficient numbers..."</p> <p>•(3)—"The labor market survey report must include:"</p>	<p>•(1)(d)—"The LMS must note the name of the surveyor and list all employer contacts, positive and negative, and the dates of contact."</p> <p>•(2)(a)—"...if the LMS shows enough jobs suitable for that injured worker, consistent with WAC 296-19A-010(1),"</p> <p>•(2)(b)—"...if the LMS shows the proposed job goal, and jobs suitable for the injured worker, consistent with WAC 296-19A-010(1), exist in sufficient numbers..."</p> <p>•(3)—"The labor market survey report must include, or document attempts to obtain:"</p>	<p>•This change was based on public input and the change was deemed necessary.</p> <p>•This change in language reflects the change to the definition of employability from the Leeper decision.</p> <p>•This change in language reflects the change to the definition of employability from the Leeper decision.</p> <p>•The department recognizes that, in some situations, not all information listed will be available to the vocational provider.</p>
170	<p>•(1)—"...and job title and DOT/O*NET number;"</p> <p>•(2)—"Note where the provider completed the job analysis."</p> <p>•</p> <p>•(4)—"...describe the knowledge, skills, and abilities required to perform..."</p> <p>•(9)—"The signature of the author and date completed."</p>	<p>•(1)—"...and job title and DOT number;"</p> <p>•(2)—"Note the name of the vocational provider who completed the job analysis, where the provider completed the job analysis and the date of the job analysis."</p> <p>•(3)—"Describe the essential functions and all other tasks required to perform the job."</p> <p>•(5)—"...describe the competencies required to perform..."</p> <p>•(10)—"The signature of the vocational provider presenting the job analysis for review and date signed."</p>	<p>•O*NET is a system that is being developed for the future and is not yet available.</p> <p>•It is necessary to identify who actually completes a job analysis, making this change necessary. In addition, the date requirement for the job analysis was moved from subsection (1) to this subsection for clarity purposes.</p> <p>•It was recognized that this section needed to more clearly ask for a description of the job for which the analysis is being performed. All other items in this list were renumbered downward.</p> <p>•The term "competencies" is a vocational term that is more appropriate; this item was also renumbered.</p> <p>•Job analyses may sometimes be used by other counselors for similar jobs; therefore, it is important to make this change to clarify the appropriate signature and date needed.</p>
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210	<p>•"...the department adopts the following qualifications requirements:"</p> <p>•(1)(a)—"...effective on or after September 1, 2000..."</p> <p>•(1)(b)—"...prior to September 1, 2000, will be required to apply for a provider number and will be given four years from September 1, 2000..."</p> <p>•(2)(a)—"...beginning on or after September 1, 2000, the VRC/ supervisor must provide proof of three years..."</p>	<p>•"...the department shall only issue a provider number to persons, firms, partnerships, corporations, and other legal entities that meet the following qualifications requirements:"</p> <p>•(1)(a)—"...effective on or after December 1, 2000..."</p> <p>•(1)(b)—"...prior to December 1, 2000, will be required to apply for a provider number and will be given six years from December 1, 2000..."</p> <p>•(2)(a)—"...beginning on or after September 1, 2000, the VRC/ supervisor must provide proof of five years..."</p>	<p>•Clarifies that the department will not issue provider number to any provider that does not meet the qualifications in WAC 296-19A-210.</p> <p>•Reflects extension of effective dates due to continuance of CR-102.</p> <p>•Reflects extension of effective dates due to continuance of CR-102. Also reflects department decision to extend the transition period for vocational providers to meet new qualifications requirements from four to six years.</p> <p>•Reflects department decision to require VRC supervisors to have five, rather than three, years of experience working with Washington state injured workers. This change makes the requirements consistent with current contracts and helps insure quality.</p>

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SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
	<p>•(2)(b)—"...prior to September 1, 2000, will be required to apply for a provider number and will be given four years from September 1, 2000..."</p> <p>•(2)(c)—None</p> <p>•(3)—"...injured or ill workers."</p> <p>•(4)(a)—"...effective on or after September 1, 2000..."</p> <p>•(4)(b)—"Interns must obtain one of the required VRC certifications..."</p> <p>•(4)(c)—"Interns registered with the department prior to September 1, 2000, will be required to apply for a provider number with the department and may work as an intern an additional four years from September 1, 2000, if necessary, to meet the new VRC requirements."</p> <p>•(4)(d)—None</p> <p>•(5)—"...prior to September 1, 2000, who do not meet the above qualification requirements within the four-year period..."</p> <p>•(6)(a-e)—"Any provider who elects to operate as a vocational firm, partnership, corporation or other entity ..."</p> <p>•(6)(a, c & d)—"...with regard to business operations." "...in which to discuss vocational services issues." "...regular business hours, Monday through Friday"</p>	<p>•(2)(b)—"...prior to December 1, 2000, will be required to apply for a provider number and will be given six years from December 1, 2000..."</p> <p>•(2)(c)—"The VRC supervisor is responsible for ensuring that all the work performed by an intern for the department or self-insurer conforms with Title 51 RCW, department rules and department policies."</p> <p>•(3)—"...injured or ill workers, and must possess a CRC or ABVE certification."</p> <p>•(4)(a)—"...effective on or after December 1, 2000..."</p> <p>•(4)(b)—"Interns not registered with the department and applying for a provider number with the department on or after December 1, 2000 must obtain one of the required VRC certifications..."</p> <p>•(4)(c)—"Interns registered with the department prior to December 1, 2000, will be required to apply for a provider number with the department and may work as an intern until the end of their current internship. Upon completion of the internship the intern may submit an application to the department as a VRC. These providers must obtain one of the required VRC certifications by October 31, 2006."</p> <p>•(4)(d)—All interns are required to conform to Title 51 RCW, department rules, and department policies. All interns granted a provider number by the department must be supervised by a VRC Supervisor."</p> <p>•(5)—"...prior to December 1, 2000, who do not meet the above qualification requirements within the six-year period..."</p> <p>•(6)(a-e)—"Providers..."</p> <p>•(6)(a)—"...with regard to business operations. In order to be eligible to receive referrals from the department, providers must satisfy the requirements set forth in this subsection in every service location in which they wish to operate." "...in which to discuss vocational services issues. In order to be eligible to receive referrals from the department, providers must satisfy the requirements set forth in this subsection in every service location in which they wish to operate." "...regular business hours, Monday through Friday. In order to be eligible to receive referrals from the department, providers must satisfy the requirements set forth in this subsection in every service location in which they wish to operate."</p>	<p>•Reflects extension of effective dates due to continuance of CR-102. Also reflects department decision to extend the transition period for vocational providers to meet new qualifications requirements from four to six years.</p> <p>•Clarifies the relationship between supervisor and intern in a manner that is consistent with the department's current vocational provider contracts. It ensures that VRC supervisors adequately oversee the work of their interns.</p> <p>•Change reflects need to ensure that those performing forensic evaluations are both highly qualified and have experience in forensic services.</p> <p>•Reflects extension of effective dates due to continuance of CR-102.</p> <p>•Clarifies that only those interns who register after the new qualifications requirements become effective must meet the new qualifications within one year of completion of their internship.</p> <p>•This change allows current vocational interns to finish their internships in accordance with their agreements with the department, then work as a VRC for the remainder of the six-year transition period. All interns in this category must meet the VRC qualifications by the end of the transition period (like current VRCs) in-order to maintain their provider numbers.</p> <p>•This clarifies the relationship between supervisor and intern in a manner that is consistent with the department's current vocational provider contracts. It ensures that interns follow department law and policy.</p> <p>•Reflects extension of effective dates due to continuance of CR-102.</p> <p>•This wording change clarifies the applicability of the business requirements to vocational providers.</p> <p>•This change clarifies the applicability of the business requirements for providers that operate in multiple department service areas. It also distinguishes between the department, which uses service locations, and the self-insured community, which does not.</p>

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SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
220	<p>•(6)(e)—"Providers must maintain..."</p> <p>•(7)—None</p> <p>•"Can a vocational provider deliver vocational rehabilitation services without meeting the above qualifications and receiving a provider number from the department? No. Only qualified vocational rehabilitation providers will be given provider numbers."</p>	<p>•(6)(e)—"In order to receive referrals from the department, providers must maintain..."</p> <p>•The department may assign a provider number to a vocational rehabilitation firm, partnership, corporation or other legal entity so long as substantial control over the daily management of the vocational rehabilitation firm, partnership, corporation or other legal entity is performed by a VRC that satisfies the qualifications set forth in this rule."</p> <p>•"Can a vocational provider deliver vocational services pursuant to RCW 51.32.095 without receiving a provider number from the department? No. The department may only issue provider numbers to persons, firms, partnerships, corporations and other legal entities that satisfy the qualification requirements in WAC 296-19A-210."</p>	<p>•This change recognizes that some providers do not wish to work with the department at all. In those cases, it is not necessary to have an electronic hook-up with the department's systems.</p> <p>•Responds to public comment questioning whether ownership and/or management of a vocational firm must also meet individual qualifications requirements.</p> <p>•This language change is intended to clarify that only vocational providers with provider numbers can deliver vocational services as defined here. This does not relate to providers not delivering services pursuant to RCW 51.32.095.</p>
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240	•(2)—None	•(2)—"For information regarding the formal appeals process refer to chapter 51.52 RCW"	•This change addresses questions regarding the process for formal audit appeals.
250	•"The department must give at least forty-eight hours written notice to a provider..."	•"The department will give 10 working days written notification to a provider..."	•This change makes the notification requirements for vocational provider audits consistent with those for medical provider audits.
260	•(8)—None	•(8)—"Assessment of penalties"	•Incorporates into the WAC provision authority that is currently allowed by statute.
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320	•"The rendering of vocational services to a worker who comes under the jurisdiction of the department constitutes acceptance of the provisions of Title 51 RCW, the department's rules and policies, and the department's fee schedule."	•"The rendering of vocational services to a worker who comes under the department's or self-insurer's jurisdiction constitutes acceptance of Title 51 RCW, chapter s296-19A and 296-15 WAC, and compliance with the departments rules and fees."	•This revision does not change the intent of this section but makes the language more consistent with that found in chapter 296-20 WAC.
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450	•"The department must receive the written dispute within twenty calendar days of the date of the vocational determination...The department may accept the dispute if it is not received within the twenty-day period..."	•"The department must receive the written dispute within fifteen calendar days of receipt of notification to the worker or employer...The department may accept the dispute if it is not received within the fifteen-day period..."	•This change from the proposed language keeps the standard the same for other time-sensitive events that affect industrial insurance claims. The determining factor is when a decision is communicated to a worker.
460			

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SECTION	PROPOSED WAC	FINAL WAC	EXPLANATION OF CHANGES
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480	•Effective dates are September 1, 2000 and January 2, 2001	•Effective dates are December 1, 2000 and June 1, 2001 .	•Effective dates were changed to reflect the delay in implementation caused by filing a continuance of the CR-102 process, conducting training, and ensuring that all systems would be fully ready for implementation.
296-15-500	•"...to the self-insurance section."	•"...to the self-insurance section. The criteria outlined in RCW 51.32.095, WAC 296-19A-010 and department guidelines must be followed to determine employability. "	•This change links the sections that were move to chapter 296-15 WAC to changes that were made to the definition of employable in chapter 296-19A WAC, reflecting the <i>Leeper</i> decision.

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 49, Amended 0, Repealed 12.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 49, Amended 0, Repealed 12.

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

Effective Date of Rule: On December 1, 2000, for WAC 296-19A-210, 296-15-500 and 296-15-510; and on June 1, 2001, for all other sections.

September 1, 2000

Gary Moore
Director

Chapter 296-19A WAC

VOCATIONAL REHABILITATION

DEFINITIONS

NEW SECTION

WAC 296-19A-010 Definitions. (1) What does it mean to say an injured worker is employable?

(a) "Employable" means having the skills and training that are commonly and currently necessary in the labor market to be capable of performing and obtaining gainful employment on a reasonably continuous basis when considering the worker's:

- (i) Age, education, and experience;
- (ii) Preexisting physical and mental limitations; and
- (iii) Physical and mental limitations caused, at least in part, by the worker's industrial injury or occupational disease.

(b) Physical and/or mental conditions that arose after the industrial injury/occupational disease that were not caused or aggravated by the industrial injury/occupational disease are not considered in determining whether the worker is employable under the Industrial Insurance Act.

(c) If there are no physical or mental limitations caused by the worker's industrial injury/occupational disease, the worker must be found employable under the Industrial Insurance Act.

(2) What are vocational rehabilitation services? Vocational rehabilitation services are those provided by a vocational rehabilitation provider and include, but are not limited to, the following:

(a) Gathering industrially injured or ill workers' work and/or education histories and physical capacities information;

(b) Assessing industrially injured or ill workers' employability;

(c) Developing, documenting, and writing vocational rehabilitation plans;

(d) Monitoring injured workers' progress during training;

(e) Writing progress reports;

(f) Analyzing and documenting the transferable skills of the injured worker and writing transferable skills analyses;

(g) Performing occupational research;

(h) Conducting labor market surveys and writing labor market survey reports;

(i) Conducting and writing job analyses;

(j) Communicating with industrially injured or ill workers, employers, physicians and others;

(k) Developing job modifications and work site modifications, as well as prejob accommodations, and writing reports for this work; and

(l) All work done to obtain any job with any employer for injured workers referred for vocational rehabilitation services.

(3) What is a vocational rehabilitation provider (provider)? A provider is any person, firm, partnership, corporation, or other legal entity that provides vocational rehabilitation services to industrially injured or ill workers, pursuant to RCW 51.32.095. A provider must meet the qualifications listed in WAC 296-19A-210.

(4) What is an injured worker's labor market? Generally, the worker's relevant labor market is the geographic area where the worker was last gainfully employed. The labor market must be within a reasonable commuting distance and be consistent with the industrially injured or ill worker's physical and mental capacities. The exceptions to this rule are listed in the table below:

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When a worker:	Then the department:
<ul style="list-style-type: none"> Relocates to a labor market other than at the time of injury and Returns to work and Suffers an aggravation of the work-related condition. 	<p>Uses the labor market where the industrially injured or ill worker worked at the time of the aggravation. This applies whether the department closed and reopened the claim or whether the claim remained open during the period of aggravation.</p>
<ul style="list-style-type: none"> Relocates after the industrial injury/illness or aggravation and Now lives in a labor market with more employment opportunities than where the industrially injured or ill worker worked at the time of injury. 	<p>Uses the industrially injured or ill worker's current labor market. For example, an industrially injured or ill worker was injured in Forks but after the injury, moves to Tacoma. Provider would use Tacoma as the industrially injured or ill worker's labor market.</p>
<ul style="list-style-type: none"> Relocates to a labor market other than at the time of injury or onset of illness and The industrial injury or occupational disease was a proximate cause of the move. 	<p>Uses the injured or ill worker's current labor market. For example, an industrially injured or ill worker moves to a drier climate due to an accepted asthma condition. Provider would use the labor market in the drier climate.</p>

(5) **What is a labor market survey (LMS)?** It is a survey of employers in an industrially injured or ill worker's labor market to obtain specific information (such as physical demands and qualifications) related to job possibilities.

(6) **What is a job analysis (JA)?** It is the gathering, evaluating, and recording of accurate, objective data about the characteristics of a particular job.

(7) **What is a transferable skill?** Transferable skills are any combination of learned behavior, education, training, work traits, and work-related skills that can be readily applied by the worker. They are skills that are interchangeable among different jobs and workplaces. Nonwork-related talents or skills that are both demonstrated and applicable may also be considered.

(8) **What is a transferable skills analysis?** It is a systematic study of the transferable skill or skills a worker has to see if that skill set makes him/her employable.

(9) **What are job modifications?** Job modifications are adjustments or alterations made to the way a job is performed to accommodate the restrictions imposed by an industrial injury or occupational disease. Job modifications are used when an employer-employee relationship exists, and they may include worksite adjustment; job restructuring; and/or tools, equipment or appliances.

(10) **What are prejob accommodations?** Prejob accommodations are adjustments or alterations made to the

way a job is performed to accommodate the restrictions imposed by an industrial injury or occupational disease. Accommodations are used when an industrially injured or ill worker is engaged in a vocational rehabilitation plan or in a job search, and they may include tools, equipment or appliances.

GENERAL INFORMATION

NEW SECTION

WAC 296-19A-020 **When may the department offer vocational rehabilitation services?** The department may, at its sole discretion, authorize vocational rehabilitation services that are necessary and likely to make the worker employable. In exercising its discretion the department considers, but is not limited to:

- (1) Whether the worker took advantage of and utilized vocational rehabilitation services offered in this or other claims;
- (2) The worker's ability and willingness to participate in and benefit from vocational rehabilitation services; and
- (3) The likelihood that the worker will be employable after the vocational rehabilitation services are completed.

NEW SECTION

WAC 296-19A-030 **What are the responsibilities of the parties?** All parties will have the following responsibilities in assisting the injured worker to become employable at gainful employment:

(1) The attending physician shall maintain open communication with the industrially injured or ill worker's assigned vocational rehabilitation counselor and the referral source. The attending physician shall respond to any requests for information in a timely fashion and will do all that is possible to expedite the vocational rehabilitation process, including making an estimate of the worker's physical or mental capacities that affect the worker's employability.

- (2) The claims unit within the department shall:
 - (a) Notify the employer of the referral to a vocational rehabilitation provider;
 - (b) Send the employer a copy of the closing report; and
 - (c) Give written notice to an injured worker if a complaint of noncooperation has been made.

(3) The employer shall assist the vocational rehabilitation counselor in any way necessary to collect data regarding the former gainful employment of the injured worker. Further, the employer will assist the vocational rehabilitation counselor and attending physician to determine whether or not a modified job could be made available for employment of the injured worker.

(4) The injured worker shall cooperate with all reasonable requests from all responsible individuals in determining disability, developing and implementing the rehabilitation process. Should the injured worker fail to be cooperative, the sanctions as set out in RCW 51.32.110 shall be applied.

(5) In assisting the injured worker to become employable at gainful employment, the provider is to follow the priorities

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as set out in RCW 51.32.095 and the requirements as set out in this chapter.

NEW SECTION

WAC 296-19A-040 What vocational rehabilitation services require authorization? All vocational rehabilitation services must be preauthorized. The department may make one or more of the following type of referrals: Early intervention; ability to work assessment ("AWA" or "assessment"); plan development; plan implementation; or forensic services. Each referral is a separate authorization for vocational rehabilitation services.

DEPARTMENT VOCATIONAL REHABILITATION REFERRALS

NEW SECTION

WAC 296-19A-045 Which rules under "department vocational rehabilitation referrals" apply only to the department? WAC 296-19A-050 through 296-19A-130 pertain to referrals for vocational rehabilitation services made by the department.

NEW SECTION

WAC 296-19A-050 What are early intervention services? Early intervention services are intended to help an industrially injured or ill worker return to work, or continue to work, for the employer of injury or the current employer. These services include, but are not limited to, the following:

- (1) Discussing early return to work options with the employer, worker, and attending physician;
- (2) Identifying return to work goals and barriers that may interfere with or prevent the industrially injured or ill worker from returning or continuing to work;
- (3) Assisting employers with offers of employment;
- (4) Planning and working with the referral source on necessary job modifications and prejob accommodations;
- (5) Performing job analyses; and
- (6) Assessing the industrially injured or ill worker's need for preferred worker status and educating the worker on the preferred worker benefit, if appropriate.

NEW SECTION

WAC 296-19A-060 What reports does the department require when early intervention services are provided at its request? (1) Progress reports. The vocational rehabilitation provider must submit a written progress report to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days from the date of the referral summarizing progress during the most recent reporting period. The progress report must include the following:

- (a) Summarized results of all contacts the provider had with the industrially injured or ill worker, employer of injury or current employer, and medical provider(s);

- (b) Summary of all actions taken including progress on previously recommended actions;

- (c) Identification and analysis of any barriers preventing completion of the referral; and

- (d) Description of the specific actions the provider intends to take to overcome barriers and the expected time frame to complete those actions.

- (2) Closing reports. The provider must always submit an early intervention closing report at the conclusion of services. In the report the provider must include:

- (a) A brief description of the industrially injured or ill worker's work history;

- (b) Summary of the industrially injured or ill worker's education, training, licenses, and certificates;

- (c) A job analysis for the job of injury and any other return to work options;

- (d) Description of the worker's medical status and physical capacities;

- (e) The date the worker returned to work and the monthly salary or wage, or document attempts to obtain this information;

- (f) Indication of which return to work priority relates to the situation;

- (g) Documentation that no return to work options exist with the employer of injury or current employer, if applicable;

- (h) Any other supporting documentation.

- (3) The provider must notify the department orally and in writing within two working days after learning of an unsuccessful return to work by the injured worker.

- (4) The provider must notify the department orally and in writing within two working days after learning of a return to work by the injured worker.

NEW SECTION

WAC 296-19A-070 What is an ability to work assessment? (1) An AWA is a written report used by the department to determine if an industrially injured or ill worker should receive vocational rehabilitation services. The AWA must include an evaluation of the industrially injured or ill worker's:

- (a) Age, education and experience;

- (b) Transferable skills;

- (c) Preexisting physical and mental conditions and the effect of those conditions on the worker's employability;

- (d) Physical and mental conditions proximately caused by the worker's industrial injury or occupational disease and the effect of those conditions on the worker's employability;

- (e) Wage at the time of injury;

- (f) Work pattern;

- (g) Significant barriers to employment;

- (h) Labor market; and

- (i) Complete work history, in addition to information about education level, courses or transcripts, licenses, certifications or registrations that the worker may have obtained in the past.

- (2) The AWA must also include one of the following recommendations:

(a) Able to work: The injured worker is employable at gainful employment. The report must include:

(i) Whether the worker is employable with the employer of injury or current employer, or if not, the job possibility(ies) for which the worker is qualified;

(ii) A job analysis or physical capacities information when a JA is not possible; and

(iii) Labor market information supporting the provider's recommendation when not returning to the employer of injury or current employer;

(b) Further services appropriate: Vocational rehabilitation services are necessary and likely to enable the injured worker to become employable at gainful employment. The report must include:

(i) An analysis demonstrating why the worker is unlikely to return to work without vocational rehabilitation services;

(ii) The specific return to work possibilities investigated and the reasons why they were ruled out; or

(c) Further services not appropriate: The injured worker is not likely to benefit from vocational services. The report must include:

(i) An analysis explaining why vocational rehabilitation services are not appropriate;

(ii) Any barriers that will interfere with the worker's return to work or make it unlikely the worker will benefit from vocational rehabilitation services;

(iii) If appropriate, labor market information supporting the provider's recommendations.

(3) The provider must notify the department in writing within two working days if the worker is medically released to work without restrictions. The provider must attach documentation showing the worker was medically released to work without restrictions. The provider should not perform any other work on the AWA without the prior authorization of the referral source.

(4) The provider must notify the department orally and in writing within two working days if the worker has returned to work. This report must specify and/or document attempts to obtain the following information:

(a) A description of the job the worker returned to;

(b) The name of the employer;

(c) The date that the worker returned to work;

(d) The worker's monthly wages.

NEW SECTION

WAC 296-19A-080 How often must written progress reports be completed and submitted during assessment activities? The provider must submit a written progress report to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days from the date of the referral summarizing progress during the most recent reporting period. The written progress report must include:

(1) A detailed explanation why the AWA was not completed as of the date of the report;

(2) A summary of all activities taken in the past thirty days, including progress on previously recommended actions;

(3) Identification and analysis of any barriers preventing completion of the referral; and

(4) A description of the specific actions the provider intends to take to overcome barriers and the expected time frame to complete those actions.

NEW SECTION

WAC 296-19A-090 What are vocational rehabilitation plan development services? Vocational rehabilitation plan development services are authorized to obtain the vocational rehabilitation provider's assistance in producing a vocational rehabilitation plan for an industrially injured or ill worker. The provider will work with the industrially injured or ill worker in the development of the plan. Covered services include, but are not limited to, the following:

(1) Vocational counseling and occupational exploration;

(2) Identifying job goal, training needs, resources, and expenses;

(3) Coordinating with medical providers to obtain physical capacities and restrictions information and a release to participate in a vocational rehabilitation plan; and

(4) Vocational testing.

NEW SECTION

WAC 296-19A-100 What reports does the department require when vocational rehabilitation plan development services are provided at its request? (1) Progress reports. The vocational rehabilitation provider must submit a written progress report to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days from the date of the referral summarizing progress during the most recent reporting period. The progress report must include the following:

(a) Description of the return to work goals explored, accepted or ruled out;

(b) Review of the return to work priorities being addressed;

(c) Summary of all actions taken, including progress on previously recommended actions;

(d) Identification and analysis of any barriers preventing completion of the referral; and

(e) Description of the specific actions the provider intends to take to overcome barriers and the expected time frame to complete those actions.

(2) Vocational rehabilitation plan. The provider must address the return to work priorities listed in RCW 51.32.095(2) in the plan and explain why each preceding priority would not help the industrially injured or ill worker return to work. The vocational plan must also include the following information:

(a) An assessment of the industrially injured or ill worker's skills and abilities considering the industrially injured or ill worker's physical capacities and mental status, aptitudes and transferable skills gained through prior work experience, education, training and avocation;

(b) The services necessary to enable the industrially injured or ill worker to become employable in the labor market;

(c) Labor market survey supportive of the industrially injured or ill worker's employability upon plan completion;

(d) Documentation of the time and costs required for completion of the plan;

(e) A direct comparison of the industrially injured or ill worker's skills, both existing and those to be acquired through the plan, with potential types of employment to demonstrate a likelihood of plan success;

(f) A medically approved job analysis for the proposed retraining job goal;

(g) Any other information that may significantly affect the plan; and

(h) An agreement signed by the provider and industrially injured or ill worker that:

(i) Acknowledges that the provider and the industrially injured or ill worker have reviewed, understand and agree to the vocational rehabilitation plan; and

(ii) Sets forth the provider's and industrially injured or ill worker's responsibilities for the successful implementation and completion of the vocational rehabilitation plan.

The provider must use a form approved by, or substantially similar to a form used by, the department in order to document this agreement.

(3) Closing report. If the provider has to stop plan development before reaching a vocational goal, submit a plan development closing report. The report must include:

(a) A list of the reasons the provider cannot proceed with vocational rehabilitation plan development activities; and

(b) Supporting documentation, such as: Goals researched, job analyses developed, and/or labor market research conducted.

NEW SECTION

WAC 296-19A-110 What are vocational rehabilitation plan implementation and monitoring services? Vocational rehabilitation plan implementation and monitoring services are those services a vocational rehabilitation provider provides to assist an industrially injured or ill worker to successfully complete a vocational rehabilitation plan. These services may include, but are not limited to, the following:

(1) Maintain sufficient contact with the industrially injured or ill worker, trainer and medical providers to make sure the worker is successfully progressing in the vocational rehabilitation plan;

(2) Confirm that the industrially injured or ill worker has received all necessary equipment and supplies;

(3) Contact the industrially injured or ill worker and trainer at least every thirty days to identify potential problems;

(4) Notify the department if the plan needs to be interrupted;

(5) Notify the department when the industrially injured or ill worker completes the plan;

(6) Monitor the industrially injured or ill worker's progress and resolve any problems that might arise;

(7) Document the industrially injured or ill worker's acquisition of skills; and

(8) Notify the department if the plan needs to be terminated.

NEW SECTION

WAC 296-19A-120 What reports does the department require when vocational rehabilitation plan implementation and monitoring services are provided at its request? (1) Progress reports. The vocational rehabilitation provider must submit a written progress report to the department, and upon request, to the injured worker or the injured worker's representative, every thirty days from the date of the referral summarizing progress during the most recent reporting period. The progress report must include the following:

(a) Review of the industrially injured or ill worker's compliance with the vocational rehabilitation plan;

(b) A list of the dates the provider contacted the industrially injured or ill worker and training site;

(c) Description of the skills the worker has acquired so far and a comparison with the vocational rehabilitation plan;

(d) Summary of all actions taken in the past thirty days, including progress on previously recommended actions;

(e) Identification and analysis of any barriers preventing completion of the referral;

(f) Statement of whether the industrially injured or ill worker will complete the plan by the target plan end date.

(2) Closing report. If the industrially injured or ill worker successfully completes the vocational rehabilitation plan, the closing report, at a minimum, must contain the following information:

(a) An assessment of the industrially injured or ill worker's employability status at the time of closure;

(b) An assessment of the skills acquired by the industrially injured or ill worker as compared to the vocational rehabilitation plan;

(c) A statement as to whether or not the industrially injured or ill worker has returned to gainful employment; and

(d) The barriers, if any, to the industrially injured or ill worker's return to gainful employment.

(3) If the industrially injured or ill worker does not successfully complete the vocational rehabilitation plan, the closing report, at a minimum, must contain the following information:

(a) Explain why the vocational rehabilitation plan cannot be completed;

(b) Assess the industrially injured or ill worker's employability status at the time the plan stopped;

(c) Assess what skills the industrially injured or ill worker acquired and compare them to the vocational rehabilitation plan;

(d) Indicate whether or not the industrially injured or ill worker has returned to work. If so, list the job title, employer, and monthly salary; and

(e) Describe any remaining barriers that may keep the industrially injured or ill worker from returning to work.

NEW SECTION

WAC 296-19A-130 What are the requirements for a forensic evaluation? Vocational forensic services are authorized to obtain the vocational rehabilitation provider's assistance in reviewing the claim file and making recommendations to resolve vocational issues. Except when necessary to make a determination regarding whether a deceased worker was totally and permanently disabled at the time of death, the department will only authorize a forensic evaluation when previous vocational referrals have not resolved an injured worker's vocational issues.

(1) The recommendations may include, but are not limited to:

(a) Vocational rehabilitation services are not appropriate. The vocational rehabilitation provider will provide the rationale for the recommendation.

(b) Vocational rehabilitation services are appropriate. The vocational rehabilitation provider will provide specific suggestions for the type of vocational rehabilitation services recommended.

(c) Able to work.

(d) Further clarification of medical or vocational issues is needed. The vocational rehabilitation provider will identify issues impacting the vocational rehabilitation process and requiring clarification.

(2) Covered services include, but are not limited to:

(a) Reviewing medical and vocational records;

(b) Identifying barriers to employment and possibilities for resolving the barriers;

(c) Coordinating with providers to obtain physical, mental and vocational capacities and restrictions;

(d) Identifying training needs and resources.

Vocational recommendations must follow department guidelines and have supporting documentation attached.

VOCATIONAL REHABILITATION TOOLSNEW SECTION

WAC 296-19A-140 What information must a provider include in a labor market survey? (1) The following information must be included in a labor market survey:

(a) The specific job title surveyed;

(b) If the provider completes a LMS on a referral, include a summary;

(c) Indicate in the summary whether the industrially injured or ill worker has the physical and mental/cognitive capacities to perform the job, based on either the industrially injured or ill worker's attending physician or the preponderance of medical information; and

(d) The LMS must note the name of the surveyor and list all employer contacts, positive and negative, and the dates of contact.

(2) A positive labor market exists if one of the following circumstances is present:

(a) If the provider performs a LMS to assess the industrially injured or ill worker's employability, it is considered positive if the LMS shows enough jobs suitable for that injured worker, consistent with WAC 296-19A-010(1); or

(b) If the provider performs a LMS for a vocational rehabilitation plan, it is considered positive if the LMS shows the proposed job goal, and jobs suitable for that injured worker, consistent with WAC 296-19A-010(1), exist in sufficient numbers to reasonably conclude that the worker will be employable at successful plan completion.

(3) The labor market survey report must include, or document attempts to obtain:

(a) The specific job title surveyed;

(b) All specific employer contacts, including their firm names, phone numbers, contact name and job title;

(c) Physical and mental/cognitive demands of the job in relation to the industrially injured or ill worker's physical and mental/cognitive capacities;

(d) Minimum hiring requirements and the skills and training commonly and currently necessary to be gainfully employed in the job;

(e) Work patterns;

(f) Number of positions per job title;

(g) Wage;

(h) Date of last hire;

(i) Number of current openings; and

(j) A summary of the labor market survey results and whether the survey is positive or negative for the recommended occupation or proposed vocational goal.

NEW SECTION

WAC 296-19A-170 What information must a provider include in a job analysis? When completing a job analysis, the vocational rehabilitation provider must:

(1) Include identifying information on each page. This information includes the worker's name and claim number, and job title and DOT number;

(2) Note the name of the vocational rehabilitation provider who completed the job analysis, where the provider completed the job analysis and the date of the job analysis. If the analysis is done on-site, include the employer name and employer contact person with phone number;

(3) Describe the essential functions and all other tasks required to perform the job;

(4) List the tools and equipment required to do the job;

(5) Evaluate and describe the competencies required to perform the job;

(6) Evaluate and describe the physical demands and their frequency required to perform the job. This must include demands for sitting, standing, lifting, etc. The vocational rehabilitation provider should pay special attention to any job duties and physical demands that may be affected by the industrially injured or ill worker's condition;

(7) Describe any environmental hazards encountered on the job;

(8) Describe possible modifications to the job for employer job offers or job modifications;

(9) A section for medical approval, signature, and comments; and

(10) The signature of the vocational rehabilitation provider presenting the job analysis for review and date signed.

JOB MODIFICATION ASSISTANCE

NEW SECTION

WAC 296-19A-180 What job modification assistance benefits are available? As provided for in section 13, chapter 63, Laws of 1982 (RCW 51.32.250), the supervisor or supervisor's designee in his or her discretion may pay job modification costs. This payment is intended to be a cooperative participation with the employer and funds shall be taken from the appropriate account within the second injury fund.

NEW SECTION

WAC 296-19A-190 How much is available for job modification assistance? An amount not to exceed five thousand dollars from the department is available per worker per modification. The employer may add to this amount with its own contribution.

NEW SECTION

WAC 296-19A-200 How does an employer apply for job modification assistance? (1) An employer requesting job modification assistance must submit to the department a job modification assistance application.

(2) The job modification assistance application shall include, but not be limited to:

- (a) A document supporting the need for job modification;
- (b) A description of the job modification; and
- (c) An itemized account of each expense to be incurred in the job modification. Job modification assistance applications shall be submitted on a form prescribed by the department.

(3) The supervisor or supervisor's designee shall accept, reject or modify the job modification application within thirty days of receipt. Notification of the supervisor's acceptance, rejection, or modification shall be in writing.

QUALIFICATIONS

NEW SECTION

WAC 296-19A-210 What are the qualifications to provide vocational rehabilitation services to industrially injured or ill workers? Provider community commentary, expert opinion and best practices suggest that there is a correlation between a higher quality level of vocational rehabilitation services and higher qualifications of vocational rehabilitation providers. To ensure the provision of the highest possible quality of vocational rehabilitation services, the department shall only issue a provider number to persons, firms, partnerships, corporations, and other legal entities that meet the following qualification requirements:

(1) Vocational rehabilitation counselor (VRC).

(a) VRCs not registered with the department and applying for a provider number with the department effective on or

after December 1, 2000, must meet the following minimum qualifications:

Education Masters Degree	Experience 1 year full-time industrial insurance experience	Certification and CRC or CDMS or ABVE
OR		
Bachelors Degree	2 years full-time industrial insurance experience	and CRC or CDMS

CRC = Certified Rehabilitation Counselor

CDMS = Certified Disability Management Specialist

ABVE = American Board of Vocational Experts

(b) VRCs registered with the department prior to December 1, 2000, will be required to apply for a provider number and will be given six years from December 1, 2000, to meet the above requirements.

(2) VRC supervisor.

(a) In order to supervise interns providing vocational rehabilitation services to industrially injured or ill workers beginning on or after December 1, 2000, the VRC/supervisor must provide proof of five years full-time experience working with Washington state injured workers.

(b) Supervisors registered with the department prior to December 1, 2000, will be required to apply for a provider number and will be given six years from December 1, 2000, to meet all VRC/supervisor requirements.

(c) The VRC supervisor is responsible for ensuring that all work performed by an intern for the department or self-insurer conforms with Title 51 RCW, department rules and department policies.

(3) Forensic services—In order to provide forensic services to the department on claims other than those for which the VRC provided the vocational rehabilitation services, a VRC must provide proof of three years full-time experience working with Washington state industrially injured or ill workers, and must possess a CRC or ABVE certification.

(4) Intern.

(a) Interns not registered with the department and applying for a provider number with the department on or after December 1, 2000, must meet the following minimum qualifications:

Degree	Internship Length
Masters Degree in field acceptable to CRC or CDMS or ABVE	Equal to required experience to obtain CRC or CDMS or ABVE certification including at least 1 year working with industrially injured or ill workers.
OR	
Bachelors Degree in field acceptable by CDMS	Equal to required experience to obtain CDMS certification including at least 2 years working with industrially injured or ill workers.

(b) Interns not registered with the department and applying for a provider number with the department on or after

PERMANENT

December 1, 2000, must obtain one of the required VRC certifications within one year of completing their required internship.

(c) Interns registered with the department prior to December 1, 2000, will be required to apply for a provider number with the department and may work as an intern until the end of their current internship. Upon completion of the internship the intern may submit an application to the department as a VRC. These providers must obtain one of the required VRC certifications by November 30, 2006.

(d) All interns are required to conform to Title 51 RCW, department rules, and department policies. All interns granted a provider number by the department must be supervised by a VRC supervisor.

(5) Providers registered with the department prior to December 1, 2000, who do not meet the above qualification requirements within the six-year period will no longer be eligible to provide vocational rehabilitation services to industrially injured or ill workers and the department will terminate their provider number(s).

(6) Business requirements.

(a) Providers must comply with all federal and state laws, regulations and other requirements with regard to business operations. In order to be eligible to receive referrals from the department, providers must satisfy the requirements set forth in this subsection in every service location in which they wish to operate.

(b) Providers must be covered by general liability insurance, automobile liability insurance, errors and omission insurance, malpractice insurance, and industrial insurance if required by Title 51 RCW.

(c) Providers must have services and facilities that provide injured workers a private and professionally suitable location in which to discuss vocational rehabilitation services issues. In order to be eligible to receive referrals from the department, providers must satisfy the requirements set forth in this subsection in every service location in which they wish to operate.

(d) Providers must have telephone-answering capability during regular business hours, Monday through Friday. In order to be eligible to receive referrals from the department, providers must satisfy the requirements set forth in this subsection in every service location in which they wish to operate.

(e) In order to receive referrals made by the department, providers must maintain or have access to equipment that can utilize the department's remote access system for transmitting vocational referrals.

(7) The department may assign a provider number to a vocational rehabilitation firm, partnership, corporation or other legal entity so long as substantial control over the daily management of the vocational rehabilitation firm, partnership, corporation or other legal entity is performed by a VRC that satisfies the qualifications set forth in this rule.

NEW SECTION

WAC 296-19A-220 Can a vocational rehabilitation provider deliver vocational rehabilitation services pursu-

ant to RCW 51.32.095 without receiving a provider number from the department? No. The department may only issue provider numbers to persons, firms, partnerships, corporations and other legal entities that satisfy the qualification requirements in WAC 296-19A-210.

AUDITING AND OVERSIGHT

NEW SECTION

WAC 296-19A-230 Why does the department audit vocational rehabilitation providers? The department audits providers to:

(1) Ensure that the provider is providing services conforming to accepted standards of service;

(2) Ensure compliance with the Revised Code of Washington, the Washington Administrative Code, and department policies governing vocational rehabilitation services.

NEW SECTION

WAC 296-19A-240 What authority does the department have to audit vocational rehabilitation providers?

(1) The department has the authority to:

(a) Conduct audits of a provider, either for cause or at random;

(b) Conduct audits at a provider's place of business; (c) Conduct audits away from a provider's place of business, using copies of all files and records supplied by the provider;

(d) Require a provider to submit legible copies of all files and records requested for audit;

(e) Inspect and audit all of the provider's vocational rehabilitation files and records relating to services delivered under Title 51 RCW;

(f) Inspect and audit a provider's documentation supporting charges billed for vocational rehabilitation services delivered.

(2) For information regarding the formal appeals process refer to chapter 51.52 RCW.

NEW SECTION

WAC 296-19A-250 How much notice is the department required to give a vocational rehabilitation provider prior to an audit? The department will give ten working days' written notification to a provider before starting an audit.

NEW SECTION

WAC 296-19A-260 What are the possible consequences for a provider that does not comply with the RCWs, WACs, or department policies? The department may order corrective action(s) when it determines that a provider is not in compliance with department statute, rule, or written department policy. Possible corrective actions include, but are not limited to:

(1) Submission and implementation of a written corrective action by the provider showing how the provider will come into compliance;

(2) Recoupment of payments, plus interest, made to the provider;

(3) Requirement that the provider satisfactorily complete remedial education courses and/or other educational or training programs;

(4) Suspension or termination of the provider's ability to receive payment for vocational rehabilitation services rendered to industrially injured or ill workers under the Industrial Insurance Act;

(5) Rejection of a provider's application to provide vocational rehabilitation services to industrially injured or ill workers under the Industrial Insurance Act;

(6) Denial or rejection of a request for payment submitted by or on behalf of the provider;

(7) Placement of the provider on prepayment review status requiring the submission of supporting documents prior to payment;

(8) Assessment of penalties.

NEW SECTION

WAC 296-19A-270 In what situation(s) can the department take corrective action(s)? (1) Reasons the department can order corrective actions against a vocational rehabilitation provider include, but are not limited to, the following:

(a) Commission of an act involving moral turpitude, dishonesty, or corruption relating to the provision of vocational rehabilitation services whether the act constitutes a crime or not;

(b) Misrepresentation or concealment of a material fact in obtaining a department provider number, or in response to any request for information about service delivery made by the department;

(c) Provision of vocational rehabilitation services without having a department provider number;

(d) Use of persons that do not possess a department provider number to deliver vocational rehabilitation services;

(e) Operation of a vocational firm, partnership, corporation, or other legal entity in violation of the business requirements set forth in RCW, WAC, or written department policy;

(f) Use of false, fraudulent, or misleading advertising;

(g) Commission of any incompetent or negligent action which presents the significant risk of resulting in harm to an industrially injured or ill worker, the referral source, or an employer;

(h) Submission of a false or misleading report or document as part of delivering vocational rehabilitation services;

(i) Failure to supervise a vocational rehabilitation intern in accordance with RCW, WAC, or written department policy;

(j) Failure to comply with any order issued by the department;

(k) Disclosure of confidential information on vocational rehabilitation services to a person who is not entitled to it;

(1) Charges an industrially injured or ill worker or employer a fee for delivering vocational rehabilitation services on a referral from the referral source; and

(m) Bills an industrially injured or ill worker or state fund employer for providing services under the Industrial Insurance Act.

(2) The department can take corrective action(s) for other violations of RCW, WAC, or written department policy not specifically mentioned above.

NEW SECTION

WAC 296-19A-280 What criteria does the department use to evaluate a vocational rehabilitation provider's performance? The department must make referrals for vocational rehabilitation services based on the vocational rehabilitation provider's performance. The performance measurement factors for vocational rehabilitation providers will include, but not be limited to:

(1) Cost for services delivered;

(2) Length of time taken to provide the services;

(3) The outcome of the vocational rehabilitation services;

(4) Complexity of cases referred; and

(5) Whether the vocational rehabilitation services conformed with department rules and accepted standards of good practice.

NEW SECTION

WAC 296-19A-290 How does the department incorporate performance measurement into making referrals to providers? Based on WAC 296-19A-280, the department will generate periodic performance ratings for vocational rehabilitation providers. The performance ratings will be the method used for making referrals from the department to vocational rehabilitation providers based on quality and effectiveness.

NEW SECTION

WAC 296-19A-300 How does the department evaluate performance when a vocational rehabilitation provider does not have either a performance rating with the department or previous experience delivering services to Washington injured workers? (1) Several situations exist in which a vocational rehabilitation provider may not have a performance rating with the department or may not have sufficient experience with Washington industrially injured or ill workers covered by the department to establish a performance rating.

(2) Provider community commentary, expert opinion and best practices suggest that there is a correlation between a higher level of vocational rehabilitation services and higher qualifications of vocational rehabilitation providers. Based upon this information, the department concludes that referrals to providers who satisfy these minimum qualification criteria set forth in WAC 296-19A-210 (1)(a) and (2)(a), but who do not have a performance rating with the department,

may be appropriate. The department will ensure that these providers are complying with department statutes, rules, and policies and furnishing a high level of service through close and continued monitoring. The department may consider making referrals to vocational rehabilitation providers, on a trial basis, for whom the department does not have performance rating data, under the following circumstances:

- (a) The provider fulfills the qualification requirements set forth in WAC 296-19A-210 (1)(a), (2)(a); and
- (b) The department may consider making referrals sufficient to develop a reliable performance rating.
- (3) If the department elects to refer and monitor a limited number of cases to the provider(s) in order to evaluate a provider's performance and develop performance rating, the department makes no guarantee of future referrals to the provider.

NEW SECTION

WAC 296-19A-310 Are vocational rehabilitation providers entitled to referrals from the department? The department or self-insured employer refers industrially injured or ill workers for vocational rehabilitation services at their sole discretion. No provider is entitled to referrals from the referral source.

NEW SECTION

WAC 296-19A-320 What other requirements are providers required to follow? By rendering vocational rehabilitation services to industrially injured or ill workers under RCW 51.32.095, the vocational rehabilitation provider agrees to comply with Title 51 RCW, chapters 296-19A and 296-15 WAC, and the department's fee schedule.

BILLING AND DOCUMENTATION SECTION

NEW SECTION

WAC 296-19A-330 How does a vocational rehabilitation provider receive payment for services? All providers must apply for and receive a provider number from the department in order to bill the department and get paid for providing vocational rehabilitation services to industrially injured or ill workers. More detailed billing instructions for vocational rehabilitation services are available from the department.

NEW SECTION

WAC 296-19A-340 For what services will the department not pay? The following services are considered overhead and the department will not pay for these services:

- (1) Administrative and supervisory salaries and related personnel expenses;
- (2) Office rent;
- (3) Depreciation;
- (4) Equipment purchase and rental;
- (5) Telephone expenses including long distance phone call charges;

- (6) Postage;
- (7) Shipping;
- (8) Expendable supplies;
- (9) Printing costs;
- (10) Copier costs;
- (11) Printing of fiche and department electronic files;
- (12) Maintenance and repair;
- (13) Taxes;
- (14) Automobile costs and maintenance;
- (15) Insurance;
- (16) Dues and subscriptions;
- (17) Vacation, sick leave, and other expenses of a similar nature;
- (18) Internal staffing time;
- (19) Filing of material in case files;
- (20) Setting up files;
- (21) Activities associated with reports other than composing or dictating complete draft of the report (e.g., editing, filing, distribution, revising, typing, and mailing);
- (22) Generating and keeping internal recordkeeping forms;
- (23) Time spent on any administrative and clerical activity, including typing, copying, mailing, distributing, filing, payroll, recordkeeping, delivering mail, picking up mail;
- (24) Activities associated with counselor training, general discussion regarding office procedures, internal case file reviews by supervisors, meetings, and seminars;
- (25) Unanswered phone calls; and
- (26) Any other item or service not specifically identified and separately billable.

NEW SECTION

WAC 296-19A-350 What are the requirements for case notes? Vocational rehabilitation providers must maintain case notes. Case notes must:

- (1) Include the first and last name of the industrially injured or ill worker being served and the worker's claim number at the top of each page;
- (2) Include the first and last name of the vocational rehabilitation provider providing each service documented on each page;
- (3) Be kept in a claimant file corresponding to the reports, medical information, correspondence, and other materials that they provide documentation for;
- (4) Testing and other records with special confidentiality requirements may be kept in separate files;
- (5) Be legible;
- (6) Be in chronological order;
- (7) Record the date each service was provided month/day/year;
- (8) Include the amount of time, recorded in tenths of an hour, required to provide each service;
- (9) Describe each service sufficiently to allow the referral source to verify the purpose, level, type, and outcome of each service provided and substantiate the charges billed for them.

NEW SECTION

WAC 296-19A-360 What are the requirements for bills submitted to the department? (1) Any bill a provider submits to the department must include the following information:

- (a) Worker's name;
- (b) Worker's claim number;
- (c) Vocational referral number;
- (d) Dates of service;
- (e) Place of service;
- (f) Type of service;
- (g) Appropriate procedure code(s);
- (h) Charge;
- (i) Units of service;
- (j) Total bill charge;
- (k) The name and the department-assigned provider ID of the counselor or intern rendering the services;
- (l) Provider number of the payee;
- (m) Date of billing;
- (n) Submission of any supporting documentation required under other sections of this chapter.

(2) Itemize the bills on department approved forms. A vocational rehabilitation provider may transmit the bills electronically if the provider uses department file format specifications. If the provider uses any of the electronic transfer options, the provider must follow department instructions for electronic billing.

(3) The provider must bill using procedure codes, fees, and methods provided by the department. The department will publish codes, fees, and procedures and provide this information to all vocational rehabilitation providers receiving department referrals. The department will establish fees at regular intervals.

(4) Document all billed charges and justify the type, level and extent of services in the case notes. A provider's billed charges must be consistent with the services provided. The department may reduce, deny, or recoup payment whenever case notes fail to document billed charges or services provided.

(5) It is the vocational rehabilitation provider's responsibility to make sure the charges billed are complete and accurate, even if a third party is actually performing the billing.

(6) The vocational rehabilitation provider is encouraged to bill every two weeks. The department must receive bills within one year of the date of service to be eligible for payment.

NEW SECTION

WAC 296-19A-370 What are the procedures for adjustments to provider bills? (1) The department or self-insurer may adjust payment of charges when appropriate. The department or self-insurer must provide a written explanation of why they adjusted a billing or line item of a bill when they make any adjustment. In cases where the department is the referral source, it will not give the provider a written explanation if the department made the adjustment solely to conform to its maximum allowable fees.

(2) The department or self-insurer must receive any inquiries about a bill adjustment within ninety days from the date of payment to be considered. All provider inquiries must be in the required format.

NEW SECTION

WAC 296-19A-380 What are the procedures for rebilling? (1) If a provider does not receive payment or notification from the department within one hundred twenty days, he or she may rebill for services.

(2) Rebills should be identical to the original bill: Same charges, codes, and billing date.

NEW SECTION

WAC 296-19A-390 What are the procedures for repayment of excess payment of charges? (1) When a vocational rehabilitation provider receives a payment to which that provider is not entitled, the provider must repay the excess amount, plus accrued interest, without regard to whether the excess payment occurred due to provider or department error or oversight.

(2) Interest accrues on excess payments at the rate of one percent per month or portion of a month beginning on the thirty-first day after payment was made. Where partial repayment on an excess payment is made, interest accrues on the remaining balance.

(3) The department reserves the option of either requesting the provider to remit the amount of excess payment and accrued interest to the department or offsetting excess payments and accrued interest against future payments due the provider.

NEW SECTION

WAC 296-19A-400 What records are vocational rehabilitation providers required to maintain? (1) A vocational rehabilitation provider must maintain adequate documentation in claimant-specific files to verify the level, type, and extent of the vocational rehabilitation services provided to and on behalf of industrially injured or ill workers.

(2) A vocational rehabilitation provider who requests payment from the referral source for vocational rehabilitation services must maintain all records necessary for the director's authorized auditors to audit the provision of services. Providers need to keep all records necessary to disclose the specific nature and extent of all services provided for an industrially injured or ill worker, along with the amounts billed to the department, for those services. Records must be maintained for audit purposes for a minimum of five years.

NEW SECTION

WAC 296-19A-410 What is the purpose of the department's vocational dispute process? The purpose is to avoid delays in vocational rehabilitation services by resolving disputes between industrially injured or ill workers, employers and the referral source.

NEW SECTION

WAC 296-19A-420 Who can dispute a vocational determination? The following parties are authorized to dispute a vocational determination made by the referral source:

- (1) An industrially injured or ill worker;
- (2) An employer; or
- (3) The representative of an industrially injured or ill worker or employer.

NEW SECTION

WAC 296-19A-430 Can a vocational rehabilitation provider dispute a vocational determination? A vocational rehabilitation provider cannot dispute a vocational determination.

NEW SECTION

WAC 296-19A-440 What elements of a vocational determination may be disputed? A finding that an industrially injured or ill worker is eligible for vocational rehabilitation services, or a finding that he or she is ineligible for vocational rehabilitation services, may be disputed. An approved vocational rehabilitation plan may also be disputed.

NEW SECTION

WAC 296-19A-450 What are the time frames for filing a dispute of a vocational determination with the department? The department must receive the written dispute within fifteen calendar days of receipt of notification to the worker or employer. The dispute must explain the reason(s) for the disagreement with the determination. The department may accept the dispute if it is not received within the fifteen-day period if there is a demonstrated good cause for the delay.

NEW SECTION

WAC 296-19A-460 What part of the department is charged with reviewing vocational disputes? The vocational dispute resolution office (VDRO) consultant reviews disputes of vocational determinations and makes a recommendation to the director, who makes a final decision. Disputes should be sent to the director, in care of the VDRO.

NEW SECTION

WAC 296-19A-470 What is the process for review of a vocational dispute? VDRO will review the written dispute and issue an acceptance letter, which will be sent to all parties. If the department does not accept your dispute, the letter will explain the reason(s) for the rejection. A copy of this letter, along with the written dispute, will be sent to all involved parties.

The director, at his or her sole discretion, will initiate a review of an accepted dispute to determine further action. If necessary, and at the discretion of the director, VDRO staff will contact the parties to attempt to resolve the dispute.

If the dispute is not resolved, the director in his or her sole discretion will take other action that he or she considers appropriate to protect the rights of the parties. The director will promptly inform all parties, in writing, of what action is taken.

EFFECTIVE DATESNEW SECTION

WAC 296-19A-480 When must providers comply with these rules? (1) The following section of chapter 296-19A WAC becomes effective on December 1, 2000:

WAC 296-19A-210 What are the qualifications to provide vocational rehabilitation services to industrially injured or ill workers?

(2) The following sections of chapter 296-15 WAC become effective on December 1, 2000:

(a) **WAC 296-15-500** What vocational rehabilitation reports are required for self-insured employers?

(b) **WAC 296-15-510** What is the process used for vocational rehabilitation with regard to self-insured employers?

(3) All remaining sections of chapter 296-19A WAC become effective on June 1, 2001.

NEW SECTION

WAC 296-15-500 What vocational rehabilitation reports are required for self-insured employers? The following reports are required from the self-insurer to be sent to the self-insurance section. The criteria outlined in RCW 51.32.095, WAC 296-19A-010 and department guidelines must be followed to determine employability.

(1) Self-insured rehabilitation referral. A form submitted no later than after paying ninety continuous days of time loss after the initial filing or reopening of a claim. If more time is necessary, an extension may be requested on this form. The format for this form will be supplied by the department.

(2) Employability assessment report. If a vocational referral is not being made and an extension of time is not necessary, this form must be completed and submitted to the self-insured section no later than after paying ninety continuous days of time loss after the initial filing or reopening of a claim. The format for this form will be supplied by the department.

(3) A vocational rehabilitation plan shall be submitted to the self-insurance section by the self-insurer no later than ten calendar days after being signed by the injured worker, vocational rehabilitation provider and the employer. The plan will follow the criteria below:

(a) A vocational rehabilitation plan shall be approved by the referral source prior to its implementation. After the plan has been approved by the referral source, injured worker and vocational rehabilitation counselor, a copy of it shall be sent to all individuals with responsibilities under it. The plan shall contain the following:

(i) Assessment of the skills and abilities, based on the physical capacities and mental status, aptitudes, and transferable skills of the injured worker;

- (ii) The services necessary to enable the injured worker to become employable at gainful employment;
- (iii) Labor market information indicating the employability of the injured worker at plan completion;
- (iv) An estimate of the cost and the time necessary for the completion of the plan;
- (v) A direct comparison of the injured worker's skills with potential types of employment to demonstrate a likelihood of success;
- (vi) If necessary, a job analysis of the injured worker's previous occupation, including earnings, may be included; and
- (vii) Any other information that will significantly affect the plan.

(b) The following priorities shall be addressed and justification given to why each preceding priority was not used:

- (i) Return to the previous job with the same employer;
- (ii) Modification of the previous job with the same employer including transitional return to work;
- (iii) A new job with the same employer in keeping with any limitations or restrictions;

Modification of a new job with the same employer including transitional return to work;

(iv) Modification of the previous job with a new employer;

(v) A new job with a new employer or self-employment based upon transferable skills;

(vi) Modification of a new job with a new employer;

A new job with a new employer or self-employment involving on-the-job training; and

(vii) Short-term retraining and job placement.

(c) Each plan shall be signed by the vocational rehabilitation counselor and the injured worker. The following statement shall be printed above the signatures:

I have read the above plan and understand its contents. By signing this plan I agree to faithfully execute my responsibilities described in it.

(4) Closing report. Upon completion of a formal program, the self-insurer will submit the closing report to the department. The closing report shall contain at least the following:

- (a) Assessment of the injured worker's employability status at the time of completion of vocational services;
- (b) Whether or not the injured worker has returned to work;
- (c) Any remaining barriers to the injured worker becoming employable at gainful employment; and
- (d) An ability to work summary may be substituted for a closing report.

(5) Rehabilitation outcome report. This form is to be submitted with the final self-insurer's report on occupational injury or disease (SIF-5) or, in the case of medical only claims, with the self-insurers accident report (SIF-2), which is submitted at the time of claim closure. The format for this form will be supplied by the department and applies to all claims where vocational rehabilitation services have been provided.

NEW SECTION

WAC 296-15-510 What is the process used for vocational rehabilitation with regard to self-insured employers?

(1) No later than paying ninety continuous days of time loss following the initial filing or reopening of a claim, the self-insurer shall notify the self-insurance section as to whether or not vocational rehabilitation services are necessary and likely to enable the injured worker to become employable at gainful employment. Each of these cases will be reviewed by the self-insurance section. The criteria outlined in RCW 51.32.095, WAC 296-19A-010 and department guidelines must be followed to determine employability. If the injured worker is determined employable, the self-insurer will submit an employability assessment form which contains objective reasons why the injured worker is employable. Within twenty calendar days of receipt of an employability assessment form, the supervisor's designee within the self-insurance section will inform the self-insurer and the injured worker as to whether or not self-insurers determination of employability is approved. If an employability determination cannot be made due to medical instability, the self-insured shall request an extension by notifying the self-insurance section of the injured worker's condition and when a determination can be made. If the request for extension is not approved, notice will be sent within fifteen calendar days of receipt.

(2) The supervisor's designee within the self-insurance section of the department will receive from the self-insurer the vocational rehabilitation plan signed by the injured worker and employer. Within ten calendar days of receipt of the vocational plan, the supervisor's designee will inform the self-insurer, the vocational rehabilitation counselor and the injured worker that the plan has been received. A review of the vocational rehabilitation plan by the supervisor's designee will be initiated upon request by the employer or the injured worker. Reasons for the review must be stated in writing. A request for a plan review must be made prior to completion or termination of the plan. If necessary, conflict resolution techniques, such as conferences and fact-finding, will be used in order to resolve problems with the plan in as fair and expedient manner as possible. The supervisor's designee shall notify the parties of the plan review results no later than sixty days from the date the request was received.

Disputes of the supervisor's designee's determination must be submitted to the director in accordance with WAC 296-19A-410 to 296-19A-470.

(3) Upon completion of the formal program, the self-insurer will submit to the self-insurance section a closing report. Within ten calendar days of receipt of the closing report, the supervisor's designee shall inform the injured worker and employer that vocational services have concluded.

(4) The self-insurer shall provide the self-insurance section with a rehabilitation outcome report on a form prescribed by the department. The rehabilitation outcome report shall be attached to the final self-insurer's report on occupational injury or disease (SIF-5) or, in the case of medical only claims, with the self-insurers accident report (SIF-2), which is submitted at the time of claim closure. A rehabilitation out-

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come report will be submitted on all claims where vocational rehabilitation services have been provided.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-18A-445 Self-insured reports.
- WAC 296-18A-500 Self-insurers.
- WAC 296-18A-510 Vocational rehabilitation counselor qualifications.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-18A-420 Definitions.
- WAC 296-18A-440 Reports.
- WAC 296-18A-450 Vocational rehabilitation plan.
- WAC 296-18A-460 Audits.
- WAC 296-18A-470 Disputes.
- WAC 296-18A-480 Responsibilities.
- WAC 296-18A-490 Billing for vocational services.
- WAC 296-18A-515 Period of registration.
- WAC 296-18A-520 Job modification assistance.

WSR 00-18-095
PERMANENT RULES
COLUMBIA BASIN COLLEGE

[Filed September 5, 2000, 2:45 p.m.]

Date of Adoption: September 1, 2000.

Purpose: Changes will bring up to date with current board and administrative policies and procedures relative to students rights and responsibilities which address the student as a member of the campus community and define expectations of conduct, processing of all actions of misconduct with appeal mechanisms and disciplinary action.

Citation of Existing Rules Affected by this Order: Repealing WAC 132S-40-010 through 132S-40-080 and 132S-40-140 through 132S-40-155; and amending WAC 132S-40-005.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Adopted under notice filed as WSR 00-12-010 on May 25, 2000.

Changes Other than Editing from Proposed to Adopted Version: The addition of WAC 132S-40-190 [(3)](g).

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 10, Amended 1, Repealed 19.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 10, Amended 1, Repealed 19.

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

September 1, 2000
 Lee R. Thornton, Ph.D.
 President

AMENDATORY SECTION (Amending Order 82-1, filed 10/11/82)

WAC 132S-40-005 Code of conduct, student—Definition. As used in chapter 132S-40 WAC, the following words and phrases are defined:

- (1) "Board" shall mean the board of trustees of Community College District No. 19, state of Washington.
- (2) "College" shall mean Columbia Basin Community College or any additional community college hereafter established within Community College District No. 19, state of Washington.

(3) "Liquor" shall mean the definition of liquor as contained within RCW 66.04.010(15) as now law or hereafter amended.

(4) "Drugs" shall mean and include any narcotic drug and shall include any dangerous drug.

(5) "College facilities" shall mean and include any or all real property controlled or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(6) "Assembly" shall mean any overt activity engaged in by one or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons, or group of persons.

(7) "Disciplinary action" shall mean and include the expulsion, suspension or reprimand of any student ((by the college president)) pursuant to WAC ((132S-40-075)) 132S-40-170 for the violation of any designated rule or regulation of the rules of student conduct for which a student is subject to disciplinary action.

(8) "Student" shall mean and include any person who is ((regularly)) enrolled at the college.

(9) "President" shall mean the president appointed by the board of trustees or in such president's absence, the acting president.

(10) "Rules of student conduct" shall mean the rules contained within chapter 132S-40 WAC as now exist or which

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may be hereafter amended, the violation of which subject a student to disciplinary action.

(11) "Hearing panel" shall mean the hearing panel as denominated in WAC 132S-40-060.

CODE OF STUDENT RIGHTS AND RESPONSIBILITIES

NEW SECTION

WAC 132S-40-160 Student rights. The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy, which are deemed necessary to achieve the educational goals of the college:

(1) Academic freedom.

(a) Students are free to pursue educational objectives from among the college's curricula, programs, and services subject to the provisions of this chapter.

(b) Students have the right to a learning environment that is free from unlawful and/or discriminatory actions.

(2) Due process.

(a) No disciplinary sanctions may be imposed upon any student without notice to the accused of the nature of the charges.

(b) A student accused of violating this code of student rights and responsibilities is entitled, upon request, to procedural due process as set forth in the provisions of this chapter.

(3) Distribution and posting.

Students may distribute or post printed material subject to official procedures available in the student programs office.

(4) Freedom of association and organization.

Students are free to organize and join associations to promote any legal purpose. Student organizations must be granted a charter by the Associated Students of Columbia Basin College (ASCBC) before they may be officially recognized.

(5) Use of college facilities.

Any recognized ASCBC organization may request use of available college facilities for authorized activities. Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

(6) Confidentiality of records.

Students have the right to maintain confidentiality of records and access to records as outlined in college rules.

NEW SECTION

WAC 132S-40-165 Student responsibilities/violations. The following rules apply to students engaged in or present at any on-campus or off-campus college-related activity. A student's off-campus conduct may be considered in determining discipline. Any student shall be subject to disciplinary action who, either as a principal or participator or by aiding or abetting, commits any of the following which are hereby prohibited:

(1) Abusive conduct: Physical and/or verbal abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(2) Destroying or damaging property: Intentional or reckless damage to or misuse of college property, or the property of any person where such property is located on the college campus.

(3) Dishonesty: All forms of dishonesty including, but not limited to: Cheating; plagiarism; knowingly furnishing false information to the college; intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency on college premises or at any college-sponsored activity; forgery; alteration or use of college documents or instruments of identification with intent to defraud.

(4) Disorderly conduct: Material and substantial interference with the personal rights or privileges of others or the educational process of the college.

(5) Drugs: Using, possessing, furnishing or selling any illegal narcotic or dangerous drug as those terms are used in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical practitioner.

(6) Incitement of others: Intentionally and/or recklessly inciting others to engage in any prohibited conduct as defined herein, which incitement directly leads to such conduct. Inciting is the advocacy which prepares the group or individual addressed for immediate action and compels that individual or group to engage in the prohibited conduct.

(7) Insubordination: Failure to comply with lawful directions of college personnel acting in performance of their lawful duties.

(8) Liquor: Possessing, consuming, or furnishing of alcoholic beverages on a college-owned or controlled property or at college-sponsored or supervised functions where prohibited by law.

(9) Theft: The unauthorized taking or removing of another's property with the intent of depriving the owner of the property.

(10) Trespass/unauthorized presence: Entering or remaining unlawfully, as defined by state law, or using college premises, facilities, or property without authority.

(11) Weapons: Carrying, exhibiting, displaying or drawing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

(12) Hazing: Initiation into a student organization that causes or is likely to cause bodily danger or physical harm, or serious mental or emotional harm to any person as described in RCW 28B.10.900.

(13) Identification: Failure to provide evidence of student enrollment upon request of college officials.

(14) Criminal law violation/illegal behavior/other violations: Students may be accountable to the civil or criminal authorities and the college for acts which constitute viola-

tions of federal, state, or local law as well as college rules and policy where those acts occur on-campus or affect the property, rights or person of another individual. The college may refer any such violation to civilian or criminal authorities for disposition.

NEW SECTION

WAC 132S-40-170 Disciplinary proceedings. (1) Initiation of disciplinary action: Anyone may report, in writing, violations to the dean for student services, or designee, who may initiate disciplinary action.

(2) Notice requirements: Any student charged with a violation shall be given written notice personally or sent written notice by registered or certified mail to the most recent address in the student's record on file with the college no later than fifteen calendar days after a reported violation. The notice shall not be ineffective if presented later due to the student's absence. Such notice shall:

(a) Inform the student that a report has been filed alleging that the student violated specific provisions of college policy and the date of the violation;

(b) Set forth those provisions of the code of student rights and responsibilities allegedly violated and the specific acts which are alleged to be violations;

(c) Specify the time, date, and location where the student is required to meet with the dean. The meeting shall be scheduled not earlier than three days and within thirty calendar days of the mailing of the notification to the student, subject to modification by the dean or designee either at the student's or college's request for reasonable cause;

(d) If the student elects to be represented by an attorney, he/she must tender notice to the dean not less than three days prior to the meeting with the dean;

(e) Inform the student that, in the event a hearing before the student judicial board is requested, he/she may have anyone appear in his/her behalf to defend him/her and he/she may have a maximum of three character witnesses appear in his/her behalf;

(f) Inform the student that failure to appear at the appointed time and place may subject the student to suspension from the institution for a stated or indefinite period of time.

(3) Meeting with the dean for student services:

(a) At the meeting with the dean, the student shall be informed of the following:

(i) Which provisions of the code of student rights and responsibilities are involved;

(ii) That the student may appeal any sanction imposed by the dean; and

(iii) That if a hearing with the student judicial board is requested, the student has the right to have that hearing open to the public.

(b) After considering the evidence in the case and interviewing the student or students involved and/or other individuals as appropriate, the dean may take any of the following actions:

(i) Terminate the proceedings exonerating the student or students; or

(ii) Impose disciplinary sanctions as provided for later in this code; or

(iii) Refer the matter to the student judicial board for appropriate action.

(c) Notification of action by the dean shall be delivered to the student personally or sent by registered or certified mail to the most recent address in the student's record on file with the college within thirty calendar days of the meeting and a copy filed with the office of the dean.

(d) Disciplinary action taken by the dean is final unless the student exercises the right of appeal as provided for in these rules.

(4) Student judicial board:

(a) Composition: The college shall have a standing student judicial board composed of six members who shall be chosen and appointed by October 1 of each year to serve as a standing committee until their successors are appointed. The membership of the board shall consist of two members of the administration (except the dean for student services) appointed by the president; two faculty members appointed by the faculty senate; and two students appointed by the president of the ASCBC.

(b) Chairperson: The student judicial board shall elect a chairperson from among the administration or faculty members. The chairperson shall preside at every disciplinary hearing and shall provide administrative oversight throughout the hearing process. The chairperson may participate in committee deliberations but shall not vote unless it is necessary to constitute a quorum or the vote of the judicial board is tied, at which time the chairperson shall cast the deciding vote.

(c) Hearing procedures:

(i) The student judicial board will hear, de novo, all disciplinary cases appealed to the committee by the student or referred to it by the dean.

(ii) The student shall be sent written notification of the following:

(A) The time, date, and location of the hearing;

(B) The specific violation alleged against him/her;

(C) The names of the persons on the student judicial board; and

(D) The student be accorded reasonable access to the case file which will be retained by the dean. Such notice shall be made to the student personally or mailed by registered or certified mail to the most recent address in the student's record on file with the college at least seven calendar days prior to the hearing.

(iii) A board member who has a personal relationship, personal interest, or other interest which would prevent that person from rendering a fair and impartial decision must recuse him/herself from sitting for that case.

(iv) A student may request in writing and for good cause within a reasonable time prior to the hearing that a board member recuse or disqualify him/herself. In the event of such a request, the board shall consider the request prior to the time scheduled for the hearing and the board shall decide whether the board member should be disqualified for that hearing.

(v) The parties involved in the hearing will be requested to submit their witness list and any documentary evidence to

be discussed at the hearing to the hearing chairperson within a reasonable time but not less than three days prior to the hearing.

(vi) Hearings will be closed to the public except if requested by the student and at the discretion of the chairperson. At all times, however, all parties, the witnesses, and the public shall be excluded during the deliberations of the student judicial board.

(vii) A quorum shall consist of no less than three members provided that such quorum shall include at least one student, one faculty member, and one administrator.

(viii) The chairperson shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the student, who disrupts a hearing or who fails to adhere to the rulings of the chairperson or committee advisor may be excluded from the proceedings and may be subject to disciplinary action as set forth in this policy.

(ix) The student may question witnesses, bring an advocate to defend him/herself, and have a maximum of three character witnesses appear on his/her behalf. If the student elects to be represented by an attorney, he/she must tender notice to the dean not less than three days prior to the hearing.

(x) The burden of proof shall be on the dean or designee who must establish the alleged violation(s) by a preponderance of the evidence.

(xi) Formal rules of evidence and procedure shall not be applicable in disciplinary proceedings conducted pursuant to this code. The chairperson shall admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

(xii) The dean may appoint a special presiding officer to the student judicial board in complex cases or in any case in which the respondent is represented by legal counsel. Special presiding officers may participate in committee deliberations but shall not vote.

(xiii) In order that a complete record of the proceeding can be made to include all evidence presented, hearings shall be recorded or transcribed except for the deliberations of the student judicial board.

(xiv) After considering the evidence in the case, the student judicial board shall decide by majority vote whether to:

(A) Terminate the proceedings exonerating the student(s); or

(B) Impose disciplinary sanctions as set forth in this document.

(xv) The decision of the student judicial board must include a written summary in sufficient detail to permit appellate review of the violations alleged, testimony and evidence, and conclusions. Decisions of the student judicial board shall, within ten calendar days, be delivered to the student personally or sent by registered or certified mail to the student's most recent address in the student's record on file with the college and a copy filed with the office of the dean.

(xvi) Disciplinary action taken by the student judicial board is final unless the student exercises the right of appeal as provided for in these rules.

NEW SECTION

WAC 132S-40-175 Appeals of disciplinary action.

(1) Appeals of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary decisions and action taken by the dean for student services or designated representative may be appealed by the student to the student judicial board.

(b) Disciplinary decisions and action taken by the student judicial board may be appealed by the student to the college president.

(2) All appeals by a student must be made in writing and received by the dean within ten calendar days of notification of the dean's or the judicial board's action. Failure to file a written appeal within the time period specified will result in the action(s) becoming final with no further right of appeal.

(3) The decision of the student judicial board shall not be set aside or modified unless the president finds the factual determination to be clearly erroneous or the application of rules to these facts to be arbitrary and capricious.

NEW SECTION

WAC 132S-40-180 Disciplinary sanctions. (1) Warning. Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Reprimand. Formal action censuring a student for violation of the college rules or regulations or failure to meet the college's standards of conduct. Reprimands shall be made in writing to the student by the dean or the student judicial board with copies filed in the office of the dean. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(3) Restitution. An individual student may be required to make restitution for damage or loss to the college. Failure to make restitution within thirty days will result in suspension for an indefinite period of time as set forth in subsection (5) of this section, provided that a student may be reinstated upon payment or upon a written agreed plan of repayment. Failure to strictly comply with the terms of a repayment plan will result in immediate suspension.

(4) Disciplinary probation. Formal action placing conditions upon the student's continued attendance for violations of college rules or regulations or other failure to meet the college's standards of conduct. Written notice of disciplinary probation will specify the period of probation and any condition including, but not limited to, limiting the student's participation in extra-curricular activities or access to specific areas of the college's facilities. Copies of the notice shall be kept on file in the office of the dean and in the student's official educational records. Disciplinary probation may be for a specified term or for an indefinite period which may extend

to graduation or other termination of the student's enrollment in the college.

(5) Suspension/dismissal. Temporary, indefinite, or permanent dismissal from the college of a student for violation of college rules and regulations. The notification suspending/dismissing a student will indicate, in writing, the term of the suspension and any special conditions which must be met before readmission. Copies of the notification shall be kept on file in the office of the dean and in the student's official education record.

Refund of fees for the quarter in which disciplinary action is taken shall be in accord with the college's refund policy.

Students who are suspended from the college may be denied access to all or any part of the campus or other facilities during the duration of the period of suspension.

NEW SECTION

WAC 132S-40-185 Summary suspension procedures.

(1) Initiation of summary suspension procedures.

The dean or designee may suspend any student of the college for not more than ten academic calendar days pending investigation, action or prosecution on charges of alleged violation or violations of college policy, if the dean or designee has reason to believe the student presents a threat of immediate harm to him/herself or others.

(2) Permission to enter or remain on campus.

During the period of summary suspension, the suspended student shall not enter the campus of the college or any facility under the operation of the college other than to meet with the dean or designee or to attend the hearing. However, the dean may grant the student special permission to enter the campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

(3) Notice of summary suspension proceedings.

(a) If the dean or designee finds it necessary to exercise the authority to summarily suspend a student, he/she shall give the student notice, orally or in writing, stating:

- (i) The time, date, place and nature of the alleged misconduct;
- (ii) The evidence in support of the charge(s);
- (iii) The corrective action or punishment which may be imposed against the student;
- (iv) The possibility that anything the student says to the dean may be used against the student; and
- (v) The student's right to either accept the disciplinary action or, within forty-eight hours or two work days following receipt of this notification, file at the office of the dean a written request for a hearing by the student judicial board. If the request is not filed within the prescribed time, it will be deemed as waived.

(b) Appeal and hearing. If oral notice is given, it shall be followed by written notice within forty-eight hours or two working days. The hearing shall be accomplished according to the procedures set forth in this document. Failure by the student to appear at the hearing with the student judicial board shall result in the dean or designee suspending the student from the college.

(c) Nothing herein shall prevent faculty members from taking reasonable summary action as may be reasonably necessary to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student, or the safety and protection of other students on college property, or where the student's conduct materially and substantially disrupts the educational process. Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two scheduled classroom days.

NEW SECTION

WAC 132S-40-190 Student complaints. The purpose of these procedures is to establish a process whereby a student may express and resolve misunderstandings or complaints with any college employee in a fair and equitable manner. This procedure emphasizes an informal resolution.

(1) Complaints excluded:

(a) Complaints based on the outcomes of the disciplinary proceedings described in this student rights and responsibilities code.

(b) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Columbia Basin College.

(c) Academic evaluations.

(d) Sexual harassment, sex discrimination, or handicapped discrimination complaints. For these complaints a student shall use the provisions of the established college grievance procedures on sexual harassment, sex discrimination, and handicapped discrimination, as outlined in college policy and rules which are available within the office of the dean for student services.

(2) Initiating a complaint.

If a student believes he or she has been unfairly treated by a college employee, the student is encouraged to resolve the complaint with the individual toward whom the complaint is directed. Prior to filing a formal complaint, the student must use the following procedure:

(a) The student and the college employee should make a good-faith effort to resolve the complaint on a one-to-one basis within fifteen instructional days from the date of the complaint. In the event of absence from campus by the employee, the student shall contact the employee's supervisor for advice on how to proceed with the complaint. If the student feels that he/she cannot meet face-to-face with the employee, he/she may directly contact the supervisor.

(b) If the student determines that a complaint cannot be resolved appropriately with the employee concerned, the student may contact the supervisor of the employee to facilitate a solution to the complaint.

(c) If a complaint filed with the supervisor has not been resolved, the student may proceed with a formal complaint.

(3) Proceeding with a formal complaint:

(a) Office to address: Complaints regarding an educational services employee or policy shall be addressed to the appropriate dean. Complaints regarding an administrative services employee or policy shall be addressed to the vice president of administrative services or designee.

(b) The dean, vice president, or leads shall discuss the concerns with the student and options available to resolve the concern. If the student should elect to proceed with the formal complaint, the student must outline in writing the complaint, identifying dates and persons involved as accurately as possible.

(c) The dean, vice president, or leads shall also inform the student that he/she may choose an advisor to assist the student in the completion of the complaint process. If the student elects to choose an attorney as counsel, he/she must tender three days notice thereof to the dean.

(d) The student's written complaint shall be forwarded to the employee concerned within five calendar days. The employee shall provide a written response within ten calendar days.

(e) If the written response does not resolve the complaint to the satisfaction of the student, the dean, vice president, or leads shall convene a conference of all the involved parties within ten calendar days to:

(i) Attempt to resolve to the satisfaction of all parties the complaint; and/or

(ii) Hear the issue(s) and take appropriate action(s) to resolve the complaint.

(f) Action taken by the dean, vice president, or leads, if any, may be appealed to the president/vice president, as appropriate. The decision of the president shall be final.

(g) Factual determinations made under the student complaint process about faculty or staff apply only to the resolution of issues with students, and bind no other proceeding.

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

NEW SECTION

WAC 132S-40-195 Grounds for ineligibility. Any student found to have violated chapter 69.41 RCW, which prohibits the unlawful sale, delivery or possession of prescription drugs, shall, after hearing, be disqualified from participation in any school-sponsored athletic events or activities.

NEW SECTION

WAC 132S-40-200 Initiation of ineligibility proceedings. The dean or designee shall have the authority to request commencement of athletic ineligibility proceedings whenever he or she has reasonable cause to believe that the student has violated chapter 69.41 RCW or has been advised that the student has been convicted of a crime involving the violation of chapter 69.41 RCW. The notice of the alleged violations and proposed suspension and the opportunity for a hearing shall be given to the student at least ten days before the hearing. A student convicted of violating chapter 69.41 RCW in a separate criminal proceeding may be given by the dean or designee an interim suspension pending final determination of any administrative proceeding held under these rules. Should the student desire not to go forward with the hearing, the disqualification for participation in athletic events or

activities shall be imposed as set forth in the notice of hearing to the student.

NEW SECTION

WAC 132S-40-210 Ineligibility proceedings. The president of the college or designee shall select a presiding officer who shall be a college officer who is not involved with the athletic program to conduct the brief adjudicative hearing. The presiding officer shall promptly conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, currently RCW 34.05.482 through 34.05.494. A written decision shall be issued within ten calendar days of the conclusion of the brief adjudicative hearing.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132S-40-010 Liquor.
- WAC 132S-40-015 Drugs.
- WAC 132S-40-020 Larceny.
- WAC 132S-40-025 Assault.
- WAC 132S-40-030 Forgery.
- WAC 132S-40-035 Misdemeanor and/or felony.
- WAC 132S-40-040 Cheating.
- WAC 132S-40-045 Damaging property.
- WAC 132S-40-046 Trespass.
- WAC 132S-40-055 Disciplinary action.
- WAC 132S-40-060 Hearing panel.
- WAC 132S-40-065 Hearing panel procedures.
- WAC 132S-40-070 Hearing panel decision.
- WAC 132S-40-075 Imposition of discipline.
- WAC 132S-40-080 Student appeal.
- WAC 132S-40-140 Grounds for ineligibility.
- WAC 132S-40-145 Suspension procedure—Right to informal hearing.
- WAC 132S-40-150 Hearing.
- WAC 132S-40-155 Decision.

PERMANENT

WSR 00-18-099
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Adult Services Administration)
[Filed September 5, 2000, 3:47 p.m.]

Date of Adoption: September 5, 2000.

Purpose: Amending these rules for home and community programs is necessary to correct wording and to clarify the intent. It eliminates redundant language, replacing with WAC references and clarifies policies on participation requirements for SSI, SSI-related, and GA-X clients.

Citation of Existing Rules Affected by this Order: Amending WAC 388-71-0445, 388-71-0470, and 388-71-0480.

Statutory Authority for Adoption: RCW 74.09.520, 74.09.530, 74.39A.110, [74.39A.]120, [74.39A.]130, and section 205 (1)(c), chapter 346, Laws of 1998, and RCW 74.39A.030.

Adopted under notice filed as WSR 00-12-035 on May 30, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 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 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 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

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

September 5, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-04-056, filed 1/28/00, effective 2/28/00)

WAC 388-71-0445 Am I eligible for Chore-funded services? To be eligible for Chore-funded services, you must:

- (1) Be eighteen years of age or older;
- (2) Require assistance with at least one of the direct personal care tasks listed in WAC 388-15-202(17);
- (3) Not be eligible for MPC or COPEs, Medicare home health or other programs if these programs can meet your needs;
- (4) Have net household income (as described in WAC 388-450-0005, 388-450-0015, and 388-450-0210) not exceeding:
 - (a) The sum of the cost of your chore services, and

(b) One-hundred percent of the FPL adjusted for family size.

(5) Have resources, as described in chapter 388-470 WAC, which does not exceed ten thousand dollars for a one-person family or fifteen thousand dollars for a two-person family. (Note: One thousand dollars for each additional family member may be added to these limits.)

(6) Not transfer assets on or ~~((before))~~ after November 1, 1995 for less than fair market value as described in WAC 388-513-1365.

AMENDATORY SECTION (Amending WSR 00-04-056, filed 1/28/00, effective 2/28/00)

WAC 388-71-0470 Who pays for HCP services? Depending on your income and resources, you may be required to pay participation toward the cost of your care. The department determines exactly what amount, if any, you pay. If you are receiving:

(1) COPEs in-home ~~((services))~~ or residential,
(a) You participate income ~~((above the Medically needy income level (MNL) or Federal Poverty Level (FPL) directly to the service provider.))~~ per rules in WAC 388-515-1505;

(b) ~~((You pay the person providing the highest level of care or multiple providers, so long as the amount authorized for services is greater than the participation amount.~~

~~((e))~~ If you have nonexempt income that exceeds the cost of COPEs services, you may retain the difference~~((:~~

~~((d) Rules regarding COPEs in-home participation are found in WAC 388-515-1505)).~~

(2) MPC in-home services, you do not participate toward the cost of your personal care services.

(3) MPC services in a residential setting and you are:

(a) An SSI beneficiary who receives only SSI income, you only pay for board and room. You are allowed to keep a personal allowance of at least thirty-eight dollars and eighty-four cents.

(b) An SSI beneficiary who receives SSI and SSA benefits, you only pay for board and room. You are allowed to keep a personal allowance of at least fifty-eight dollars and eighty-four cents.

(c) An SSI-related person per WAC 388-511-1105, you may be required to participate towards the cost of your personal care services in addition to your board and room if your financial eligibility is based on the facility's state contracted rate plus add-on hours. You will receive a personal allowance of fifty-eight dollars and eighty-four cents.

(d) A GA-X client in a residential care facility, you are allowed to keep a personal allowance of thirty-eight dollars and eighty-four cents only. The remainder of your grant must be paid to the facility.

(4) Chore services, you may retain an amount equal to one hundred percent of the federal poverty level, adjusted for family size, as the home maintenance allowance and pay the difference between the FPL and your **nonexempt** income ~~((as defined in WAC 388-513-1340) to your provider.~~

~~((4) COPEs residential services, you pay toward the cost of your room, board, personal care services, and health insurance premiums. You may retain a fifty-eight dollars and~~

eighty-four cents clothing and personal incidental allowance (CPI) and pay any remaining MNIL income up to the residential facility rate for the cost of room and board. HCFA does not allow COPEs clients the twenty-dollar disregard. Rules regarding COPEs residential participation are found in WAC 388-515-1505.

(5) MPC residential services, and you are:

(a) An SSI or SSI-related Medicaid recipient you participate income toward the room and board only. You are guaranteed a personal allowance of at least thirty-eight dollars and eighty-four cents a month; or

(b) A non-SSI client and become SSI or SSI-related because the cost of your care in the facility exceeds your income, you may be required to participate towards the cost of your room, board, personal care services, and health insurance premiums. You will receive a personal allowance of fifty-eight dollars and eighty-four cents a month)). Exempt income includes:

(a) Income listed in WAC 388-513-1340;

(b) Spousal income allocated and actually paid as participation in the cost of the spouse's community options program entry system (COPEs) services;

(c) Amounts paid for medical expenses not subject to third party payment;

(d) Health insurance premiums, coinsurance or deductible charges; and

(e) If applicable, those work expense deductions listed as WAC 388-71-480(2).

AMENDATORY SECTION (Amending WSR 00-04-056, filed 1/28/00, effective 2/28/00)

WAC 388-71-0480 If I am employed, can I still receive HCP services? If you are disabled, as determined under WAC 388-511-1105, you may be employed and still be eligible to receive HCP services.

(1) If you remain Medicaid eligible under the categorically needy program, you are financially eligible for MPC services.

(2) If you are not Medicaid eligible due to your earned income and resources, you may be eligible to receive chore personal care services.

(a) You may be required to pay participation per WAC ((388-71-0465(3))) 388-71-0470(4) for any earned income above one hundred percent of the federal poverty level.

(b) The department will exempt fifty percent of your earned income after work expense deductions. Work expense deductions are:

(i) Personal work expenses in the form of self-employment taxes (FICA); and income taxes when paid;

(ii) Payroll deductions required by law or as a condition of employment in the amounts actually withheld;

(iii) The necessary cost of transportation to and from the place of employment by the most economical means, except rental cars;

(iv) Expenses necessary for continued employment such as tools, materials, union dues, transportation to service customers is not furnished by the employer; and

(v) Uniforms needed on the job and not suitable for wear away from the job((;

(vi) Spousal income allocated and actually paid as participation in the cost of the spouse's community options program entry system (COPEs) services;

(vii) Amounts paid for medical expenses not subject to third party payment; and

(viii) Health insurance premiums, coinsurance or deductible charges)).

WSR 00-18-103
PERMANENT RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
[Filed September 6, 2000, 9:32 a.m.]

Date of Adoption: September 6, 2000.

Purpose: Housekeeping changes and recodifying chapter 50-32 WAC.

Citation of Existing Rules Affected by this Order: Amending chapter 50-32 WAC.

Statutory Authority for Adoption: RCW 30.04.030 and 43.320.040.

Adopted under notice filed as WSR 00-14-053 on July 3, 2000 (published on July 19, 2000).

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 7, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 7, Repealed 0.

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

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

September 6, 2000

John L. Bley

Director

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-020 Definitions. For purposes of these rules and regulations, the following terms are defined as:

(1) **Act** - chapter 53, Laws of 1973 1st ex. sess.

(2) **Application** - "Application" means an application of an alien bank to the ((supervisor of banking)) director of the department of financial institutions for a certificate of authority to establish and operate an agency, branch or bureau in the state of Washington.

(3) **Domiciliary country** - "Domiciliary country" means the foreign country under the laws of which the alien bank is organized.

(4) **Fiscal year** - "Fiscal year" means the fiscal year of the alien bank.

(5) **Depository** - "Depository" shall mean a bank with its principal place of business within the state of Washington selected by the alien bank and approved by the ((~~supervisor of banking~~)) director, for the deposit of the cash or liquid assets required by section 7 and 12 of the act.

(6) **Rules and regulations** - "Rules and regulations" means all of Title ((50)) 208 WAC. Alien banks in conducting authorized banking business shall be subject to such rules and regulations under the same terms and conditions as applied to banks organized under the laws of this state to the extent that such rules and regulations as applied to alien banking operations are consistent with the intent and purposes of the alien bank act and subject to limitations and restrictions imposed by these alien bank rules and regulations.

(7) **Section** - Section numbers referred to herein are those found in chapter 53, Laws of 1973 1st ex. sess.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-030 Application procedure. An application by an alien bank to establish and operate an office or bureau in the state of Washington shall be made on the form prescribed in Appendices 1, 2 or 3, whichever is applicable.

An application shall not be deemed complete if, in the opinion of the ((~~supervisor~~)) director, the applicant has not supplied all of the required information or the information supplied is deficient. After receipt of the completed application, the ((~~supervisor~~)) director shall conduct his required investigation.

(1) **Office.** The ((~~supervisor~~)) director shall notify the applicant of denial or conditional approval of an application for a certificate for an agency or branch within 180 days of his receipt of the completed application.

If the application for a certificate for an agency or branch is conditionally approved, the applicant must supply the following documents executed by the governing board and properly sworn to before a U.S. Consular Official within 60 days of notification.

(a) Appointment of the ((~~supervisor of banking~~)) director of the department of financial institutions as agent

(b) Designation of bank's agent for service in Washington

(c) Letter of guaranty

(d) Appointment of depository(ies)

(e) Certificate of allocation and assignment of capital

(f) Depository agreements for assigned and allocated capital

(g) A power of attorney in favor of the person designated to be in charge of the business and affairs of the office.

The applicant shall also provide proof of fidelity bond coverage and the oath of the managing officer of the Washington office.

After receipt of these documents and after the ((~~supervisor~~)) director is satisfied that all statutory requirements have been met, he shall issue his certificate.

(2) **Bureau.** The ((~~supervisor~~)) director shall notify the applicant of denial or approval of an application for a certificate for a bureau within 90 days of his receipt of the completed application. If the application is approved, the certificate will be issued forthwith.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-040 Examination—Frequency—Scope. The accountant selected to audit the books of account of an alien office shall be an independent accountant licensed to practice by the state of Washington and who is not an employee, officer, or holder of the securities of the alien bank or its subsidiaries. Such accountant must have knowledge and experience with respect to auditing books of international corporations. A resume' of such accountant wherein the knowledge and experience is set forth must accompany the alien bank's request that such accountant be approved by the ((~~supervisor of banking~~)) director. The report of such independent accountant shall be based upon an audit made in accordance with generally accepted auditing standards without limitation on its scope and shall be unqualified.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-090 Reports—Required reports. Each alien bank shall file the following periodic reports relating to the financial condition of the office:

(1) Examination (audit) report by an accountant approved by the ((~~supervisor~~)) director as of the last business day of the fiscal year as prescribed by section 14 of the act.

(2) Reports of resources and liabilities as required by banks chartered by the state of Washington as prescribed by RCW 30.08.180 and 30.08.190, together with proof of publication. An agency need not publish such reports.

(3) Annual report of income on calendar year basis as a special report as required of banks chartered by the state of Washington (RCW 30.08.190).

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-99001 Appendix I—Forms—Application for certificate authorizing an alien bank to establish and operate a branch in the state of Washington.

APPLICATION FOR CERTIFICATE AUTHORIZING
AN ALIEN BANK TO ESTABLISH AND
OPERATE A BRANCH IN THE STATE OF WASHINGTON

TO: ((~~Supervisor of Banking~~)) Director of the Department of Financial Institutions

Division of ((~~Banking~~)) Banks
Olympia, Washington 98504

PERMANENT

The (Applicant alien bank), with its head office and principal place of business located at (Domiciliary Country) hereby initiates this application for certificate authorizing the establishment and operation of a branch to be located in the City of, County of, State of Washington.

The (Bank), is incorporated, chartered or otherwise authorized to conduct a banking business under the laws of (Domiciliary Country). We enclose a verified copy of the resolution adopted by the bank's governing board, properly sworn to before a U.S. Consular Official, authorizing the filing of this application and designating the officer(s) who is (are) to sign this application and provide the material required herein, authorizing the payment of fees required by law or regulation, and designating the managing officer(s) of the proposed branch. We enclose a bank draft for \$1,500.00 to apply upon the statutory cost of investigation. If the cost of investigation to be made exceeds \$1,500.00 we agree to pay such excess in accordance with WAC ((50-12-040)) 208-512-040 together with such other costs and fees as may be legally required by statute or regulation.

Correspondence, instructions, requests for information, reports, etc., should be addressed:

-
Head Office
-
Proposed Branch

To expedite the statutory investigation the following information, schedules, certifications, resume's, etc., are furnished:

- (a) Name of present Chief Executive Officer and Name of the Secretary
- (b) The bank's fiscal year ends
- (c) (English translation): Four certified copies of the most recent edition of the bank's certificate of authority or other legal authorization of your country to conduct a banking business and the bank's articles of incorporation.
- (d) Date of certificate of authority or its equivalent under which presently operating and expiration date, or duration, of the certificate of authority or its equivalent
- (e) Capital structure at end of last fiscal year: (i.e., equity capital, surplus, undivided profits, unallocated or contingency reserves).
- (f) Two copies of last available statement of condition.
- (g) Statement of object and purpose or purposes which bank proposes to pursue in the transaction of business in the state of Washington.
- (h) Copy of (English translation where applicable) laws of domiciliary country under which applicant bank is organized which permits a bank with its principal place of business in the state of Washington to establish in that foreign country a branch, agency or similar operation. Attached to a copy of such laws shall be either (a) an opinion of counsel (a member of the bar in the foreign country under whose laws the applicant is organized), including references to or extracts from relevant statutes, if any, to the effect that a bank with its principal place of business in the state of Washington may be permitted to establish and maintain in such foreign country a

branch, agency or similar operation, or (b) a certificate of an official of the applicant's country who is authorized under its laws to issue a license to a bank with its principal place of business in the state of Washington to maintain either a branch or agency, to the effect he is so authorized.

(i) An opinion of counsel for the applicant (a member of the bar in the foreign country under whose laws the applicant is organized) to demonstrate that this application to establish a branch is in compliance with local laws. Such opinion should state that (a) the applicant's charter authorizes it to carry on the business contemplated by the application, (b) the applicant has conducted, and is now conducting, its business as authorized by the charter and bylaws in compliance with the laws of its country of incorporation, and (c) the making of the application is in compliance with the laws of the country of incorporation.

(j) Letter or certificate from banking authorities of domiciliary country granting permission to the applicant to apply for a branch in this state.

(k) Furnished herewith:

- (1) Name, title and resume' for each officer of the proposed branch in Washington.
- (2) Confidential financial statement for the managing officer of the proposed branch in Washington.

(l) Deposit projections for the first three years of operations:

- I. Highest deposit totals anticipated by end of first year of operations of the proposed branch \$.
- II. Highest deposit totals anticipated by end of second year of operations of the proposed branch \$.
- III. Highest deposit totals anticipated by the end of the third year of operations of the proposed branch \$.

(m) Indicate whether eligible deposit liabilities of the branch in the state of Washington will be covered by the insurance protection of the Federal Deposit Insurance Corporation (yes or no).

(n) Outline of background information in support of application.

(o) Copy of option or conditional lease on proposed branch site.

(p) A verified or authenticated copy of the bank's bylaws.

EXECUTED at, for the (Bank), this day of, 19. . .

(By the bank's chief executive officer) *

(and the secretary of the banking corporation) *

Bank Seal

*Please type name and official title under the signatures.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-99002 Appendix II—Forms—Application for certificate authorizing an alien bank to establish and operate an agency in the state of Washington.

PERMANENT

APPLICATION FOR CERTIFICATE AUTHORIZING AN ALIEN BANK TO ESTABLISH AND OPERATE AN AGENCY IN THE STATE OF WASHINGTON

TO: ((Supervisor of Banking)) Director of the Department of Financial Institutions

Division of ((Banking)) Banks Olympia, Washington 98504

The (Applicant alien bank) with its head office and principal place of business located (Domiciliary Country) hereby initiates this application for certificate authorizing the establishment and operation of an agency to be located in the City of , County of , State of Washington.

The (Bank) is incorporated, chartered or otherwise authorized to conduct a banking business under the laws of (Domiciliary Country). We enclose a verified copy of the resolution adopted by the bank's governing board, properly sworn to before a U.S. Consular Official, authorizing the filing of this application and designating the officer(s) who is (are) to sign this application and provide the material required herein, authorizing the payment of fees required by law or regulation, and designating the managing officer(s) of the proposed agency. We enclose a bank draft for \$1,500.00 to apply upon the statutory cost of investigation. If the cost of investigation to be made exceeds \$1,500.00 we agree to pay such excess in accordance with WAC ((50-12-040)) 208-512-040 together with such other costs and fees as may be legally required by statute or regulation.

Correspondence, instructions, requests for information, reports, etc., should be addressed:

- Head Office
Proposed Agency

To expedite the statutory investigation, the following information, schedules, certifications, resume's, etc., are furnished:

- (a) Name of present chief executive officer and name of the secretary
(b) The bank's fiscal year ends
(c) Four certified copies (English translation where applicable) of the most recent edition of the bank's certificate of authority or other legal authorization of your country to conduct a banking business and the bank's articles of incorporation.
(d) Date of certificate of authority or its equivalent under which presently operating and expiration date, or duration, of the certificate of authority or its equivalent
(e) Capital structure at end of last fiscal year: (i.e., equity capital, surplus, undivided profits, unallocated or contingency reserves).
(f) Two copies of last available statement of condition.
(g) Statement of object and purpose or purposes which bank proposes to pursue in the transaction of business in the state of Washington.
(h) Copy of (English translation where applicable) laws of domiciliary country under which applicant bank is orga-

nized which permits a bank with its principal place of business in the state of Washington to establish in that foreign country a branch, agency of similar operation. Attached to a copy of such laws shall be either (a) an opinion of counsel (a member of the bar in the foreign country under whose laws the applicant is organized), including references to or extracts from relevant statutes, if any, to the effect that a bank with its principal place of business in the state of Washington may be permitted to establish and maintain in such foreign country a branch, agency or similar operation, or (b) a certificate of an official of the applicant's country who is authorized under its laws to issue a license to a bank with its principal place of business in the state of Washington to maintain either a branch or agency, to the effect he is so authorized.

(i) An opinion of counsel for the applicant (a member of the bar in the foreign country under whose laws the applicant is organized) to demonstrate that this application to establish an agency is in compliance with local laws. Such opinion should state that (a) the applicant's charter authorizes it to carry on the business contemplated by the application, (b) the applicant has conducted, and is now conducting, its business as authorized by the charter and bylaws in compliance with the laws of its country of incorporation, and (c) the making of the application is in compliance with the laws of the country of incorporation.

(j) Letter or certificate from banking authorities of domiciliary country granting permission to the applicant to apply for an agency in this state.

(k) Furnished herewith:

- (1) Name, title and resume' for each officer of the proposed agency in Washington.
(2) Confidential financial statement of the managing officer of the proposed agency in Washington.
(l) Outline of background information in support of application.
(m) Copy of option or conditional lease on proposed agency site.
(n) A verified or authenticated copy of the bank's bylaws.

EXECUTED at , for the (Bank), this day of , 19. . .

(By the bank's chief executive officer) *

(and the secretary of the banking entity) *

Bank Seal

*Please type name and official title under the signatures.

AMENDATORY SECTION (Amending Order 23, filed 8/14/73)

WAC 50-32-99003 Appendix III—Forms—Application for certificate authorizing an alien bank to establish and operate a bureau in the state of Washington.

PERMANENT

APPLICATION FOR CERTIFICATE AUTHORIZING AN ALIEN BANK TO ESTABLISH AND OPERATE A BUREAU IN THE STATE OF WASHINGTON

(To be filed in duplicate)

TO: ((Supervisor of Banking)) Director of the Department of Financial Institutions
Division of ((Banking)) Banks
Olympia, Washington 98504

The (Applicant alien bank), with its head office and principal place of business located at (Domiciliary Country), hereby initiates this application for certificate authorizing the establishment and operation of a bureau to be located in the City of, County of, State of Washington.

The (Bank) is incorporated, chartered or otherwise authorized to conduct a banking business under the laws of (Domiciliary Country).

We enclose a verified copy of the resolution, adopted by the bank's governing board, specifically empowering its President (or Chief Executive Officer) and the bank's Secretary (or equivalent officer) to execute this application, pay the fees required by law or regulation, provide such information and furnish such reports and enter into such agreements as may be necessary.

Correspondence, instructions, and requests for information, reports, etc., should be addressed:

- Head Office
Proposed Bureau

To expedite the statutory investigation, the following information, schedules, documents, etc., are furnished:

- (a) Name of present Chief Executive Officer. and name of the Secretary.
(b) The bank's fiscal year ends
(c) (English translation) Four certified copies of most recent edition of the bank's certificate of authority or other legal authorization of your country to conduct an international banking business and the bank's articles of incorporation.
(d) Date of certificate of authority or its equivalent under which presently operating. and expiration date, or duration, of the certificate of authority or its equivalent.
(e) Capital structure at end of last fiscal year: (i.e., equity capital, surplus or rest accounts, undivided profits, unallocated or contingency reserves).
(f) Two copies of last available statement of condition.
(g) Statement of object, purpose and activities which bank proposes to pursue the establishment and operation of a bureau in this state at the place designated herein.

Enclosed is a bank draft for \$300.00 to apply upon the statutory cost of investigation. If the cost of investigation to be made exceeds \$300.00, we agree to pay such excess in accordance with WAC ((50-12-040)) 208-512-040 together

with such other costs and fees as may be legally required by state or regulation.

..... EXECUTED in duplicate at for the (Legal name of applicant bank) this. day of, 19...

(By the chief executive officer) *
(and the Secretary of the banking corporation) *

Bank Seal

*Please type name and official title under the signatures.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Table with 2 columns: Old WAC number, New WAC number. Lists various WAC numbers from 50-32-010 to 50-32-99003 and their corresponding new numbers starting with 208-532-010.

PERMANENT

WSR 00-18-003
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-159—Filed August 23, 2000, 3:14 p.m.]

Date of Adoption: August 18, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 232-28-424.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to comply with the 107-day federal maximum goose season. There is insufficient time to adopt permanent rules before the beginning of the goose season.

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

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

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

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

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

Effective Date of Rule: Immediately.

August 18, 2000

Evan Jacoby

for Jeff P. Koenings

Director

WSR 00-18-004
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-167—Filed August 23, 2000, 3:17 p.m.]

Date of Adoption: August 23, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-33-01000G.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is consistent with 2000 fall management agreement and actions of the Columbia River Compact.

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

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

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

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

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

Effective Date of Rule: Immediately.

August 23, 2000

Evan Jacoby

for Jeff P. Koenings

Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000G Columbia River season
 below Bonneville. (00-158)

NEW SECTION

WAC 232-28-42400A Geese taken during falconry season. Notwithstanding the provisions of WAC 232-28-424, effective immediately until further notice it is unlawful to hunt or possess geese taken by falconry from Western Washington Goose Management Area 2 except on Wednesdays, Saturdays and Sundays during the falconry goose season.

WSR 00-18-013
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-166—Filed August 25, 2000, 3:43 p.m., effective August 26, 2000]

Date of Adoption: August 25, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100N and 220-56-19100P; and amending WAC 220-56-191.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Possession Bait Company in cooperation with the Puget Sound anglers and under the auspices of the Stilly-Sno enhancement group have been raising Wallace River coho in a saltwater pond on the Possession Bait Company's property located on southeast Whidbey Island for several years. Currently, surviving 1997 brood coho from the May 1999 release are returning to the local area. These are harvestable fish that currently can not be utilized because Area 8-2 is closed for salmon angling and is scheduled to remain so through September 15. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: August 26, 2000.

August 25, 2000

Evan Jacoby

for Jeff P. Koenings

Director

NEW SECTION

WAC 220-56-19100P Puget Sound salmon seasons.

Notwithstanding the provisions of WAC 220-56-191, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 5 through 13 except as provided for in this section:

In all fisheries provided for in this section the minimum size for chinook is 22 inches and there is no minimum size for other salmon.

Areas 5 and 6 - Open until further notice. Daily limit 2 salmon, except release chinook, chum and wild coho.

Area 7 - Open until further notice. Daily limit 2 salmon, not more than one of which may be a chinook salmon, except in Bellingham Bay and adjacent waters described in WAC 220-56-195(1) daily limit 4 salmon not more than one of which may be a chinook salmon, except closed in Samish Bay south of a line due east from Fish Point until further notice.

Area 8-1 - Open September 1 until further notice. Daily limit 2 salmon, except release chinook.

Areas 8-2 - Open September 16 until further notice, daily limit 2 salmon, release chinook, except:

(a) Effective immediately until further notice waters of Tulalip Bay described in WAC 220-56-191 (4)(b) open each Friday through 11:59 a.m. the following Monday, daily limit 2 salmon not more than one of which may be a chinook.

(b) Effective immediately until further notice salmon fishing is open when fishing from the beach at the Possession Point Bait Company on Whidbey Island between the boat launch railway on the north end of the bait company property and the bulkhead on the north end of the green train car structure on the south side of the bait company property. Daily limit is 2 coho only. Fishing is open one hour before sunrise to one hour after sunset.

Area 9 - Open effective September 1 through September 15, daily limit of 2 salmon release chinook, except:

(a) Effective immediately until further notice open while fishing from the Edmonds Public Fishing pier, daily limit 2 salmon not more than one of which may be a chinook salmon.

(b) Effective September 1 until further notice open while fishing from the Hood Canal Fishing pontoon, daily limit 2 salmon not more than one of which may be a chinook salmon. Release chum.

Area 10 - Open through September 15, daily limit 2 salmon, release chinook salmon, except:

(a) Waters east of a line from Point Wells to Meadow Point are closed through August 31.

(b) Waters of Shilshole Bay east of a line from Meadow Point to West Point are closed until further notice.

(c) Waters east of a line from West Point to Alki Point, including waters seaward (downstream) of the mouth of the Duwamish River (First Avenue South Bridge) are closed through August 31.

(d) Effective September 1 through September 30, open when fishing from the Elliott Bay and Seacrest fishing piers, the daily limit is 2 salmon, except chinook must be released.

(e) Effective immediately through September 15, in waters of Sinclair Inlet and Port Orchard south of the Manette Bridge, south of a line projected true west from Battle Point and west of a line projected true south from Point White the daily limit may contain up to two chinook.

Area 11 - Open until further notice.

(a) Effective immediately through September 15, daily limit 2 salmon, not more than one may be a chinook.

(b) Effective September 16 until further notice, daily limit one salmon.

Area 12 - Closed until further notice, except:

(c) Effective immediately until further notice, open when fishing from the Dash Point Dock and Point Defiance Boat-house Dock, daily limit 2 salmon, not more than one of which may be a chinook.

(a) Effective immediately through August 31, open south of Ayock Point, daily limit 2 salmon, not more than one of which may be a chinook salmon, release chum salmon.

(b) Effective immediately through October 31, open in waters of Quilcene and Dabob bays north of a true east line from Point Whitney to the Toandos Peninsula, daily limit of four salmon, release chinook and chum salmon.

(c) Open effective September 1 until further notice, daily limit 2 salmon, release chinook and chum salmon.

(d) The Hoodspout Hatchery fishery is managed separately under WAC 220-56-124.

Area 13 - Open until further notice. Daily limit 2 salmon, release wild coho. While fishing from the Fox Island Public Fishing Pier, daily limit 2 salmon not more than one of which may be a chinook, and release wild coho.

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

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

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

Effective Date of Rule: August 27, 2000, 11:59 p.m.

August 24, 2000

Evan Jacoby

for Jeff P. Koenings

Director

REPEALER

The following section of the Washington Administrative Code is repealed August 26, 2000:

WAC 220-56-19100N Puget Sound salmon seasons. (00-157)

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 2000:

WAC 220-56-19100P Puget Sound salmon seasons.

NEW SECTION

WAC 220-57-16000B Columbia River. Notwithstanding the provisions of WAC 220-57-160, effective 11:59 p.m. August 27, 2000 until further notice, it is unlawful to retain chinook salmon in those waters of the Columbia River from the Buoy 10 line upstream to a line between Rocky Point in Washington to Tongue Point in Oregon.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 27, 2000:

WAC 220-57-16000Z Columbia River. (00-123)

**WSR 00-18-014
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-168—Filed August 25, 2000, 3:45 p.m., effective August 27, 2000, 11:59 p.m.]

Date of Adoption: August 24, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-16000Z; and amending WAC 220-57-160.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The chinook guideline will have been achieved by August 27, 2000. There is insufficient time to promulgate permanent rules.

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

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

**WSR 00-18-022
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-160—Filed August 28, 2000, 2:32 p.m., effective August 30, 2000, 6:00 a.m.]

Date of Adoption: August 25, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05100T; and amending WAC 220-32-051.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Sets two weeks of tribal commercial fishing. The tribal fishery is projected to remain within the constraints of the 2000 Management Agreement and the Biological Opinion. Rule is consistent with action of the Columbia River Compact on August 18, 2000. Conforms state rules with tribal rules. There is insufficient time to promulgate permanent regulations.

EMERGENCY

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

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

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

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

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

Effective Date of Rule: August 30, 2000, 6:00 a.m.

August 25, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-32-05100T Columbia River salmon seasons above Bonneville Dam. Notwithstanding the provisions of WAC 220-32-050, WAC 220-32-051, WAC 220-32-052, WAC 220-32-058, effective immediately until further notice, it is unlawful for a person to take or possess salmon, shad, carp, or sturgeon taken for commercial purposes in Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for salmon, shad, carp, or sturgeon under the following provisions:

1) Open Periods: 6:00 a.m. August 30, 2000 to 6:00 p.m. September 2, 2000

6:00 a.m. September 5, 2000 to 6:00 p.m. September 9, 2000

2) Open Areas: SMCRA 1F, 1G, 1H

3) Gear: No mesh restriction

4) Allowable sale includes: salmon, shad and steelhead

5) Spring Creek Hatchery Sanctuary: Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points 1/2 mile upstream from the eastern shoreline to 1 1/2 miles downstream from the western shoreline of the mouth of Spring Creek are closed.

6) Notwithstanding the provisions of WAC 220-32-058, the closed area at the mouth of:

a) Hood River are those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles down river from the west bank at the end of the break wall at the west end of the port of Hood River and 1/2 mile upriver from the east bank.

b) Herman Creek are those waters upstream from a line between deadline markers near the mouth. One marker is

located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

c) Deschutes River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points 1/2 mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

d) Umatilla River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points 1/2 mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

e) Big White Salmon River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located 1/2 mile downstream from the west bank upstream to Light "35".

f) Wind River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 1/4 miles downstream from the west bank and 1/2 mile upstream from the east bank.

g) Klickitat River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1/8 miles downstream from the west bank.

h) Little White Salmon River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between Light "27" upstream to a marker located approximately 1/2 mile upstream from the eastern shoreline.

3) Notwithstanding the provisions of WAC 220-22-010, during the open periods described above:

a) Area 1F (Bonneville Pool) includes those waters of the Columbia River upstream from the Bridge of the Gods, and downstream from the west end of the 3 Mile Rapids located approximately 1.8 miles below the Dalles Dam.

b) Area 1G includes those waters of the Columbia River upstream from a line drawn between a deadline marker on the Oregon shore located approximately 3/4 miles above The Dalles Dam fishway exit, thence at a right angle to the thread of the river to a point in mid-river, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy Light below John Day Dam.

c) Area 1H includes those waters of the Columbia River upstream from a fishing boundary marker approximately 1/2 mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in mid-river, then downstream to a fishing boundary marker on the Washington shore approximately opposite the mouth of the John Day River, and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. September 9, 2000:

WAC 220-32-05100T Columbia River salmon seasons above Bonneville Dam.

**WSR 00-18-040
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-174—Filed August 30, 2000, 4:16 p.m., effective September 1, 2000, 12:01 a.m.]

Date of Adoption: August 30, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-57-16000B.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The 9,000-chinook guideline has not been achieved. There are sufficient numbers of harvestable chinook salmon for recreational opportunity.

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

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

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

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

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

Effective Date of Rule: September 1, 2000, 12:01 a.m.

August 30, 2000

J. P. Koenings

Director

by Larry Peck

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 1, 2000:

WAC 220-57-16000B Columbia River. (00-168)

WSR 00-18-041**EMERGENCY RULES****DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-161—Filed August 30, 2000, 4:19 p.m.]

Date of Adoption: August 29, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 232-12-61900Q; and amending WAC 232-12-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is necessary for increased opportunity to harvest 4000 trout that have been planted in the Lewis River Power Canal. These fish need to be harvested by the end of the season on October 31, 2000. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: Immediately.

August 29, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 232-12-61900Q Exceptions to statewide rules—Lewis River Power Canal. Notwithstanding the provisions of WAC 232-12-619, effective immediately through October 31, 2000 the daily limit is five trout in the Lewis River Power Canal (Swift Power Canal) on the west end of Swift Reservoir.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 1, 2000:

WAC 232-12-61900Q Exceptions to statewide rules.

**WSR 00-18-042
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-171—Filed August 30, 2000, 4:22 p.m., effective September 5, 2000, 7:00 p.m.]

Date of Adoption: August 29, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000H; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The select areas are part of an on-going BPA funded study to design fisheries in areas outside of the mainstem Columbia River. Several stocks of salmon have been released from net pens in these select areas to provide fisheries. All salmon returning to these net pens are harvestable. This rule is consistent with actions of the Columbia River Compact hearing of July 27, 2000, and is consistent with requirements of the Endangered Species Act. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: September 5, 2000, 7:00 p.m.
August 29, 2000

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-33-01000H Columbia River gillnet seasons below Bonneville—Select areas commercial fisheries Notwithstanding the provisions of WAC 220-33-010 and WAC 220-33-020, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except during the times and conditions listed:

1) **BLIND SLOUGH/KNAPPA SLOUGH SELECT AREA**

AREA: Open waters of Blind Slough extend from markers at the mouth of Gnat Creek located approximately 1/2 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough. Concurrent Washington/Oregon waters extend downstream of the railroad bridge. In addition, Knappa Slough is open to fishing in all waters bounded by a line from the northerly most marker at the mouth of Blind Slough westerly to a marker on Karlson Island downstream to boundary lines defined by markers on the western end of Minaker Island to markers on Karlson Island and the Oregon shore. An area at the mouth of Big Creek defined by markers of about a 100 foot radius is closed to fishing.

SEASON: Blind Slough.
7 p.m. September 7, 2000 to 7 a.m. September 8, 2000
7 p.m. September 8, 2000 to 7 a.m. September 9, 2000
7 p.m. September 11, 2000 to 7 a.m. September 12, 2000
7 p.m. September 12, 2000 to 7 a.m. September 13, 2000
7 p.m. September 14, 2000 to 7 a.m. September 15, 2000
7 p.m. September 15, 2000 to 7 a.m. September 16, 2000

Blind Slough and Knappa Slough.
7 p.m. Mondays to 7 a.m. Tuesdays
7 p.m. Tuesdays 7 a.m. Wednesdays
7 p.m. Thursdays to 7 a.m. Fridays
7 p.m. Fridays to 7 a.m. Saturdays
September 18, 2000 to September 30, 2000
6 p.m. Mondays to 8 a.m. Tuesdays
6 p.m. Tuesdays to 8 a.m. Wednesdays
6 p.m. Thursdays to 8 a.m. Fridays
6 p.m. Fridays to 8 a.m. Saturdays
October 2, 2000 to October 31, 2000

GEAR: 8 inch maximum mesh
100 fathoms maximum length

ALLOWABLE SALE: Salmon and sturgeon

2) **TONGUE POINT/SOUTH CHANNEL SELECT AREA**

AREA: Tongue Point Basin is open to fishing in all waters bounded by a line from the red light at Tongue

EMERGENCY

Point to the flashing green light at the rock jetty on the northwesterly tip of Mott Island, a line from a marker at the south end of Mott Island easterly to a marker on the northwest bank on Lois Island, and a line from a marker on the southwest end of Lois Island due westerly to a marker on the opposite bank. In addition, South Channel is open to fishing in all waters bounded by a line from a marker on John Day Point through the green buoy "7" thence to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to flashing red marker "10" thence northwesterly to a marker on the sand bar defining the terminus of South Channel. All open waters are under concurrent jurisdiction.

SEASON: Tongue Point
 7 p.m. September 5, 2000 to 7 a.m. September 6, 2000
 7 p.m. September 6, 2000 to 7 a.m. September 7, 2000
 7 p.m. September 10, 2000 to 7 a.m. September 11, 2000
 7 p.m. September 11, 2000 to 7 a.m. September 12, 2000
 7 p.m. September 13, 2000 to 7 a.m. September 14, 2000
 7 p.m. September 14, 2000 to 7 a.m. September 15, 2000

Tongue Point and South Channel
 7 p.m. Sundays to 7 a.m. Mondays
 7 p.m. Mondays to 7 a.m. Tuesdays
 7 p.m. Wednesdays to 7 a.m. Thursdays
 7 p.m. Thursdays to 7 a.m. Fridays
 September 17, 2000 to September 29, 2000

6 p.m. Sundays to 8 a.m. Mondays
 6 p.m. Mondays to 8 a.m. Tuesdays
 6 p.m. Wednesdays to 8 a.m. Thursdays
 6 p.m. Thursdays to 8 a.m. Fridays
 October 1, 2000 to October 31, 2000

GEAR: Tongue Point Basin
 8 inch maximum mesh
 250 fathoms maximum length
 Weight on leadline cannot exceed two pounds per fathom. Fishers participating in the Tongue Point Basin fishery may have stored on board their boats, gill nets with leadline in excess of two pounds per fathom.

South Channel
 8 inch maximum mesh
 100 fathoms maximum length

ALLOWABLE SALE: Salmon and sturgeon

3) DEEP RIVER SELECT AREA

AREA: Deep River is open to fishing down river from the town of Deep River to the mouth (a line from navigation marker "16" southwest to a marker on the Washington shore). Concurrent waters

extend downstream of the Highway 4 bridge. State waters extend upstream of the Highway 4 bridge.

SEASON: 7 p.m. September 5, 2000 to 7 a.m. September 6, 2000
 7 p.m. September 6, 2000 to 7 a.m. September 7, 2000

7 p.m. Sundays to 7 a.m. Mondays
 7 p.m. Mondays to 7 a.m. Tuesdays
 7 p.m. Tuesdays to 7 a.m. Wednesdays
 7 p.m. Wednesdays to 7 a.m. Thursdays
 September 10, 2000 to September 28, 2000

6 p.m. Sundays to 8 a.m. Mondays
 6 p.m. Mondays to 8 a.m. Tuesdays
 6 p.m. Tuesdays to 8 a.m. Wednesdays
 6 p.m. Wednesdays to 8 a.m. Thursdays
 October 1, 2000 to October 31, 2000

GEAR: 8 inch maximum mesh
 100 fathoms maximum length

ALLOWABLE SALE: Salmon and sturgeon

4) STEAMBOAT SLOUGH SELECT AREA

AREA: Steamboat Slough is open to fishing in waters bounded by markers on Price Island and the Washington shore, at both upstream and downstream ends of Steamboat Slough. All open waters are under concurrent jurisdiction.

SEASON: 7 p.m. September 7, 2000 to 7 a.m. September 8, 2000
 7 p.m. September 8, 2000 to 7 a.m. September 9, 2000

7 p.m. Tuesdays to 7 a.m. Wednesdays
 7 p.m. Wednesdays to 7 a.m. Thursdays
 7 p.m. Thursdays to 7 a.m. Fridays
 7 p.m. Fridays to 7 a.m. Saturdays
 September 12, 2000 to September 30, 2000

6 p.m. Tuesdays to 8 a.m. Wednesdays
 6 p.m. Wednesdays to 8 a.m. Thursdays
 6 p.m. Thursdays to 8 a.m. Fridays
 6 p.m. Fridays to 8 a.m. Saturdays
 October 3, 2000 to October 28, 2000

GEAR: 8 inch maximum mesh
 100 fathoms maximum length

ALLOWABLE SALE: Salmon and sturgeon

OTHER: It is unlawful to transport or possess fish outside the fishing area unless by licensed buyer. An exception to the rule allows transportation out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

EMERGENCY

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:01 a.m. October 31, 2000:

WAC 220-33-01000H Columbia River gillnet seasons below Bonneville select areas commercial fisheries.

**WSR 00-18-050
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-173—Filed August 31, 2000, 4:48 p.m., effective September 1, 2000, 12:01 a.m.]

Date of Adoption: August 29, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900T; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is necessary to protect chinook salmon returning to the hatchery by eliminating the targeting of salmon while fishing for game fish. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: September 1, 2000, 12:01 a.m.
August 29, 2000

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 232-28-61900T Exceptions to statewide rules—Soos Creek (King County) Notwithstanding the

provisions of WAC 232-28-619, effective 12:01 a.m. September 1, 2000 through October 31, 2000, it is unlawful to fish for gamefish in those waters of Soos Creek from the mouth to the bridge near the salmon hatchery residence.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 1, 2000:

WAC 232-28-61900T Exceptions to statewide rules—Soos Creek (King County)

**WSR 00-18-051
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-175—Filed August 31, 2000, 4:48 p.m., effective September 1, 2000, 12:01 a.m.]

Date of Adoption: August 31, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-23500I; and amending WAC 220-56-235.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The abundance of black rockfish in this area can support a small increase in harvest. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: September 1, 2000, 12:01 a.m.
August 31, 2000

J. P. Koenings
Director
by Larry Peck

EMERGENCY

NEW SECTION

WAC 220-56-23500I Possession limits—Bottomfish. Notwithstanding the provisions of WAC 220-56-235, effective 12:01 a.m. September 1, through September 30, 2000:

(1) In those waters of Catch Record Card Area 5 from Slip Point east to the boundary with Catch Record Card Area 6, the daily bag limit is one rockfish of any species.

(2) In those waters of Catch Record Card Area 5 from Slip Point west to the boundary with Catch Record Card Area 4, the daily bag limit is one rockfish of any species plus an additional two black rockfish. In this portion of Catch Record Card Area 5 all rockfish must be landed in the round.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. October 1, 2000:

WAC 220-56-23500I Possession limits—Bottomfish.

**WSR 00-18-052
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-176—Filed August 31, 2000, 4:48 p.m., effective September 1, 2000, 12:01 a.m.]

Date of Adoption: August 31, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900U; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Escapement exceeds hatchery broodstock and wild broodstock spawning needs. There is a harvestable surplus to increase open area for chinook fishing in upper Columbia River. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: September 1, 2000, 12:01 a.m.

August 31, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 232-28-61900U Exceptions to statewide rules—Columbia River. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. September 1 through October 31, 2000 it is lawful to take, fish for and possess salmon in those waters of the Columbia River between Highway 173 bridge at Brewster and Highway 17 bridge at Bridgeport and to Highway 97 bridge at the confluence of the Okanogan River. Daily limit of six chinook salmon, no more than two adults. Non-buoyant lure restriction in effect.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 1, 2000:

WAC 232-28-61900U Exceptions to statewide rules—Columbia River.

**WSR 00-18-053
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-177—Filed August 31, 2000, 4:48 p.m.]

Date of Adoption: August 31, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-24-02000N and 220-24-02000P; and amending WAC 220-24-020.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable surplus of salmon is available for the troll fleet. These rules are adopted at the recommendation of the Pacific Fisheries Management Council, in accordance with preseason fishing plans. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: Immediately.

August 31, 2000

J. P. Koenings
Director

(a) No chinook salmon smaller than 28 inches in total length or coho smaller than 16 inches in total length may be taken or retained. Except that frozen salmon taken in this fishery may be landed pursuant to WAC 220-20-015.

(b) It is unlawful to fish for or possess salmon taken for commercial purposes with gear other than troll gear.

(c) It is unlawful to land salmon taken south of Cape Falcon in any port north of Cape Falcon, except when the waters north of Cape Falcon are closed. It is unlawful to land chinook taken south of Cape Falcon that are less than 26 inches in length.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000N Commercial salmon troll.
(00-156)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 6, 2000:

WAC 220-24-02000P Commercial salmon troll.

NEW SECTION

WAC 220-24-02000P Commercial salmon troll. Notwithstanding the provisions of WAC 220-24-010, 220-24-020 and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear from those waters west of the Bonilla-Tatoosh, the Pacific Ocean and waters west of the Buoy 10 Line at the mouth of the Columbia River except as provided for in this section:

(1) Effective 12:01 a.m. September 1 through 11:59 p.m. September 5, 2000, Salmon Management and Catch Reporting Areas 1 and 2 from Cape Falcon, Oregon north to the Queets River will be open for a marked coho directed, all-salmon fishery.

SEASON:

12:01 a.m. September 1, through 11:59 p.m. September 5, 2000

(a) Gear is restricted to all legal troll gear with single point, single shank barbless hooks only. Each participating vessel must land and deliver in the area or adjacent closed area within 24 hours of each closure. All salmon species are legal but all retained coho must have a healed adipose fin clip. Salmon fishing closed in a control zone at the mouth of the Columbia River, described as:

(b) Columbia Control Zone - An area at the Columbia River mouth, bounded on the west by a line running northeast/southwest between the red lighted Buoy #4 (46°13'35" N. Lat., 124°06'50" W. long.) and the green lighted Buoy #7 (46°15'09" N. lat., 124°06'16" W. long.); on the east, by the Buoy #10 line which bears north/south at 357° true from the south jetty at 46°14'00" N. lat., 124°03'07" West. long. to its intersection with the north jetty; on the north, by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N. lat., 124°05'20" W. long.) and then along the north jetty to the point of intersection with the Buoy #10 line; and, on the south, by a line running northeast/southwest between the red lighted Buoy #4 and tip of the south jetty (46°14'03" N. lat., 124°04'05" W. long.), and then along the south jetty to the point of intersection with the Buoy #10 line.

(2) In the fisheries authorized in this section:

**WSR 00-18-054
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-178—Filed August 31, 2000, 4:48 p.m.]

Date of Adoption: August 31, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100P and 220-56-19100Q; and amending WAC 220-56-191.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is necessary to correct an error from the previous emergency regulation. There is insufficient time to promulgate permanent rules.

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

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

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

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

EMERGENCY

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

Effective Date of Rule: Immediately.

August 31, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-19100Q Puget Sound salmon seasons.

Notwithstanding the provisions of WAC 220-56-191, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 5 through 13 except as provided for in this section:

In all fisheries provided for in this section the minimum size for chinook is 22 inches and there is no minimum size for other salmon.

Areas 5 and 6 - Open until further notice. Daily limit 2 salmon, except release chinook, chum and wild coho.

Area 7 - Open until further notice. Daily limit 2 salmon, not more than one of which may be a chinook salmon, except in Bellingham Bay and adjacent waters described in WAC 220-56-195(1) daily limit 4 salmon not more than one of which may be a chinook salmon, except closed in Samish Bay south of a line due east from Fish Point until further notice.

Area 8-1 - Open September 1 until further notice. Daily limit 2 salmon, except release chinook.

Areas 8-2 - Open September 16 until further notice, daily limit 2 salmon, release chinook, except:

(a) Effective immediately until further notice waters of Tulalip Bay described in WAC 220-56-191 (4)(b) open each Friday through 11:59 a.m. the following Monday, daily limit 2 salmon not more than one of which may be a chinook.

(b) Effective immediately until further notice salmon fishing is open when fishing from the beach at the Possession Point Bait Company on Whidbey Island between the boat launch railway on the north end of the bait company property and the bulkhead on the north end of the green train car structure on the south side of the bait company property. Daily limit is 2 coho only. Fishing is open one hour before sunrise to one hour after sunset.

Area 9 - Open effective September 1 through September 15, daily limit of 2 salmon release chinook and chum, except:

(a) Effective immediately until further notice open while fishing from the Edmonds Public Fishing pier, daily limit 2 salmon not more than one of which may be a chinook salmon.

(b) Effective September 1 until further notice open while fishing from the Hood Canal Fishing pontoon, daily limit 2 salmon not more than one of which may be a chinook salmon. Release chum.

Area 10 - Open through September 15, daily limit 2 salmon, release chinook salmon, except:

(a) Waters east of a line from Point Wells to Meadow Point are closed through August 31.

(b) Waters of Shilshole Bay east of a line from Meadow Point to West Point are closed until further notice.

(c) Waters east of a line from West Point to Alki Point, including waters seaward (downstream) of the mouth of the Duwamish River (First Avenue South Bridge) are closed through August 31.

(d) Effective September 1 through September 30, open when fishing from the Elliott Bay and Seacrest fishing piers, the daily limit is 2 salmon, except chinook must be released.

(e) Effective immediately through September 15, in waters of Sinclair Inlet and Port Orchard south of the Manette Bridge, south of a line projected true west from Battle Point and west of a line projected true south from Point White the daily limit may contain up to two chinook.

Area 11 - Open until further notice.

(a) Effective immediately through September 15, daily limit 2 salmon, not more than one may be a chinook.

(b) Effective September 16 until further notice, daily limit one salmon.

(c) Effective immediately until further notice, open when fishing from the Dash Point Dock and Point Defiance Boat-house Dock, daily limit 2 salmon, not more than one of which may be a chinook.

Area 12 - Closed until further notice, except:

(a) Effective immediately through August 31, open south of Ayock Point, daily limit 2 salmon, not more than one of which may be a chinook salmon, release chum salmon.

(b) Effective immediately until further notice open in waters of Quilcene and Dabob bays north of a true east line from Point Whitney to the Toandos Peninsula, daily limit of four salmon, release chinook and chum salmon.

(c) Open effective September 1 until further notice, daily limit 2 salmon, release chinook and chum salmon.

(d) The Hoodsport Hatchery fishery is managed separately under WAC 220-56-124.

Area 13 - Open until further notice. Daily limit 2 salmon, release wild coho. While fishing from the Fox Island Public Fishing Pier, daily limit 2 salmon not more than one of which may be a chinook, and release wild coho.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. August 31, 2000:

WAC 220-56-19100P Puget Sound salmon seasons.
(00-166)

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 2000:

WAC 220-56-19100Q Puget Sound salmon seasons.

WSR 00-18-077
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-179—Filed September 1, 2000, 3:36 p.m., effective September 1, 2000, 7:01 p.m.]

Date of Adoption: September 1, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-701.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The above Puget Sound purse seine, gill net, and reef net openings are part of the final agreements reached at the April 7, 2000, meeting of the Pacific Fishery Management Council in Portland, Oregon. Those agreements were drafted into regulatory format and filed with the Code Reviser's Office under the expedited rule-making process. Rules in that filing do not become effective until September 22, 2000, but several fisheries are scheduled to begin prior to that date. Gill net openings in Areas 7B and 7C are based on an in-season update of the chinook run size returning to Bellingham and Samish bays that is higher than the preseason forecast, and an additional day of fishing, over what was scheduled preseason, is needed to catch the non-treaty share of the harvestable fish. These emergency rules are necessary at this time to harvest surplus salmon, or else the salmon will migrate into their streams, and commercial fishing opportunity will be lost.

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

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

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

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

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

Effective Date of Rule: September 1, 2000, 7:01 p.m.

September 1, 2000

J. P. Koenings

Director

NEW SECTION

WAC 220-47-702 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of

Chapter 220-47 WAC, effective 7:01 p.m. Friday, September 1, 2000 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods, gears, mesh sizes, area, and species restrictions:

Area 6D: Open to skiff gill nets only using 5 inch minimum and 5 1/2 inch maximum mesh from 7:00 a.m. to 7:00 p.m. on the following dates: 9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13, 10/16, 10/17, 10/18, 10/19, 10/20, 10/23, 10/24, 10/25, 10/26, 10/27.

In Area 6D, it is unlawful to retain chinook salmon at any time, or any chum salmon taken prior to October 16. Salmon that are unlawful to retain must be removed from the net by cutting the meshes ensnaring the fish. Area 6D is closed to commercial salmon fishing within 1/4 mile of each mouth of the Dungeness River.

Area 7: Open for reef nets from 7:00 a.m. to 7:00 p.m. daily beginning Sunday, September 10 through Saturday, November 11. It is unlawful to retain chinook salmon at any time. Chum salmon caught prior to October 1 must be released immediately.

Area 7A: Open for reef nets from 7:00 a.m. to 7:00 p.m. daily beginning Sunday, September 10 through Saturday, November 11. It is unlawful to retain chinook salmon at any time. Chum salmon caught prior to October 1 must be released immediately.

Area 7B: Open as follows:

gill nets - open to gill nets using 7 inch minimum mesh during these times:

7:00 p.m. Monday, September 4 to 9:00 a.m. Tuesday, September 5

7:00 p.m. Tuesday, September 5 to 9:00 a.m. Wednesday, September 6

and open to gill nets using 5 inch minimum mesh during these times:

6:00 a.m. Monday, September 11 through 8:00 p.m. Wednesday, September 13

6:00 a.m. Monday, September 18 through 7:00 p.m. Wednesday, September 20

purse seines - open to purse seines using the 5-inch strip during these times:

6:00 a.m. Monday, September 11 through 8:00 p.m. Wednesday, September 13

6:00 a.m. September 18 through 7:00 p.m. Wednesday, September 20

Area 7C: Open to gill nets using 7 inch minimum mesh during these times:

7:00 p.m. Monday, September 4 to 9:00 a.m. Tuesday, September 5

7:00 p.m. Tuesday, September 5 to 9:00 a.m. Wednesday, September 6

Area 9A: Open to gill nets using 5 inch minimum mesh from 7:00 a.m. Sunday, September 17 to 4:00 p.m. Saturday, October 28. Chum salmon caught prior to October 1 must be released immediately. Chum salmon that are unlawful to be retained must be removed from the net by cutting the meshes ensnaring the fish.

Area 12A: Open to beach seines only 7:00 a.m. to 7:00 p.m. daily beginning Monday, September 4 to Friday, September 8; Monday, September 11 to Friday, September 15; Monday, September 18 to Friday, September 22; Monday, September 25 to Friday, September 29; Monday, October 2 to Friday, October 6; Monday, October 9 to Friday, October 13.

In Area 12A, it is unlawful to retain chinook or chum salmon at any time.

Areas 4B, 5, 6, 6A, 6B, 6C, 7D, 7E, 8, 8A, 9, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas and exclusion zones provided for in WAC 220-47-307 - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:01 p.m. Friday, September 1, 2000:

WAC 220-47-701 Puget Sound all-citizen commercial salmon fishery. (00-147)

EMERGENCY



WSR 00-18-002
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION

(State Capitol Committee)
(Legislative Building Renovation Oversight Committee)
[Memorandum—August 16, 2000]

Please record the following Joint ~ State Capitol Committee and Legislative Building Renovation Oversight Committee meeting date in the Washington State Register:

Date: Tuesday, October 10, 2000
Time: 9:00 a.m. to 2:00 p.m.
Location: Cherberg Building, Conference Rooms A and B

If you have any questions, call (360) 902-0970.

WSR 00-18-008
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Title and Registration Advisory Committee)
[Memorandum—August 15, 2000]

Following is the public meeting notice for the next Title and Registration Advisory Committee (TRAC) meeting:

DATE: October 3, 2000
TIME: 1:30 p.m. - 3:00 p.m.
PLACE: Highways-Licenses Building
Conference Room 413
1125 Washington Street
Olympia, WA 98504

WSR 00-18-011
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE
[Memorandum—August 17, 2000]

The board of trustees of Bates Technical College has postponed its regularly scheduled meeting of September 20, 2000, to September 27, 2000.

This also will notify you that the location of board meetings (beginning September 27, 2000) will change from the Olympic/Cascade Room to the new Clyde Hupp Board Room, Bates Technical College East Wing, 1101 South Yakima Avenue, Tacoma, WA 98405.

Bates Technical College complies with all federal rules and regulations and does not discriminate on the basis of religion, race, age, color, national origin, gender or handicap. An accredited, publicly funded technical college.

WSR 00-18-012
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Memorandum—August 25, 2000]

The board of trustees of Bellingham Technical College will meet in a special session to discuss personnel issues and legal matters on Tuesday, August 29, 2000, 11 a.m. - 2 p.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 ext. 334 for information.

WSR 00-18-024
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed August 28, 2000, 3:32 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.
Subject: Hearing aids and services.
Effective Date: September 2000.

Document Description: This manual describes DSHS guidelines for hearing aids and services delivered to medical assistance clients. Included in this document are the following sections: Client Eligibility, Coverage—Adults, Coverage—Children, Authorization information, Billing Guidelines, Fee Schedule, CSHCN Local Health Depts address list, and Claim Form Instructions and Samples.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 586-2337, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 21, 2000
Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-18-025
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed August 28, 2000, 3:33 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.
Subject: Births in birthing centers.
Effective Date: September 2000.

Document Description: This manual describes DSHS guidelines for births in birthing centers. Included in this document are the following sections: Client Eligibility, Prenatal Management/Risk Screening Guidelines, Coverage, Fee

MISC.

Schedule, General Billing Information, How to Complete the HCFA-1500 Claim Form and Sample Claim Forms.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 586-2337, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 23, 2000
Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-18-043

**NOTICE OF PUBLIC MEETINGS
UNIFORM LEGISLATION COMMISSION**

[Memorandum—August 30, 2000]

Please accept this letter as notice of public meetings of the Washington Uniform Legislation Commission.

The commission will meet on the second Wednesday of October, January, April and July beginning at noon at the chambers of Judge Marlin Appelwick, 26th Floor, One Union Square Building, 600 University Street, Seattle, WA 98101, (206) 389-3926. The next meeting will be October 11, 2000.

WSR 00-18-044

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed August 31, 2000, 4:16 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-41 MAA Numbered Memorandum.

Subject: Updates to the acute physical medicine and rehabilitation (Acute PM&R) Level B program reimbursement rate, billing procedures, and contract format.

Effective Date: August 15, 2000.

The Medical Assistance Administration (MAA) updated the following areas of the Acute PM&R Level B program: Reimbursement rates, billing procedures, and contract formats.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 28, 2000
Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-18-045

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed August 31, 2000, 4:17 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-42 MAA Numbered Memorandum.

Subject: Update to the billing procedures for the long term acute care (LTAC) program.

Effective Date: August 15, 2000.

- **Retroactive to dates of service on and after October 1, 1998**, the Medical Assistance Administration (MAA) is paying for ancillary services not included in the per diem rate. This numbered memorandum contains the revenue codes providers need to use when billing for these ancillary services.
- **Retroactive to dates of service on and after April 1, 2000**, MAA updated the billing procedures for the LTAC program. This numbered memorandum explains the updates.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 28, 2000
Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-18-046

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed August 31, 2000, 4:18 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-57 MAA Numbered Memorandum.

Subject: Enhanced reimbursement for major trauma clients.

Effective Date: August 14, 2000.

This memo is to clarify that enhanced reimbursement is available to oral surgeons treating fee-for-service medical assistance clients for **major trauma** services at designated trauma centers.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 28, 2000
Leslie Saeger, Manager
Regulatory Improvement Project

MISC.

WSR 00-18-047

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed August 31, 2000, 4:19 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-58 MAA Numbered Memorandum.

Subject: Change in specifications for disposable incontinent products.

Effective Date: August 22, 2000.

Retroactive to dates of service on or after July 1, 2000, the Medical Assistance Administration (MAA) has changed the backsheet thickness requirement for disposable diaper/incontinent products to 1.0 ml to be in accordance with industry standards.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

August 28, 2000

Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-18-049

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES**

(Electrical Board)

[Memorandum—September 1, 2000]

As per chapter 42.30 RCW, the Open Public Meetings Act, the time and place of the regular meetings for the Electrical Board is as follows:

DATE	TIME	LOCATION
October 26, 2000	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98504
January 25, 2001	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98504
April 26, 2001	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98504
July 26, 2001	9:00 a.m.	Labor and Industries Building 7273 Linderson Way S.W. Tumwater, WA 98504

Please call (360) 902-5259 if more information is required.

WSR 00-18-065

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES**
(Apprenticeship and Training Council)

[Memorandum—September 1, 2000]

As per chapter 42.30 RCW, the Open Public Meetings Act, the time and place of the regular meetings for the Washington State Apprenticeship and Training Council is as follows:

DATE	TIME	LOCATION
October 19-20, 2000	9:00 a.m.	Cavanaugh's Ridpath 515 West Spague [Sprague] Spokane, WA 99201
January 18-19, 2001	9:00 a.m.	King County (location to be determined)
April 19-20, 2001	9:00 a.m.	Moses Lake (location to be determined)
July 19-20, 2001	9:00 a.m.	Cavanaugh's Ridpath 515 West Spague [Sprague] Spokane, WA 99201
October 18-19, 2001	9:00 a.m.	Aberdeen/Hoquiam or Vancouver (location to be determined)

The specific locations for some of the regular meetings are still being determined. Please call (360) 902-5320 if you have any questions, and prior to attending the meeting, in order to receive the address of the meeting.

WSR 00-18-072

**NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE**

[Memorandum—Filed September 1, 2000,]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, September 21, 2000, 9-11 a.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 ext. 334 for information.

WSR 00-18-073

OFFICE OF THE GOVERNOR

[Filed September 1, 2000, 1:43 p.m.]

September 1, 2000

Daniel R. Humphrey
President, Washington Center
for Comprehensive Rehabilitation
2821 South Walden
Seattle, WA 98144

Re: RCW 34.05.330(3) appeal of the June 30, 2000 denial by the Department of Social and Health Services ("DSHS") of that certain petition ("Petition") to amend WAC 388-97-005, originally filed on April 29, 2000, regarding the definition of "reasonable accommodation"

MISC.

Dear Mr. Humphrey:

Thank you for your letter dated July 24, 2000 and received by my office on July 27, 2000, appealing DSHS's decision to deny the Petition.

Pursuant to RCW 34.05.330(3), I have fully reviewed your appeal of the Petition and the relevant statutes and regulations, and have affirmed DSHS's decision.

It is my policy to intervene in matters presented to me under RCW 34.05.330(3) only when I believe the agency whose decision is at issue has abused its discretion or acted arbitrarily or capriciously. It is also my policy not to second-guess the thoughtful and deliberate decisions of a state agency, so long as those decisions are well founded and proper under the law.

DSHS had a proper basis for its decision to deny the Petition because the proposed amendment is outside of the scope of WAC Chapter 388-97 and the authority granted to DSHS under RCW Chapter 18.51. Those chapters contain requirements for the provision of resident rights, care and related services; the physical environment of the licensed nursing home; and obtaining and maintaining a nursing home license. They do not address the nursing facility payment system. That system is largely statutory, and may be changed as you requested in the Petition only by amending RCW Chapter 74.46 and regulations promulgated under that chapter.

You stated in your letter that you believe the standard of care and the necessary funding must be linked. That makes good sense, and the current payment system provides such a link between care standards and funding. As of October 1, 1998, each facility receives a daily rate for Medicaid residents based on its costs and the care needs of its residents. The rate structure includes a component for therapy care. On July 1, 2001, a new rate will go into effect based on 1999 costs adjusted for inflation.

DSHS is required by statute to contract for an evaluation of the impacts of this linked payment system on access to nursing home care, the wage and benefit levels of nursing home employees, and the quality of care and quality of life for nursing home residents. The study is due on December 1, 2001, and we look forward to its conclusions.

Your letter also describes the importance of rehabilitation services to younger people who have experienced a major trauma, and who can most benefit from therapy. I agree that such services are very important and, in the 1999 session, the legislature authorized additional payments of \$66.50 per day for these types of residents. DSHS implemented the program on January 1, 2000, and a report to the legislature on the effectiveness of the program is due on December 12, 2002.

While some argue that the enhanced funding is still inadequate, DSHS has implemented all of the statutory provisions for rehabilitation services authorized by the legislature. It will be necessary for the legislature to act for funding to be increased again.

Thank you for your extensive efforts and profound commitment to the care of Washington citizens with disabling injuries.

Sincerely,
Gary Locke
Governor

cc: Dennis W. Cooper, Code Reviser
Tim Martin, Co-Chief Clerk, House of Representatives
Cindy Zehnder, Co-Chief Clerk, House of Representatives
Tony Cook, Secretary of Senate
Dennis Braddock, Secretary of DSHS
Patricia Lashway, Director, Residential Care Services

WSR 00-18-079

DEPARTMENT OF ECOLOGY

[Filed September 5, 2000, 8:03 a.m.]

NOTICE OF PUBLIC HEARING
WASHINGTON STATE DEPARTMENT OF ECOLOGY

Including Revised Spokane County Air Pollution Control Authority Regulatory Orders in the Washington State Implementation Plan

The Washington State Department of Ecology is conducting a public hearing to receive comments on including revised Spokane County Air Pollution Control Authority (SCAPCA) regulatory orders in the state implementation plan (SIP). The SIP is a state-wide plan for meeting federal health-based air quality standards. The hearing will be held during the SCAPCA board meeting at 8:30 a.m. on Thursday, October 5, 2000, at the Spokane County Public Works Building, Commissioners' Hearing Room, Lower Level, 1026 West Broadway, Spokane, WA.

SCAPCA has proposed revised Orders #96-03, #96-05, and #96-06 to replace the orders currently in the SIP. SCAPCA adopted Orders #96-03, #96-04, #96-05, and #96-06 in 1996 to limit potential emissions from the Kaiser Trentwood facility in Spokane. Kaiser voluntarily accepted these regulatory orders under WAC 173-400-091 to maintain the validity of the modeling of the Kaiser Trentwood facility in the Spokane PM10 attainment plan. EPA adopted the four regulatory orders into Washington state's federally approved SIP. Following finalization of the orders, it was discovered that some emissions were inadvertently omitted from the orders. Kaiser has requested revised orders to ensure that these emissions are addressed. The revised orders reduce potential PM10 emissions from the Kaiser Trentwood facility by 390 pounds per day and include revisions to allow for operational flexibility. For ecology's purposes, comments must be limited to including the revised orders in the SIP. Written comments must be postmarked no later than October 9, 2000, and should be sent to Doug Schneider, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600.

For more information on the content of the proposed revisions prior to the hearing, please contact Kelle Vigeland

(prior to September 8) or April Westby (after September 8) of SCAPCA at (509) 477-4727, ext. 106 or 105, krvigeland@scapca.org or alwestby@scapca.org, respectively. If you have special accommodation needs, please contact Tami Dahlgren, Department of Ecology, (360) 407-6830 (voice) or (360) 407-6006 (TDD only) at least one week prior to the hearing.

WSR 00-18-092

**NOTICE OF PUBLIC MEETINGS
CENTRAL WASHINGTON UNIVERSITY**

[Memorandum—August 29, 2000]

Regular meetings of the Central Washington University board of trustees will be held in Barge Hall, Room 412, on the Central Washington University Ellensburg campus, except where noted, at 1:00 p.m. on the following dates:

- October 5, 2000 (campus retreat and presidential inaugural)
- October 6, 2000
- November 17, 2000
- December 8, 2000
- February 9, 2001
- April 13, 2001 (CWU Yakima Center)
- May 11, 2001
- June 8, 2001
- August 2-3, 2001 (board retreat)

WSR 00-18-093

**NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE**

[Memorandum—September 1, 2000]

The regular September meeting of the board of trustees will be changed from the Mount Vernon campus on September 11, 2000, to 5:30 p.m. at the South Whidbey Center, 11042 SR 525, #138, Clinton, WA.

WSR 00-18-094

**NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD**

[Memorandum—September 1, 2000]

COUNTY ROAD ADMINISTRATION BOARD

MEETING NOTICE: October 5, 2000
County Road Administration Board
2404 Chandler Court S.W., Suite 240
Olympia, WA 98504
1:00 p.m. to 5:00 p.m.

PUBLIC HEARING: October 5, 2000
County Road Administration Board
2404 Chandler Court S.W., Suite 240
Olympia, WA 98504
2:00 p.m.

MEETING NOTICE: October 6, 2000
County Road Administration Board
2404 Chandler Court S.W., Suite 240
Olympia, WA 98504
9:00 a.m. to 12:00 p.m.

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Cheryl Heinemeyer at (360) 753-5989, hearing and speech impaired persons can call 1-800-833-6384.

If you have questions, please contact (360) 753-5989.

WSR 00-18-097

**INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE**

[Filed September 5, 2000, 2:56 p.m.]

ADOPTION OF INTERPRETIVE STATEMENT

**Property Tax Advisory 3.0.2000 - Implementation of the
Agricultural Burning Legislation,
E2SHB 1987 - Effective March 22, 2000**

This announcement of the adoption of this interpretive statement is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has adopted the following property tax advisory: Property Tax Advisory 3.0.2000 (Implementation of the Agricultural Burning Legislation, E2SHB 1987 - effective March 22, 2000). This advisory explains the implementation and administration of E2SHB 1987 in the following areas:

1. The intent of the law as it pertains to personal property assessment and taxation;
2. The types of machinery and equipment that qualify for the exemption;
3. The types of crops that traditionally have been burned;
4. The responsibility of recordkeeping;
5. Machinery and equipment that loses its exempt status;
6. Taxpayer appeal rights;
7. Effective dates.

Requests for copies of this advisory may be directed to Pete Levine, Property Tax Division, P.O. Box 47471, Olympia, WA 98504-7471, phone (360) 570-5865, fax (360) 586-7602.

Claire Hesselholt
Policy Counsel

WSR 00-18-104
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE

[Memorandum—September 1, 2000]

EDMONDS COMMUNITY COLLEGE
 BOARD OF TRUSTEES
 NOTICE OF SPECIAL MEETINGS
 TO MEDIA/OTHER

- September 13-14, 2000* TACTC Fall Conference and New Trustee Orientation, Embassy Suites, 15920 West Valley Highway, Tukwila, WA, 8:00 a.m. - 3:30 p.m.
Purpose: Fall trustee conference and legislative forum.
- September 16, 2000* Cascadia Community College and University of Washington Bothell Dedication Ceremony, 18345 Campus Way N.E., Bothell, WA, 11:00 a.m. - 5:00 p.m.
Purpose: Dedication of new college campus.
- September 18, 2000* VIP Social, EdCC, Triton Union Building, Room 202, 20200 68th Avenue West, Lynnwood, WA, 11:30 a.m.
Purpose: Formal greeting of new international students.
- September 20, 2000* All-campus meeting — Welcome and barbecue, EdCC, Triton Union Building, Room 202, 20200 68th Avenue West, Lynnwood, WA, 8:30 a.m. - 1:00 p.m.
Purpose: Fall kick-off welcome for returning and new staff and faculty.
- September 21, 2000 Edmonds Community College Board of Trustees Regular Meeting, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 4:00 p.m.
Purpose: To address routine college business issues.

*This event is being scheduled as a special meeting, which is a study session where no action will be taken.

WSR 00-18-105
OFFICE OF THE GOVERNOR

[Filed September 6, 2000, 10:21 a.m.]

September 6, 2000

Mr. Ivan Urnovitz and Mr. Vernon Young
 Northwest Mining Association
 10 North Post Street, Suite 414
 Spokane, Washington 99201-0772

Re: RCW 34.05.330(3) appeal of the June 26, 2000 denial by the Washington Fish and Wildlife Commission ("Commission") of that certain Petition for Reconsideration to Amend or Repeal Provisions of the "Gold & Fish Rule" to Deregulate Gold Panning Activities and Other Purposes ("Petition"), dated May 12, 2000

Dear Mr. Urnovitz and Mr. Young:

Thank you for your letter dated July 25, 2000 and received by my office on July 26, 2000, appealing the Commission's decision to deny the Petition.

Pursuant to RCW 34.05.330(3), I have fully reviewed your appeal of the Petition and the relevant statutes and regulations, and have affirmed the Commission's decision.

It is my policy to intervene in matters presented to me under RCW 34.05.330(3) only when I believe the agency or commission whose decision is at issue has abused its discretion or acted arbitrarily or capriciously. It is also my policy not to second-guess the thoughtful and deliberate decisions of a state agency or commission, so long as those decisions are well founded and proper under the law. This is an extremely high standard of review.

The Commission had a proper basis for its decision to deny the Petition for the reasons described below. I have responded to each of your arguments in turn:

1. Hand-held pan exemption: You argued that the Commission failed to respond to your point that hand-held pans are not regulated by the states of Idaho or Oregon. Whether or not these states regulate this form of prospecting is immaterial to the Commission's or the Washington Department of Fish and Wildlife's ("WDFW") authority to do so, and therefore that objection is not relevant.

I understand that individual gold pans must each have a very small impact on the environment. However, I am not in a position to judge the cumulative effect of all small scale panning in a particular stream. Because RCW 75.20.330 explicitly includes pans in its definition of methods used for "small scale prospecting and mining," WDFW is authorized to regulate their use.

2. Authority to regulate activities above the ordinary high water line: WDFW is authorized by the former RCW 75.20.100(1) (recently recodified in Chapter 77 RCW) to review and approve or deny "any form of hydraulic project or ... other work that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state." The statute does not limit this authority to areas below ordinary high water or any other water/land boundary. Accordingly, WDFW is clearly authorized to regulate activity outside the ordinary high water line. WDFW is to base its regulatory decisions on "the proper protection of fish life." It appears from the quoted language in your letter that you misread the statute.

As with gold panning, applying common sense, I understand your point that it is difficult to see how one individual working with a shovel more than 200 feet beyond the ordinary high water line might affect the natural flow or bed of a stream. Similarly applying common sense, however, it is also easy to understand how the cumulative effect of one or several people working along a stream, over time, could materially affect the flow of sediment into a stream and affect fish life.

Please note that the Gold and Fish pamphlet allows exceptions to its restrictions if parties seek a standard Hydraulic

Project Approval; thus, activities in the 200 feet beyond the ordinary high water line are not precluded but simply require additional consideration. I urge you to seek an exception if you have an appropriate project in mind.

Kelly D. White, Chairman, Washington Fish and Wildlife Commission
 Jeff Koenings, Director, WDFW

3. Adequacy of Small Business Economic Impact Statement ("SBEIS"): The statute requiring an SBEIS, RCW 19.85.040, does not require agencies to address secondary impacts of regulations. The SBEIS prepared by WDFW deals with the impacts of the Gold and Fish rule on small commercial prospecting and mining businesses and compares those impacts to effects on large prospecting and mining businesses. The document does not, nor is the agency required to, address the effects of the rule on those who might supply equipment to the parties directly affected. The SBEIS appears to meet the department's legal obligations.

4. Lack of access to documentation justifying rule content: It is my understanding that WDFW has maintained a complete rule-making file, as required by RCW 34.05.370, that includes all materials used or submitted in the course of developing the Gold and Fish pamphlet. This file is available for public review upon request.

5. Applicability of rule to activities above ordinary high water line: As noted above, WDFW is not statutorily limited to applying the Hydraulic Code only to activities within the ordinary high water line. WDFW is authorized by the former RCW 75.20.100(1) (recently recodified in Chapter 77 RCW) to review and approve or deny "any form of hydraulic project or ... other work that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state." WDFW is to base its decisions on "the proper protection of fish life." The statute does not limit this authority to areas below ordinary high water or any other water/land boundary. In its efforts to "preserve, protect, perpetuate and manage the food fish and shellfish in state waters and offshore waters" (former RCW 75.08.012) WDFW must exercise judgment in determining whether excavation activity (which could include situations where groups are prospecting together and thereby exceed "any individual using a regular shovel") could affect water flow into a streambed or watercourse that could change the natural flow or bed. This is fully within WDFW's jurisdiction.

Thank you for your extensive efforts and profound commitment to preserving micro-scale mining opportunities for Washington's citizens. I urge you to pursue mining methods that can be granted permits or exceptions as provided in the Gold and Fish pamphlet.

Sincerely,

Gary Locke
 Governor

cc: Dennis W. Cooper, Code Reviser
 Tim Martin, Co-Chief Clerk, House of Representatives
 Cindy Zehnder, Co-Chief Clerk, House of Representatives
 Tony Cook, Secretary of the Senate

MISC.



Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJECT = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

Suffixes:

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- XA = Expedited adoption
- XR = Expedited repeal
- No suffix means permanent action

WAC # Shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # Shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
1-04-010	AMD-XA	00-13-109	4-25-661	AMD	00-11-073	16-70-001	REP	00-06-064
1-04-010	AMD	00-18-001	4-25-750	AMD-P	00-07-011	16-70-005	AMD-P	00-03-070
1-06-010	AMD-XA	00-13-109	4-25-750	AMD	00-11-074	16-70-005	AMD	00-06-064
1-06-010	AMD	00-18-001	4-25-780	REP-P	00-07-012	16-70-010	AMD-P	00-03-070
1-06-030	AMD-XA	00-13-109	4-25-780	REP	00-11-075	16-70-010	AMD	00-06-064
1-06-030	AMD	00-18-001	4-25-781	NEW-P	00-07-013	16-70-030	REP-P	00-03-070
1-06-040	AMD-XA	00-13-109	4-25-781	NEW	00-11-076	16-70-030	REP	00-06-064
1-06-040	AMD	00-18-001	4-25-782	NEW-P	00-07-013	16-71	PREP	00-08-094
1-06-130	AMD-XA	00-13-109	4-25-782	NEW	00-11-076	16-71-001	REP-P	00-11-145
1-06-130	AMD	00-18-001	4-25-783	NEW-P	00-07-013	16-71-001	REP	00-14-059
1-06-140	AMD-XA	00-13-109	4-25-783	NEW	00-11-076	16-71-003	REP-P	00-11-145
1-06-140	AMD	00-18-001	4-25-830	PREP	00-03-033	16-71-003	REP	00-14-059
1-06-160	AMD-XA	00-13-109	4-25-830	AMD-P	00-07-014	16-71-010	AMD-P	00-11-145
1-06-160	AMD	00-18-001	4-25-830	AMD	00-11-077	16-71-010	AMD	00-14-059
1-21-020	AMD-XA	00-13-109	4-25-910	AMD-P	00-07-015	16-71-022	AMD-P	00-11-145
1-21-020	AMD	00-18-001	4-25-910	AMD	00-11-078	16-71-022	AMD	00-14-059
1-21-070	AMD-XA	00-13-109	16-42	PREP	00-08-095	16-71-030	AMD-P	00-11-145
1-21-070	AMD	00-18-001	16-42-005	AMD-P	00-11-146	16-71-030	AMD	00-14-059
1-21-110	AMD-XA	00-13-109	16-42-005	AMD-C	00-14-076	16-71-035	NEW-P	00-11-145
1-21-110	AMD	00-18-001	16-42-005	AMD	00-17-072	16-71-035	NEW	00-14-059
1-21-140	AMD-XA	00-13-109	16-42-017	AMD-P	00-11-146	16-71-040	REP-P	00-11-145
1-21-140	AMD	00-18-001	16-42-017	AMD-C	00-14-076	16-71-040	REP	00-14-059
1-21-160	AMD-XA	00-13-109	16-42-017	AMD	00-17-072	16-71-050	REP-P	00-11-145
1-21-160	AMD	00-18-001	16-42-022	AMD-P	00-11-146	16-71-050	REP	00-14-059
1-21-170	AMD-XA	00-13-109	16-42-022	REP-C	00-14-076	16-74-001	REP-P	00-03-069
1-21-170	AMD	00-18-001	16-42-022	REP	00-17-072	16-74-001	REP	00-06-065
4-25-400	AMD-P	00-07-004	16-42-023	NEW-C	00-14-076	16-74-005	NEW-P	00-03-069
4-25-400	AMD	00-11-067	16-42-023	NEW	00-17-072	16-74-005	NEW	00-06-065
4-25-510	PREP	00-03-032	16-42-025	AMD-P	00-11-146	16-74-010	AMD-P	00-03-069
4-25-510	AMD-P	00-07-005	16-42-025	REP-C	00-14-076	16-74-010	AMD	00-06-065
4-25-510	AMD	00-11-068	16-42-025	REP	00-17-072	16-74-020	AMD-P	00-03-069
4-25-522	REP-P	00-07-006	16-42-026	NEW-C	00-14-076	16-74-020	AMD	00-06-065
4-25-522	REP	00-11-069	16-42-026	NEW	00-17-072	16-74-030	AMD-P	00-03-069
4-25-540	AMD-P	00-07-007	16-42-035	AMD-P	00-11-146	16-74-030	AMD	00-06-065
4-25-540	AMD	00-11-070	16-42-035	AMD-C	00-14-076	16-74-040	REP-P	00-03-069
4-25-631	AMD-P	00-07-008	16-42-035	AMD	00-17-072	16-74-040	REP	00-06-065
4-25-631	AMD	00-11-071	16-42-060	REP-P	00-11-146	16-80-005	AMD-P	00-03-068
4-25-660	AMD-P	00-07-009	16-42-060	REP-C	00-14-076	16-80-005	AMD	00-06-066
4-25-660	AMD	00-11-072	16-42-060	REP	00-17-072	16-80-007	AMD-P	00-03-068
4-25-661	AMD-P	00-07-010	16-70-001	REP-P	00-03-070	16-80-007	AMD	00-06-066

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
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16-80-045	AMD	00-06-066	16-154-180	NEW-C	00-17-115	16-213-270	AMD	00-08-041
16-80-047	AMD-P	00-03-068	16-164	PREP	00-15-030	16-224-010	REP-P	00-17-147
16-80-047	AMD	00-06-066	16-200-512	REP-XR	00-07-068	16-224-020	REP-P	00-17-147
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16-80-050	REP	00-06-066	16-200-600	NEW-P	00-15-065	16-224-030	REP-P	00-17-147
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16-101-716	AMD-P	00-15-001	16-200-701	NEW-P	00-15-065	16-228-1010	AMD-P	00-17-137
16-101-721	AMD-P	00-15-001	16-200-703	NEW-P	00-15-065	16-228-1040	PREP	00-03-080
16-101-990	AMD-P	00-15-001	16-200-705	REP-P	00-15-065	16-228-1040	AMD-P	00-17-137
16-101X	PREP	00-07-115	16-202-1000	PREP	00-03-076	16-228-1110	AMD-P	00-10-098
16-112-001	REP	00-05-024	16-202-2000	PREP	00-03-076	16-228-1110	AMD-C	00-13-031
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16-143-005	NEW-E	00-13-055	16-212-060	REP-P	00-17-147	16-228-1125	NEW-P	00-10-098
16-143-010	NEW-P	00-08-107	16-212-070	REP-P	00-17-147	16-228-1125	NEW-C	00-13-031
16-143-010	NEW	00-11-123	16-212-080	REP-P	00-17-147	16-228-1125	NEW-C	00-17-138
16-143-020	NEW-P	00-08-107	16-212-082	REP-P	00-17-147	16-228-1130	AMD-P	00-10-098
16-143-020	NEW	00-11-123	16-212-086	REP-P	00-17-147	16-228-1130	AMD-C	00-13-031
16-143-030	NEW-P	00-08-107	16-212-087	REP-P	00-17-147	16-228-1130	AMD-C	00-17-138
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16-143-040	NEW-P	00-08-107	16-212-120	REP-P	00-17-147	16-228-1140	REP-C	00-13-031
16-143-040	NEW	00-11-123	16-212-125	REP-P	00-17-147	16-228-1140	REP-C	00-17-138
16-143-050	NEW-P	00-08-107	16-212-126	REP-P	00-17-147	16-228-1150	PREP	00-03-080
16-143-050	NEW	00-11-123	16-212-127	REP-P	00-17-147	16-228-1150	AMD-P	00-10-098
16-143-060	NEW-P	00-08-107	16-212-128	REP-P	00-17-147	16-228-1150	AMD-C	00-13-031
16-143-060	NEW	00-11-123	16-212-130	REP-P	00-17-147	16-228-1150	AMD-P	00-17-137
16-143-070	NEW-P	00-08-107	16-212-160	REP-P	00-17-147	16-228-1150	AMD-C	00-17-138
16-143-070	NEW	00-11-123	16-212-170	REP-P	00-17-147	16-228-1155	NEW-P	00-10-098
16-143-080	NEW-P	00-08-107	16-212-180	REP-P	00-17-147	16-228-1155	NEW-C	00-13-031
16-143-080	NEW	00-11-123	16-212-190	REP-P	00-17-147	16-228-1155	NEW-C	00-17-138
16-143-090	NEW-P	00-08-107	16-212-195	REP-P	00-17-147	16-228-1200	PREP	00-03-080
16-143-090	NEW	00-11-123	16-212-215	REP-P	00-17-147	16-228-1200	AMD-P	00-17-137
16-143-100	NEW-P	00-08-107	16-212-220	REP-P	00-17-147	16-228-1220	PREP	00-03-077
16-143-100	NEW	00-11-123	16-212-225	REP-P	00-17-147	16-228-1220	AMD-P	00-18-109
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16-154-050	AMD-S	00-13-012	16-213-110	REP	00-08-041	16-228-1270	AMD-P	00-17-137
16-154-050	AMD-C	00-17-115	16-213-120	REP-P	00-05-048	16-228-1300	PREP	00-03-077
16-154-053	NEW-S	00-13-012	16-213-120	REP	00-08-041	16-228-1300	AMD-P	00-18-109

TABLE

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16-228-1322	NEW-P	00-18-109	16-232-030	PREP	00-15-064	16-328-045	NEW-XA	00-14-079
16-228-1380	PREP	00-03-080	16-232-035	PREP	00-15-064	16-328-060	AMD-XA	00-14-079
16-228-1380	AMD-P	00-17-137	16-232-038	PREP	00-15-064	16-328-065	AMD-XA	00-14-079
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16-228-1400	PREP	00-03-078	16-234-020	REP-P	00-17-147	16-328-088	AMD-XA	00-14-079
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16-228-1500	PREP	00-03-079	16-237-015	NEW-P	00-17-147	16-333-020	AMD-XA	00-14-077
16-228-1520	PREP	00-03-079	16-237-020	NEW-P	00-17-147	16-333-030	REP-XA	00-14-077
16-228-1540	PREP	00-03-080	16-237-025	NEW-P	00-17-147	16-333-040	AMD-XA	00-14-077
16-228-1540	AMD-P	00-17-137	16-237-030	NEW-P	00-17-147	16-333-045	NEW-XA	00-14-077
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16-228-2000	PREP	00-03-077	16-237-145	NEW-P	00-17-147	16-333-060	REP-XA	00-14-077
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16-230	PREP	00-04-021	16-237-155	NEW-P	00-17-147	16-333-065	REP-XA	00-14-077
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16-230-600	PREP	00-15-063	16-237-170	NEW-P	00-17-147	16-333-071	NEW-XA	00-14-077
16-230-605	PREP	00-13-030	16-237-175	NEW-P	00-17-147	16-333-080	REP-XA	00-14-077
16-230-605	PREP	00-15-063	16-237-180	NEW-P	00-17-147	16-333-085	NEW-XA	00-14-077
16-230-610	PREP	00-13-030	16-237-185	NEW-P	00-17-147	16-333-090	AMD-XA	00-14-077
16-230-610	PREP	00-15-063	16-237-190	NEW-P	00-17-147	16-350	AMD-XA	00-14-078
16-230-615	PREP	00-13-030	16-237-195	NEW-P	00-17-147	16-350-001	REP-XA	00-14-078
16-230-615	PREP	00-15-063	16-237-200	NEW-P	00-17-147	16-350-003	REP-XA	00-14-078
16-230-615	AMD-P	00-18-108	16-237-205	NEW-P	00-17-147	16-350-010	AMD-XA	00-14-078
16-230-620	PREP	00-13-030	16-237-210	NEW-P	00-17-147	16-350-015	AMD-XA	00-14-078
16-230-620	PREP	00-15-063	16-324-361	AMD-XA	00-16-111	16-350-020	AMD-XA	00-14-078
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16-230-635	PREP	00-13-030	16-324-385	NEW-XA	00-16-111	16-350-040	AMD-XA	00-14-078
16-230-635	PREP	00-15-063	16-324-391	AMD-XA	00-16-111	16-350-045	AMD-XA	00-14-078
16-230-640	PREP	00-13-030	16-324-392	AMD-XA	00-16-111	16-350-050	AMD-XA	00-14-078
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16-230-655	PREP	00-13-030	16-324-398	AMD-XA	00-16-111	16-409	PREP	00-03-085
16-230-655	PREP	00-15-063	16-324-399	NEW-XA	00-16-111	16-414	PREP	00-07-132
16-230-660	PREP	00-13-030	16-324-401	AMD-XA	00-16-111	16-439	PREP	00-07-134
16-230-660	PREP	00-15-063	16-324-402	AMD-XA	00-16-111	16-442	PREP	00-07-133
16-230-665	PREP	00-13-030	16-324-409	AMD-XA	00-16-111	16-445	PREP	00-03-084
16-230-665	PREP	00-15-063	16-324-431	AMD-XA	00-16-111	16-449	PREP	00-15-010
16-230-670	PREP	00-13-030	16-324-446	AMD-XA	00-16-111	16-459	PREP	00-15-010
16-230-670	PREP	00-15-063	16-324-700	REP-XA	00-16-111	16-463	PREP	00-07-135
16-230-673	PREP	00-13-030	16-324-710	REP-XA	00-16-111	16-470	PREP	00-16-048
16-230-673	PREP	00-15-063	16-324-720	AMD-XA	00-16-111	16-470	PREP	00-16-049
16-230-675	PREP	00-13-030	16-328	AMD-XA	00-14-079	16-470	PREP	00-16-050
16-230-675	PREP	00-15-063	16-328-008	AMD-XA	00-14-079	16-470	PREP	00-17-185
16-232-001	PREP	00-15-064	16-328-009	REP-XA	00-14-079	16-472-010	AMD-XA	00-16-110
16-232-005	PREP	00-15-064	16-328-010	AMD-XA	00-14-079	16-472-020	AMD-XA	00-16-110
16-232-010	PREP	00-15-064	16-328-015	AMD-XA	00-14-079	16-472-030	AMD-XA	00-16-110
16-232-015	PREP	00-15-064	16-328-025	AMD-XA	00-14-079	16-472-040	AMD-XA	00-16-110
16-232-020	PREP	00-15-064	16-328-030	REP-XA	00-14-079	16-472-050	REP-XA	00-16-110

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-478	PREP	00-16-047	16-663	AMD-P	00-17-184	50-12-116	DECOD-X	00-13-101
16-483	AMD-C	00-04-066	16-663-001	REP-P	00-17-184	50-12-116	DECOD	00-17-141
16-483	PREP	00-18-102	16-663-010	REP-P	00-17-184	50-12-117	AMD-XA	00-13-101
16-483-001	AMD	00-05-105	16-663-020	REP-P	00-17-184	50-12-117	DECOD-X	00-13-101
16-483-005	AMD	00-05-105	16-663-030	REP-P	00-17-184	50-12-117	AMD	00-17-141
16-483-010	AMD	00-05-105	16-663-040	REP-P	00-17-184	50-12-117	DECOD	00-17-141
16-483-020	AMD	00-05-105	16-663-050	REP-P	00-17-184	50-12-120	AMD-XA	00-13-101
16-483-030	AMD	00-05-105	16-663-060	REP-P	00-17-184	50-12-120	DECOD-X	00-13-101
16-483-040	AMD	00-05-105	16-663-100	NEW-P	00-17-184	50-12-120	AMD	00-17-141
16-483-050	AMD	00-05-105	16-663-110	NEW-P	00-17-184	50-12-120	DECOD	00-17-141
16-483-060	REP	00-05-105	16-663-120	NEW-P	00-17-184	50-12-130	DECOD-X	00-13-101
16-516-010	AMD-XA	00-07-079	16-663-130	NEW-P	00-17-184	50-12-130	DECOD	00-17-141
16-516-010	AMD	00-11-180	16-663-140	NEW-P	00-17-184	50-12-140	AMD-XA	00-13-101
16-516-020	AMD-XA	00-07-079	16-663-150	NEW-P	00-17-184	50-12-140	DECOD-X	00-13-101
16-516-020	AMD	00-11-180	16-663-160	NEW-P	00-17-184	50-12-140	AMD	00-17-141
16-536-040	AMD-P	00-05-089	16-663-170	NEW-P	00-17-184	50-12-140	DECOD	00-17-141
16-536-040	AMD-W	00-17-121	16-664	PREP	00-13-080	50-12-150	AMD-XA	00-13-101
16-550-020	AMD-XA	00-05-090	16-674	PREP	00-13-079	50-12-150	DECOD-X	00-13-101
16-550-020	AMD	00-10-022	16-674-092	REP-P	00-18-010	50-12-150	AMD	00-17-141
16-555-020	AMD-XA	00-05-091	16-690	PREP	00-15-010	50-12-150	DECOD	00-17-141
16-555-020	AMD	00-10-024	16-692-001	REP-P	00-17-183	50-12-160	AMD-XA	00-13-101
16-557	REP-C	00-08-066	16-692-010	REP-P	00-17-183	50-12-160	DECOD-X	00-13-101
16-557	REP-C	00-09-026	16-694-001	REP-P	00-17-183	50-12-160	AMD	00-17-141
16-557-010	REP-C	00-07-136	16-694-010	REP-P	00-17-183	50-12-160	DECOD	00-17-141
16-557-010	REP-W	00-10-066	16-694-020	REP-P	00-17-183	50-12-170	DECOD-X	00-13-101
16-557-020	REP-C	00-07-136	16-694-021	REP-P	00-17-183	50-12-170	DECOD	00-17-141
16-557-020	REP-W	00-10-066	16-750	PREP	00-13-002	50-12-180	DECOD-X	00-13-101
16-557-025	REP-C	00-07-136	24-12-010	AMD-XA	00-17-174	50-12-180	DECOD	00-17-141
16-557-025	REP-W	00-10-066	25-48	PREP	00-11-170	50-12-190	DECOD-X	00-13-101
16-557-030	REP-C	00-07-136	44-10-010	AMD	00-08-068	50-12-190	DECOD	00-17-141
16-557-030	REP-W	00-10-066	44-10-170	AMD	00-08-068	50-12-200	AMD-XA	00-13-101
16-557-040	REP-C	00-07-136	44-10-200	AMD	00-08-068	50-12-200	DECOD-X	00-13-101
16-557-040	REP-W	00-10-066	50-12-020	DECOD-X	00-13-101	50-12-200	AMD	00-17-141
16-557-041	REP-C	00-07-136	50-12-020	DECOD	00-17-141	50-12-200	DECOD	00-17-141
16-557-041	REP-W	00-10-066	50-12-030	AMD-XA	00-13-101	50-12-210	AMD-XA	00-13-101
16-557-050	REP-C	00-07-136	50-12-030	DECOD-X	00-13-101	50-12-210	DECOD-X	00-13-101
16-557-050	REP-W	00-10-066	50-12-030	AMD	00-17-141	50-12-210	AMD	00-17-141
16-557-060	REP-C	00-07-136	50-12-030	DECOD	00-17-141	50-12-210	DECOD	00-17-141
16-557-060	REP-W	00-10-066	50-12-045	AMD-XA	00-13-101	50-12-220	DECOD-X	00-13-101
16-557-070	REP-C	00-07-136	50-12-045	DECOD-X	00-13-101	50-12-220	DECOD	00-17-141
16-557-070	REP-W	00-10-066	50-12-045	AMD	00-17-141	50-12-230	PREP	00-13-099
16-557-080	REP-C	00-07-136	50-12-045	DECOD	00-17-141	50-12-230	AMD-XA	00-13-101
16-557-080	REP-W	00-10-066	50-12-050	DECOD-X	00-13-101	50-12-230	DECOD-X	00-13-101
16-565-020	AMD-XA	00-05-092	50-12-050	DECOD	00-17-141	50-12-230	AMD	00-17-141
16-565-020	AMD	00-10-023	50-12-060	AMD-XA	00-13-101	50-12-230	DECOD	00-17-141
16-570	PREP	00-10-109	50-12-060	DECOD-X	00-13-101	50-12-240	DECOD-X	00-13-101
16-573	PREP	00-10-108	50-12-060	AMD	00-17-141	50-12-240	DECOD	00-17-141
16-621-001	REP-P	00-17-183	50-12-060	DECOD	00-17-141	50-12-250	AMD-XA	00-13-101
16-621-010	REP-P	00-17-183	50-12-070	AMD-XA	00-13-101	50-12-250	DECOD-X	00-13-101
16-621-030	REP-P	00-17-183	50-12-070	DECOD-X	00-13-101	50-12-250	AMD	00-17-141
16-621-040	REP-P	00-17-183	50-12-070	AMD	00-17-141	50-12-250	DECOD	00-17-141
16-622	PREP	00-12-007	50-12-070	DECOD	00-17-141	50-12-260	DECOD-X	00-13-101
16-623-001	NEW-P	00-17-175	50-12-080	DECOD-X	00-13-101	50-12-260	DECOD	00-17-141
16-623-010	NEW-P	00-17-175	50-12-080	DECOD	00-17-141	50-12-270	DECOD-X	00-13-101
16-623-020	NEW-P	00-17-175	50-12-090	DECOD-X	00-13-101	50-12-270	DECOD	00-17-141
16-623-030	NEW-P	00-17-175	50-12-090	DECOD	00-17-141	50-12-280	DECOD-X	00-13-101
16-623-040	NEW-P	00-17-175	50-12-100	DECOD-X	00-13-101	50-12-280	DECOD	00-17-141
16-623-050	NEW-P	00-17-175	50-12-100	DECOD	00-17-141	50-12-290	DECOD-X	00-13-101
16-623-060	NEW-P	00-17-175	50-12-110	DECOD-X	00-13-101	50-12-290	DECOD	00-17-141
16-662-105	AMD-P	00-09-090	50-12-110	DECOD	00-17-141	50-12-300	DECOD-X	00-13-101
16-662-105	AMD	00-14-005	50-12-115	DECOD-X	00-13-101	50-12-300	DECOD	00-17-141
16-663	PREP	00-13-078	50-12-115	DECOD	00-17-141	50-12-310	AMD-XA	00-13-101

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50-12-310	DECOD-X	00-13-101	50-14-120	DECOD-X	00-13-101	50-32-090	DECOD	00-18-103
50-12-310	AMD	00-17-141	50-14-120	AMD	00-17-141	50-32-100	DECOD-X	00-14-053
50-12-310	DECOD	00-17-141	50-14-120	DECOD	00-17-141	50-32-100	DECOD	00-18-103
50-12-320	DECOD-X	00-13-101	50-14-130	AMD-XA	00-13-101	50-32-99001	AMD-XA	00-14-053
50-12-320	DECOD	00-17-141	50-14-130	DECOD-X	00-13-101	50-32-99001	DECOD-X	00-14-053
50-12-330	DECOD-X	00-13-101	50-14-130	AMD	00-17-141	50-32-99001	AMD	00-18-103
50-12-330	DECOD	00-17-141	50-14-130	DECOD	00-17-141	50-32-99001	DECOD	00-18-103
50-12-340	DECOD-X	00-13-101	50-14-140	DECOD-X	00-13-101	50-32-99002	AMD-XA	00-14-053
50-12-340	DECOD	00-17-141	50-14-140	DECOD	00-17-141	50-32-99002	DECOD-X	00-14-053
50-12-350	AMD-XA	00-13-101	50-28-010	DECOD-X	00-13-101	50-32-99002	AMD	00-18-103
50-12-350	DECOD-X	00-13-101	50-28-010	DECOD	00-17-141	50-32-99002	DECOD	00-18-103
50-12-350	AMD	00-17-141	50-28-020	AMD-XA	00-13-101	50-32-99003	AMD-XA	00-14-053
50-12-350	DECOD	00-17-141	50-28-020	DECOD-X	00-13-101	50-32-99003	DECOD-X	00-14-053
50-12-360	DECOD-X	00-13-101	50-28-020	AMD	00-17-141	50-32-99003	AMD	00-18-103
50-12-360	DECOD	00-17-141	50-28-020	DECOD	00-17-141	50-32-99003	DECOD	00-18-103
50-12-370	AMD-XA	00-13-101	50-28-030	AMD-XA	00-13-101	50-36-010	DECOD-X	00-13-101
50-12-370	DECOD-X	00-13-101	50-28-030	DECOD-X	00-13-101	50-36-010	DECOD	00-17-141
50-12-370	AMD	00-17-141	50-28-030	AMD	00-17-141	50-36-020	AMD-XA	00-13-101
50-12-370	DECOD	00-17-141	50-28-030	DECOD	00-17-141	50-36-020	DECOD-X	00-13-101
50-14-010	AMD-XA	00-13-101	50-28-040	DECOD-X	00-13-101	50-36-020	AMD	00-17-141
50-14-010	DECOD-X	00-13-101	50-28-040	DECOD	00-17-141	50-36-020	DECOD	00-17-141
50-14-010	AMD	00-17-141	50-28-050	AMD-XA	00-13-101	50-36-030	DECOD-X	00-13-101
50-14-010	DECOD	00-17-141	50-28-050	DECOD-X	00-13-101	50-36-030	DECOD	00-17-141
50-14-020	AMD-XA	00-13-101	50-28-050	AMD	00-17-141	50-36-040	DECOD-X	00-13-101
50-14-020	DECOD-X	00-13-101	50-28-050	DECOD	00-17-141	50-36-040	DECOD	00-17-141
50-14-020	AMD	00-17-141	50-28-060	AMD-XA	00-13-101	50-36-050	AMD-XA	00-13-101
50-14-020	DECOD	00-17-141	50-28-060	DECOD-X	00-13-101	50-36-050	DECOD-X	00-13-101
50-14-030	AMD-XA	00-13-101	50-28-060	AMD	00-17-141	50-36-050	AMD	00-17-141
50-14-030	DECOD-X	00-13-101	50-28-060	DECOD	00-17-141	50-36-050	DECOD	00-17-141
50-14-030	AMD	00-17-141	50-28-070	AMD-XA	00-13-101	50-36-060	DECOD-X	00-13-101
50-14-030	DECOD	00-17-141	50-28-070	DECOD-X	00-13-101	50-36-060	DECOD	00-17-141
50-14-040	AMD-XA	00-13-101	50-28-070	AMD	00-17-141	50-36-070	DECOD-X	00-13-101
50-14-040	DECOD-X	00-13-101	50-28-070	DECOD	00-17-141	50-36-070	DECOD	00-17-141
50-14-040	AMD	00-17-141	50-28-990	AMD-XA	00-13-101	50-36-080	AMD-XA	00-13-101
50-14-040	DECOD	00-17-141	50-28-990	DECOD-X	00-13-101	50-36-080	DECOD-X	00-13-101
50-14-050	AMD-XA	00-13-101	50-28-990	AMD	00-17-141	50-36-080	AMD	00-17-141
50-14-050	DECOD-X	00-13-101	50-28-990	DECOD	00-17-141	50-36-080	DECOD	00-17-141
50-14-050	AMD	00-17-141	50-32-010	DECOD-X	00-14-053	50-36-090	AMD-XA	00-13-101
50-14-050	DECOD	00-17-141	50-32-010	DECOD	00-18-103	50-36-090	DECOD-X	00-13-101
50-14-060	AMD-XA	00-13-101	50-32-020	AMD-XA	00-14-053	50-36-090	AMD	00-17-141
50-14-060	DECOD-X	00-13-101	50-32-020	DECOD-X	00-14-053	50-36-090	DECOD	00-17-141
50-14-060	AMD	00-17-141	50-32-020	AMD	00-18-103	50-36-100	DECOD-X	00-13-101
50-14-060	DECOD	00-17-141	50-32-020	DECOD	00-18-103	50-36-100	DECOD	00-17-141
50-14-070	AMD-XA	00-13-101	50-32-030	AMD-XA	00-14-053	50-36-110	DECOD-X	00-13-101
50-14-070	DECOD-X	00-13-101	50-32-030	DECOD-X	00-14-053	50-36-110	DECOD	00-17-141
50-14-070	AMD	00-17-141	50-32-030	AMD	00-18-103	50-36-120	DECOD-X	00-13-101
50-14-070	DECOD	00-17-141	50-32-030	DECOD	00-18-103	50-36-120	DECOD	00-17-141
50-14-080	AMD-XA	00-13-101	50-32-040	AMD-XA	00-14-053	50-44-005	AMD-XA	00-13-101
50-14-080	DECOD-X	00-13-101	50-32-040	DECOD-X	00-14-053	50-44-005	DECOD-X	00-13-101
50-14-080	AMD	00-17-141	50-32-040	AMD	00-18-103	50-44-005	AMD	00-17-141
50-14-080	DECOD	00-17-141	50-32-040	DECOD	00-18-103	50-44-005	DECOD	00-17-141
50-14-090	AMD-XA	00-13-101	50-32-050	DECOD-X	00-14-053	50-44-010	AMD-XA	00-13-101
50-14-090	DECOD-X	00-13-101	50-32-050	DECOD	00-18-103	50-44-010	DECOD-X	00-13-101
50-14-090	AMD	00-17-141	50-32-060	DECOD-X	00-14-053	50-44-010	AMD	00-17-141
50-14-090	DECOD	00-17-141	50-32-060	DECOD	00-18-103	50-44-010	DECOD	00-17-141
50-14-100	AMD-XA	00-13-101	50-32-070	DECOD-X	00-14-053	50-44-020	AMD-XA	00-13-101
50-14-100	DECOD-X	00-13-101	50-32-070	DECOD	00-18-103	50-44-020	DECOD-X	00-13-101
50-14-100	AMD	00-17-141	50-32-070	DECOD	00-18-103	50-44-020	AMD	00-17-141
50-14-100	DECOD	00-17-141	50-32-080	DECOD-X	00-14-053	50-44-020	DECOD	00-17-141
50-14-110	DECOD-X	00-13-101	50-32-080	DECOD	00-18-103	50-44-020	DECOD	00-17-141
50-14-110	DECOD	00-17-141	50-32-090	AMD-XA	00-14-053	50-44-025	DECOD-X	00-13-101
50-14-120	AMD-XA	00-13-101	50-32-090	DECOD-X	00-14-053	50-44-025	DECOD	00-17-141
			50-32-090	AMD	00-18-103	50-44-030	AMD-XA	00-13-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50-44-030	DECOD-X	00-13-101	50-56-040	DECOD-X	00-13-101	51-11-1006	AMD-P	00-16-131
50-44-030	AMD	00-17-141	50-56-040	AMD	00-17-141	51-11-1006	AMD-S	00-18-017
50-44-030	DECOD	00-17-141	50-56-040	DECOD	00-17-141	51-11-1007	AMD-P	00-16-131
50-44-037	DECOD-X	00-13-101	50-56-050	AMD-XA	00-13-101	51-11-1007	AMD-S	00-18-017
50-44-037	DECOD	00-17-141	50-56-050	DECOD-X	00-13-101	51-11-1008	AMD-P	00-16-131
50-44-039	DECOD-X	00-13-101	50-56-050	AMD	00-17-141	51-11-1008	AMD-S	00-18-017
50-44-039	DECOD	00-17-141	50-56-050	DECOD	00-17-141	51-11-1009	AMD-P	00-16-131
50-44-050	AMD-XA	00-13-101	50-56-060	AMD-XA	00-13-101	51-11-1009	AMD-S	00-18-017
50-44-050	DECOD-X	00-13-101	50-56-060	DECOD-X	00-13-101	51-11-1132	AMD-S	00-18-017
50-44-050	AMD	00-17-141	50-56-060	AMD	00-17-141	51-11-1201	REP-P	00-16-131
50-44-050	DECOD	00-17-141	50-56-060	DECOD	00-17-141	51-11-1201	REP-S	00-18-017
50-44-060	AMD-XA	00-13-101	50-56-070	AMD-XA	00-13-101	51-11-1210	REP-P	00-16-131
50-44-060	DECOD-X	00-13-101	50-56-070	DECOD-X	00-13-101	51-11-1210	REP-S	00-18-017
50-44-060	AMD	00-17-141	50-56-070	AMD	00-17-141	51-11-1312	AMD-P	00-16-131
50-44-060	DECOD	00-17-141	50-56-070	DECOD	00-17-141	51-11-1312	AMD-S	00-18-017
50-48-010	AMD-XA	00-13-101	50-56-080	AMD-XA	00-13-101	51-11-1313	AMD-P	00-16-131
50-48-010	DECOD-X	00-13-101	50-56-080	DECOD-X	00-13-101	51-11-1313	AMD-S	00-18-017
50-48-010	AMD	00-17-141	50-56-080	AMD	00-17-141	51-11-1322	AMD-P	00-16-131
50-48-010	DECOD	00-17-141	50-56-080	DECOD	00-17-141	51-11-1322	AMD-S	00-18-017
50-48-020	AMD-XA	00-13-101	51-11-0101	AMD-S	00-18-017	51-11-1323	AMD-P	00-16-131
50-48-020	DECOD-X	00-13-101	51-11-0201	AMD-P	00-16-131	51-11-1323	AMD-S	00-18-017
50-48-020	AMD	00-17-141	51-11-0201	AMD-S	00-18-017	51-11-1331	AMD-P	00-16-131
50-48-020	DECOD	00-17-141	51-11-0502	AMD-P	00-16-131	51-11-1331	AMD-S	00-18-017
50-48-030	AMD-XA	00-13-101	51-11-0502	AMD-S	00-18-017	51-11-1334	AMD-P	00-16-131
50-48-030	DECOD-X	00-13-101	51-11-0503	AMD-P	00-16-131	51-11-1334	AMD-S	00-18-017
50-48-030	AMD	00-17-141	51-11-0503	AMD-S	00-18-017	51-11-1401	AMD-P	00-16-131
50-48-030	DECOD	00-17-141	51-11-0504	AMD-P	00-16-131	51-11-1401	AMD-S	00-18-017
50-48-040	DECOD-X	00-13-101	51-11-0504	AMD-S	00-18-017	51-11-1410	AMD-P	00-16-131
50-48-040	DECOD	00-17-141	51-11-0505	AMD-P	00-16-131	51-11-1410	AMD-S	00-18-017
50-48-050	DECOD-X	00-13-101	51-11-0505	AMD-S	00-18-017	51-11-1411	AMD-P	00-16-131
50-48-050	DECOD	00-17-141	51-11-0530	AMD-P	00-16-131	51-11-1411	AMD-S	00-18-017
50-48-060	AMD-XA	00-13-101	51-11-0530	AMD-S	00-18-017	51-11-1412	AMD-P	00-16-131
50-48-060	DECOD-X	00-13-101	51-11-0601	AMD-P	00-16-131	51-11-1412	AMD-S	00-18-017
50-48-060	AMD	00-17-141	51-11-0601	AMD-S	00-18-017	51-11-1414	AMD-P	00-16-131
50-48-060	DECOD	00-17-141	51-11-0602	AMD-P	00-16-131	51-11-1414	AMD-S	00-18-017
50-48-070	AMD-XA	00-13-101	51-11-0602	AMD-S	00-18-017	51-11-1415	AMD-P	00-16-131
50-48-070	DECOD-X	00-13-101	51-11-0604	AMD-P	00-16-131	51-11-1415	AMD-S	00-18-017
50-48-070	AMD	00-17-141	51-11-0604	AMD-S	00-18-017	51-11-1416	NEW-P	00-16-131
50-48-070	DECOD	00-17-141	51-11-0605	AMD-P	00-16-131	51-11-1416	NEW-S	00-18-017
50-48-080	DECOD-X	00-13-101	51-11-0605	AMD-S	00-18-017	51-11-1423	AMD-P	00-16-131
50-48-080	DECOD	00-17-141	51-11-0625	AMD-P	00-16-131	51-11-1423	AMD-S	00-18-017
50-48-090	AMD-XA	00-13-101	51-11-0625	AMD-S	00-18-017	51-11-1433	AMD-P	00-16-131
50-48-090	DECOD-X	00-13-101	51-11-0626	AMD-P	00-16-131	51-11-1433	AMD-S	00-18-017
50-48-090	AMD	00-17-141	51-11-0626	AMD-S	00-18-017	51-11-1435	AMD-P	00-16-131
50-48-090	DECOD	00-17-141	51-11-0627	AMD-P	00-16-131	51-11-1435	AMD-S	00-18-017
50-48-100	AMD-XA	00-13-101	51-11-0627	AMD-S	00-18-017	51-11-1438	AMD-P	00-16-131
50-48-100	DECOD-X	00-13-101	51-11-0628	AMD-P	00-16-131	51-11-1438	AMD-S	00-18-017
50-48-100	AMD	00-17-141	51-11-0628	AMD-S	00-18-017	51-11-1439	NEW-P	00-16-131
50-48-100	DECOD	00-17-141	51-11-0630	AMD-P	00-16-131	51-11-1439	NEW-S	00-18-017
50-56-010	AMD-XA	00-13-101	51-11-0630	AMD-S	00-18-017	51-11-1443	NEW-P	00-16-131
50-56-010	DECOD-X	00-13-101	51-11-0701	AMD-P	00-16-131	51-11-1443	NEW-S	00-18-017
50-56-010	AMD	00-17-141	51-11-0701	AMD-S	00-18-017	51-11-1454	AMD-P	00-16-131
50-56-010	DECOD	00-17-141	51-11-1001	AMD-P	00-16-131	51-11-1454	AMD-S	00-18-017
50-56-020	AMD-XA	00-13-101	51-11-1001	AMD-S	00-18-017	51-11-1512	AMD-P	00-16-131
50-56-020	DECOD-X	00-13-101	51-11-1002	AMD-P	00-16-131	51-11-1512	AMD-S	00-18-017
50-56-020	AMD	00-17-141	51-11-1002	AMD-S	00-18-017	51-11-1513	AMD-P	00-16-131
50-56-020	DECOD	00-17-141	51-11-1003	AMD-P	00-16-131	51-11-1513	AMD-S	00-18-017
50-56-030	AMD-XA	00-13-101	51-11-1003	AMD-S	00-18-017	51-11-1521	AMD-P	00-16-131
50-56-030	DECOD-X	00-13-101	51-11-1004	AMD-P	00-16-131	51-11-1521	AMD-S	00-18-017
50-56-030	AMD	00-17-141	51-11-1004	AMD-S	00-18-017	51-11-1530	AMD-P	00-16-131
50-56-030	DECOD	00-17-141	51-11-1005	AMD-P	00-16-131	51-11-1530	AMD-S	00-18-017
50-56-040	AMD-XA	00-13-101	51-11-1005	AMD-S	00-18-017	51-11-1531	AMD-P	00-16-131

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-11-1531	AMD-S	00-18-017	51-40-1900	NEW-P	00-16-128	51-46-0311	REP-P	00-16-129
51-11-1532	AMD-P	00-16-131	51-40-2000	NEW-P	00-16-128	51-46-0313	REP-P	00-16-129
51-11-1532	AMD-S	00-18-017	51-40-2100	NEW-P	00-16-128	51-46-0314	REP-P	00-16-129
51-11-1701	REP-P	00-16-131	51-40-2106	NEW-P	00-16-128	51-46-0316	REP-P	00-16-129
51-11-1701	REP-S	00-18-017	51-40-2200	NEW-P	00-16-128	51-46-0392	REP-P	00-16-129
51-11-2000	REP-P	00-16-131	51-40-2300	NEW-P	00-16-128	51-46-0400	REP-P	00-16-129
51-11-2000	REP-S	00-18-017	51-40-2900	AMD-P	00-16-128	51-46-0402	REP-P	00-16-129
51-11-2001	REP-P	00-16-131	51-40-2929	AMD-P	00-16-128	51-46-0412	REP-P	00-16-129
51-11-2001	REP-S	00-18-017	51-40-3102	AMD-P	00-16-128	51-46-0413	REP-P	00-16-129
51-11-2002	REP-P	00-16-131	51-40-31200	AMD-P	00-16-128	51-46-0500	REP-P	00-16-129
51-11-2002	REP-S	00-18-017	51-42-0405	NEW-P	00-16-130	51-46-0501	REP-P	00-16-129
51-11-2003	REP-P	00-16-131	51-42-1101	AMD-P	00-16-130	51-46-0502	REP-P	00-16-129
51-11-2003	REP-S	00-18-017	51-42-1103	AMD-P	00-16-130	51-46-0505	REP-P	00-16-129
51-11-2004	REP-P	00-16-131	51-42-1105	AMD-P	00-16-130	51-46-0507	REP-P	00-16-129
51-11-2004	REP-S	00-18-017	51-42-1109	NEW-P	00-16-130	51-46-0509	REP-P	00-16-129
51-11-2005	REP-P	00-16-131	51-42-1110	NEW-P	00-16-130	51-46-0512	REP-P	00-16-129
51-11-2005	REP-S	00-18-017	51-42-1111	NEW-P	00-16-130	51-46-0513	REP-P	00-16-129
51-11-2006	REP-P	00-16-131	51-42-1112	NEW-P	00-16-130	51-46-0514	REP-P	00-16-129
51-11-2006	REP-S	00-18-017	51-42-1113	NEW-P	00-16-130	51-46-0515	REP-P	00-16-129
51-11-2007	REP-P	00-16-131	51-42-1114	NEW-P	00-16-130	51-46-0516	REP-P	00-16-129
51-11-2007	REP-S	00-18-017	51-42-1115	NEW-P	00-16-130	51-46-0517	REP-P	00-16-129
51-11-2008	REP-P	00-16-131	51-42-1116	NEW-P	00-16-130	51-46-0518	REP-P	00-16-129
51-11-2008	REP-S	00-18-017	51-42-1117	NEW-P	00-16-130	51-46-0519	REP-P	00-16-129
51-11-2009	REP-P	00-16-131	51-42-1118	NEW-P	00-16-130	51-46-0520	REP-P	00-16-129
51-11-2009	REP-S	00-18-017	51-42-1119	NEW-P	00-16-130	51-46-0521	REP-P	00-16-129
51-11-99902	AMD-P	00-16-131	51-42-1120	NEW-P	00-16-130	51-46-0522	REP-P	00-16-129
51-11-99902	AMD-S	00-18-017	51-42-1121	NEW-P	00-16-130	51-46-0523	REP-P	00-16-129
51-11-99903	AMD-P	00-16-131	51-42-1122	NEW-P	00-16-130	51-46-0524	REP-P	00-16-129
51-11-99903	AMD-S	00-18-017	51-42-1123	NEW-P	00-16-130	51-46-0525	REP-P	00-16-129
51-11-99904	AMD-P	00-16-131	51-42-1124	NEW-P	00-16-130	51-46-0600	REP-P	00-16-129
51-11-99904	AMD-S	00-18-017	51-42-1126	NEW-P	00-16-130	51-46-0603	REP-P	00-16-129
51-13-101	AMD-P	00-16-133	51-42-1301	NEW-P	00-16-130	51-46-0604	REP-P	00-16-129
51-13-101	AMD-S	00-18-016	51-44-0103	AMD-P	00-16-132	51-46-0608	REP-P	00-16-129
51-13-301	AMD-P	00-16-133	51-44-0105	NEW-P	00-16-132	51-46-0609	REP-P	00-16-129
51-13-301	AMD-S	00-18-016	51-44-0200	AMD-P	00-16-132	51-46-0610	REP-P	00-16-129
51-13-302	AMD-P	00-16-133	51-44-1007	AMD-P	00-16-132	51-46-0700	REP-P	00-16-129
51-13-302	AMD-S	00-18-016	51-44-1102	NEW-P	00-16-132	51-46-0701	REP-P	00-16-129
51-13-303	AMD-P	00-16-133	51-44-1109	AMD-P	00-16-132	51-46-0704	REP-P	00-16-129
51-13-303	AMD-S	00-18-016	51-44-2500	AMD-P	00-16-132	51-46-0710	REP-P	00-16-129
51-13-304	AMD-P	00-16-133	51-44-5200	AMD-P	00-16-132	51-46-0713	REP-P	00-16-129
51-13-304	AMD-S	00-18-016	51-44-6100	AMD-P	00-16-132	51-46-0793	REP-P	00-16-129
51-13-503	AMD-P	00-16-133	51-44-6300	AMD-P	00-16-132	51-46-0800	REP-P	00-16-129
51-13-503	AMD-S	00-18-016	51-44-7900	AMD-P	00-16-132	51-46-0810	REP-P	00-16-129
51-40-0200	AMD-P	00-16-128	51-44-8000	AMD-P	00-16-132	51-46-0814	REP-P	00-16-129
51-40-0310	AMD-P	00-16-128	51-44-8102	NEW-P	00-16-132	51-46-0815	REP-P	00-16-129
51-40-0313	AMD-P	00-16-128	51-45-10100	NEW-P	00-16-132	51-46-0900	REP-P	00-16-129
51-40-0403	AMD-P	00-16-128	51-46-001	REP-P	00-16-129	51-46-0903	REP-P	00-16-129
51-40-0804	AMD-P	00-16-128	51-46-002	REP-P	00-16-129	51-46-1000	REP-P	00-16-129
51-40-0902	AMD-P	00-16-128	51-46-003	REP-P	00-16-129	51-46-1003	REP-P	00-16-129
51-40-1003	AMD-P	00-16-128	51-46-007	REP-P	00-16-129	51-46-1012	REP-P	00-16-129
51-40-1004	AMD-P	00-16-128	51-46-008	REP-P	00-16-129	51-46-1300	REP-P	00-16-129
51-40-1103	AMD-P	00-16-128	51-46-0100	REP-P	00-16-129	51-46-1301	REP-P	00-16-129
51-40-1104	AMD-P	00-16-128	51-46-0101	REP-P	00-16-129	51-46-1302	REP-P	00-16-129
51-40-1105	AMD-P	00-16-128	51-46-0102	REP-P	00-16-129	51-46-1303	REP-P	00-16-129
51-40-1106	AMD-P	00-16-128	51-46-0103	REP-P	00-16-129	51-46-1304	REP-P	00-16-129
51-40-1202	NEW-P	00-16-128	51-46-0200	REP-P	00-16-129	51-46-1305	REP-P	00-16-129
51-40-1203	AMD-P	00-16-128	51-46-0205	REP-P	00-16-129	51-46-1400	REP-P	00-16-129
51-40-1505	NEW-P	00-16-128	51-46-0215	REP-P	00-16-129	51-46-1401	REP-P	00-16-129
51-40-1600	NEW-P	00-16-128	51-46-0218	REP-P	00-16-129	51-46-1491	REP-P	00-16-129
51-40-1616	AMD-P	00-16-128	51-46-0300	REP-P	00-16-129	51-46-97120	REP-P	00-16-129
51-40-1700	NEW-P	00-16-128	51-46-0301	REP-P	00-16-129	51-46-97121	REP-P	00-16-129
51-40-1800	NEW-P	00-16-128	51-46-0310	REP-P	00-16-129	51-46-97122	REP-P	00-16-129

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-46-97123	REP-P	00-16-129	118-06-080	REP	00-05-011	132E-120-220	RECOD-P	00-06-063
51-46-97124	REP-P	00-16-129	118-07-010	REP	00-05-011	132E-120-220	RECOD	00-17-015
51-46-97125	REP-P	00-16-129	118-07-020	REP	00-05-011	132E-120-230	RECOD-P	00-06-063
51-46-97126	REP-P	00-16-129	118-07-030	REP	00-05-011	132E-120-230	RECOD	00-17-015
51-46-97127	REP-P	00-16-129	118-07-040	REP	00-05-011	132E-120-240	NEW-P	00-06-063
51-46-97128	REP-P	00-16-129	118-07-050	REP	00-05-011	132E-120-240	NEW	00-17-015
51-46-97129	REP-P	00-16-129	118-07-060	REP	00-05-011	132E-120-250	NEW-P	00-06-063
51-47-001	REP-P	00-16-129	118-08-010	REP	00-05-011	132E-120-250	NEW	00-17-015
51-47-002	REP-P	00-16-129	118-08-020	REP	00-05-011	132E-120-260	NEW-P	00-06-063
51-47-003	REP-P	00-16-129	118-08-030	REP	00-05-011	132E-120-260	NEW	00-17-015
51-47-007	REP-P	00-16-129	118-08-040	REP	00-05-011	132E-120-270	NEW-P	00-06-063
51-47-008	REP-P	00-16-129	118-08-050	REP	00-05-011	132E-120-270	NEW	00-17-015
51-56-001	NEW-P	00-16-129	118-08-060	REP	00-05-011	132E-120-280	NEW-P	00-06-063
51-56-002	NEW-P	00-16-129	118-08-070	REP	00-05-011	132E-120-280	NEW	00-17-015
51-56-003	NEW-P	00-16-129	131-16	PREP	00-08-029	132E-120-290	NEW-P	00-06-063
51-56-007	NEW-P	00-16-129	131-16-021	AMD-E	00-09-050	132E-120-290	NEW	00-17-015
51-56-008	NEW-P	00-16-129	131-16-021	AMD-P	00-10-099	132E-120-300	NEW-P	00-06-063
51-56-0100	NEW-P	00-16-129	131-16-021	AMD	00-14-017	132E-120-300	NEW	00-17-015
51-56-0200	NEW-P	00-16-129	131-16-031	AMD-E	00-09-050	132E-120-310	NEW-P	00-06-063
51-56-0300	NEW-P	00-16-129	131-16-031	AMD-P	00-10-099	132E-120-310	NEW	00-17-015
51-56-0400	NEW-P	00-16-129	131-16-031	AMD	00-14-017	132E-120-320	NEW-P	00-06-063
51-56-0500	NEW-P	00-16-129	131-16-450	PREP	00-07-128	132E-120-320	NEW	00-17-015
51-56-0600	NEW-P	00-16-129	131-16-450	AMD-E	00-14-016	132E-120-330	NEW-P	00-06-063
51-56-0700	NEW-P	00-16-129	131-16-450	AMD-P	00-15-037	132E-120-330	NEW	00-17-015
51-56-0800	NEW-P	00-16-129	132E-120	PREP	00-02-082	132E-120-340	NEW-P	00-06-063
51-56-0900	NEW-P	00-16-129	132E-120	AMD-P	00-06-063	132E-120-340	NEW	00-17-015
51-56-1300	NEW-P	00-16-129	132E-120-010	DECOD-P	00-06-063	132E-120-350	NEW-P	00-06-063
51-56-1400	NEW-P	00-16-129	132E-120-010	DECOD	00-17-015	132E-120-350	NEW	00-17-015
51-56-1500	NEW-P	00-16-129	132E-120-020	AMD-P	00-06-063	132E-120-360	NEW-P	00-06-063
51-56-201300	NEW-P	00-16-129	132E-120-020	DECOD-P	00-06-063	132E-120-360	NEW	00-17-015
51-57-001	NEW-P	00-16-129	132E-120-020	AMD	00-17-015	132E-120-370	NEW-P	00-06-063
51-57-002	NEW-P	00-16-129	132E-120-020	DECOD	00-17-015	132E-120-370	NEW	00-17-015
51-57-003	NEW-P	00-16-129	132E-120-030	AMD-P	00-06-063	132E-120-380	NEW-P	00-06-063
51-57-007	NEW-P	00-16-129	132E-120-030	DECOD-P	00-06-063	132E-120-380	NEW	00-17-015
51-57-008	NEW-P	00-16-129	132E-120-030	AMD	00-17-015	132E-120-390	NEW-P	00-06-063
51-57-790000	NEW-P	00-16-129	132E-120-030	DECOD	00-17-015	132E-120-390	NEW	00-17-015
51-57-895000	NEW-P	00-16-129	132E-120-040	AMD-P	00-06-063	132E-120-400	NEW-P	00-06-063
82-50-021	AMD-XA	00-05-016	132E-120-040	DECOD-P	00-06-063	132E-120-400	NEW	00-17-015
82-50-021	AMD	00-09-088	132E-120-040	AMD	00-17-015	132E-120-410	NEW-P	00-06-063
112-10-010	AMD	00-05-036	132E-120-040	DECOD	00-17-015	132E-120-410	NEW	00-17-015
112-10-010	AMD-XA	00-18-075	132E-120-110	NEW-P	00-06-063	132E-121-010	AMD-P	00-06-063
112-10-020	AMD	00-05-036	132E-120-110	NEW	00-17-015	132E-121-010	DECOD-P	00-06-063
112-10-020	AMD-XA	00-18-075	132E-120-120	NEW-P	00-06-063	132E-121-010	AMD	00-17-015
112-10-030	AMD	00-05-036	132E-120-120	NEW	00-17-015	132E-121-010	DECOD	00-17-015
112-10-030	AMD-XA	00-18-075	132E-120-130	NEW-P	00-06-063	132E-124-020	AMD-P	00-06-063
112-10-040	AMD	00-05-036	132E-120-130	NEW	00-17-015	132E-124-020	DECOD-P	00-06-063
112-10-040	AMD-XA	00-18-075	132E-120-140	NEW-P	00-06-063	132E-124-020	AMD	00-17-015
112-10-050	AMD	00-05-036	132E-120-140	NEW	00-17-015	132E-124-020	DECOD	00-17-015
112-10-050	AMD-XA	00-18-075	132E-120-150	NEW-P	00-06-063	132G-276-010	AMD-P	00-02-074
112-10-060	AMD	00-05-036	132E-120-150	NEW	00-17-015	132G-276-010	AMD-S	00-06-074
112-10-070	NEW	00-05-036	132E-120-160	RECOD-P	00-06-063	132G-276-010	AMD	00-10-048
112-10-070	AMD-XA	00-18-075	132E-120-160	RECOD	00-17-015	132G-276-020	AMD-P	00-02-074
112-10-080	NEW	00-05-036	132E-120-170	RECOD-P	00-06-063	132G-276-020	AMD-S	00-06-074
112-10-080	AMD-XA	00-18-075	132E-120-170	RECOD	00-17-015	132G-276-020	AMD	00-10-048
118-03-330	REP	00-05-012	132E-120-180	RECOD-P	00-06-063	132G-276-030	REP-P	00-02-074
118-06-010	REP	00-05-011	132E-120-180	RECOD	00-17-015	132G-276-030	REP-S	00-06-074
118-06-020	REP	00-05-011	132E-120-190	RECOD-P	00-06-063	132G-276-030	REP	00-10-048
118-06-030	REP	00-05-011	132E-120-190	RECOD	00-17-015	132G-276-040	REP-P	00-02-074
118-06-040	REP	00-05-011	132E-120-200	NEW-P	00-06-063	132G-276-040	REP-S	00-06-074
118-06-050	REP	00-05-011	132E-120-200	NEW	00-17-015	132G-276-040	REP	00-10-048
118-06-060	REP	00-05-011	132E-120-210	NEW-P	00-06-063	132G-276-050	AMD-P	00-02-074
118-06-070	REP	00-05-011	132E-120-210	NEW	00-17-015	132G-276-050	AMD-S	00-06-074

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132G-276-050	AMD	00-10-048	132L-120-190	NEW	00-07-113	132Q- 04-094	REP-P	00-08-075
132G-276-060	AMD-P	00-02-074	132L-120-200	NEW	00-07-113	132Q- 04-094	REP	00-14-007
132G-276-060	AMD-S	00-06-074	132L-120-210	NEW	00-07-113	132Q- 04-095	REP-P	00-08-075
132G-276-060	AMD	00-10-048	132L-120-220	NEW	00-07-113	132Q- 04-095	REP	00-14-007
132G-276-080	AMD-P	00-02-074	132N-156	PREP	00-10-043	132Q- 04-096	REP-P	00-08-075
132G-276-080	AMD-S	00-06-074	132N-156-300	AMD-P	00-15-044	132Q- 04-096	REP	00-14-007
132G-276-080	AMD	00-10-048	132N-156-310	AMD-P	00-15-044	132Q- 04-100	AMD-P	00-08-075
132G-276-090	AMD-P	00-02-074	132N-156-320	AMD-P	00-15-044	132Q- 04-100	AMD	00-14-007
132G-276-090	AMD-S	00-06-074	132N-156-330	AMD-P	00-15-044	132Q- 04-110	AMD-P	00-08-075
132G-276-090	AMD	00-10-048	132N-156-440	AMD-P	00-15-044	132Q- 04-110	AMD	00-14-007
132G-276-100	AMD-P	00-02-074	132N-156-450	AMD-P	00-15-044	132Q- 04-120	AMD-P	00-08-075
132G-276-100	AMD-S	00-06-074	132N-156-500	AMD-P	00-15-044	132Q- 04-120	AMD	00-14-007
132G-276-100	AMD	00-10-048	132N-156-530	AMD-P	00-15-044	132Q- 04-130	AMD-P	00-08-075
132G-276-110	AMD-P	00-02-074	132N-156-550	AMD-P	00-15-044	132Q- 04-130	AMD	00-14-007
132G-276-110	AMD-S	00-06-074	132N-156-570	AMD-P	00-15-044	132Q- 04-140	AMD-P	00-08-075
132G-276-110	AMD	00-10-048	132N-156-600	AMD-P	00-15-044	132Q- 04-140	AMD	00-14-007
132G-276-120	AMD-P	00-02-074	132N-156-620	AMD-P	00-15-044	132Q- 04-150	AMD-P	00-08-075
132G-276-120	AMD-S	00-06-074	132N-156-645	NEW-P	00-15-044	132Q- 04-150	AMD	00-14-007
132G-276-120	AMD	00-10-048	132N-156-650	AMD-P	00-15-044	132Q- 04-170	AMD-P	00-08-075
132G-276-130	AMD-P	00-02-074	132N-156-730	AMD-P	00-15-044	132Q- 04-170	AMD	00-14-007
132G-276-130	AMD-S	00-06-074	132N-156-740	AMD-P	00-15-044	132Q- 04-180	AMD-P	00-08-075
132G-276-130	AMD	00-10-048	132N-156-750	AMD-P	00-15-044	132Q- 04-180	AMD	00-14-007
132G-276-900	AMD-P	00-02-074	132N-156-800	NEW-P	00-15-044	132Q- 04-190	AMD-P	00-08-075
132G-276-900	AMD-S	00-06-074	132N-156-810	NEW-P	00-15-044	132Q- 04-190	AMD	00-14-007
132G-276-900	AMD	00-10-048	132Q- 04-010	AMD-P	00-08-075	132Q- 04-200	AMD-P	00-08-075
132H-121-010	AMD-E	00-14-002	132Q- 04-010	AMD	00-14-007	132Q- 04-200	AMD	00-14-007
132H-121-010	AMD-P	00-15-027	132Q- 04-020	AMD-P	00-08-075	132Q- 04-210	AMD-P	00-08-075
132H-160-182	AMD	00-11-102	132Q- 04-020	AMD	00-14-007	132Q- 04-210	AMD	00-14-007
132L- 20-010	REP	00-07-113	132Q- 04-031	NEW-P	00-08-075	132Q- 04-240	AMD-P	00-08-075
132L- 20-030	REP	00-07-113	132Q- 04-031	NEW	00-14-007	132Q- 04-240	AMD	00-14-007
132L- 20-050	REP	00-07-113	132Q- 04-035	REP-P	00-08-075	132Q- 04-250	AMD-P	00-08-075
132L- 20-070	REP	00-07-113	132Q- 04-035	REP	00-14-007	132Q- 04-250	AMD	00-14-007
132L- 20-080	REP	00-07-113	132Q- 04-040	REP-P	00-08-075	132Q- 04-260	AMD-P	00-08-075
132L- 20-130	REP	00-07-113	132Q- 04-040	REP	00-14-007	132Q- 04-260	AMD	00-14-007
132L- 20-135	REP	00-07-113	132Q- 04-050	REP-P	00-08-075	132Q- 04-280	AMD-P	00-08-075
132L- 20-140	REP	00-07-113	132Q- 04-050	REP	00-14-007	132Q- 04-280	AMD	00-14-007
132L- 22-020	REP	00-07-113	132Q- 04-060	REP-P	00-08-075	132Q- 05-010	AMD-P	00-08-075
132L- 22-060	REP	00-07-113	132Q- 04-060	REP	00-14-007	132Q- 05-010	AMD	00-14-007
132L- 22-070	REP	00-07-113	132Q- 04-061	REP-P	00-08-075	132Q- 05-020	AMD-P	00-08-075
132L- 22-080	REP	00-07-113	132Q- 04-061	REP	00-14-007	132Q- 05-020	AMD	00-14-007
132L- 24-010	REP	00-07-113	132Q- 04-067	REP-P	00-08-075	132Q- 05-033	AMD-P	00-08-075
132L- 24-020	REP	00-07-113	132Q- 04-067	REP	00-14-007	132Q- 05-033	AMD	00-14-007
132L- 24-030	REP	00-07-113	132Q- 04-068	REP-P	00-08-075	132Q- 05-036	AMD-P	00-08-075
132L- 24-090	REP	00-07-113	132Q- 04-068	REP	00-14-007	132Q- 05-036	AMD	00-14-007
132L- 25-010	REP	00-07-113	132Q- 04-070	REP-P	00-08-075	132Q- 05-040	AMD-P	00-08-075
132L-120-010	AMD	00-07-113	132Q- 04-070	REP	00-14-007	132Q- 05-040	AMD	00-14-007
132L-120-015	NEW	00-07-113	132Q- 04-075	REP-P	00-08-075	132Q- 05-050	AMD-P	00-08-075
132L-120-020	AMD	00-07-113	132Q- 04-075	REP	00-14-007	132Q- 05-050	AMD	00-14-007
132L-120-030	NEW	00-07-113	132Q- 04-076	AMD-P	00-08-075	132Q- 05-060	AMD-P	00-08-075
132L-120-040	NEW	00-07-113	132Q- 04-076	AMD	00-14-007	132Q- 05-060	AMD	00-14-007
132L-120-070	NEW	00-07-113	132Q- 04-080	REP-P	00-08-075	132Q- 05-070	AMD-P	00-08-075
132L-120-080	NEW	00-07-113	132Q- 04-080	REP	00-14-007	132Q- 05-070	AMD	00-14-007
132L-120-090	NEW	00-07-113	132Q- 04-081	REP-P	00-08-075	132Q- 05-080	AMD-P	00-08-075
132L-120-100	NEW	00-07-113	132Q- 04-081	REP	00-14-007	132Q- 05-080	AMD	00-14-007
132L-120-110	NEW	00-07-113	132Q- 04-082	REP-P	00-08-075	132Q- 05-090	AMD-P	00-08-075
132L-120-120	NEW	00-07-113	132Q- 04-082	REP	00-14-007	132Q- 05-090	AMD	00-14-007
132L-120-130	NEW	00-07-113	132Q- 04-083	REP-P	00-08-075	132Q- 05-100	AMD-P	00-08-075
132L-120-140	NEW	00-07-113	132Q- 04-083	REP	00-14-007	132Q- 05-100	AMD	00-14-007
132L-120-150	NEW	00-07-113	132Q- 04-085	REP-P	00-08-075	132Q- 20-010	AMD-P	00-08-075
132L-120-160	NEW	00-07-113	132Q- 04-085	REP	00-14-007	132Q- 20-010	AMD	00-14-007
132L-120-170	NEW	00-07-113	132Q- 04-090	REP-P	00-08-075	132Q- 20-020	AMD-P	00-08-075
132L-120-180	NEW	00-07-113	132Q- 04-090	REP	00-14-007	132Q- 20-020	AMD	00-14-007

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132Q- 20-040	AMD	00-14-007	132S- 40-046	REP	00-18-095	132X- 40-020	AMD	00-05-023
132Q- 20-060	AMD-P	00-08-075	132S- 40-055	REP-P	00-12-010	132X- 50-020	AMD	00-05-023
132Q- 20-060	AMD	00-14-007	132S- 40-055	REP	00-18-095	132X- 50-030	AMD	00-05-023
132Q- 20-080	AMD-P	00-08-075	132S- 40-060	REP-P	00-12-010	132X- 50-040	AMD	00-05-023
132Q- 20-080	AMD	00-14-007	132S- 40-060	REP	00-18-095	132X- 50-050	AMD	00-05-023
132Q- 20-090	AMD-P	00-08-075	132S- 40-065	REP-P	00-12-010	132X- 50-060	AMD	00-05-023
132Q- 20-090	AMD	00-14-007	132S- 40-065	REP	00-18-095	132X- 50-080	AMD	00-05-023
132Q- 20-110	AMD-P	00-08-075	132S- 40-070	REP-P	00-12-010	132X- 50-110	AMD	00-05-023
132Q- 20-110	AMD	00-14-007	132S-40-070	REP	00-18-095	132X- 50-120	AMD	00-05-023
132Q- 20-130	AMD-P	00-08-075	132S- 40-075	REP-P	00-12-010	132X- 50-130	AMD	00-05-023
132Q- 20-130	AMD	00-14-007	132S- 40-075	REP	00-18-095	132X- 50-140	AMD	00-05-023
132Q- 20-150	AMD-P	00-08-075	132S- 40-080	REP-P	00-12-010	132X- 50-150	AMD	00-05-023
132Q- 20-150	AMD	00-14-007	132S- 40-080	REP	00-18-095	132X- 50-160	AMD	00-05-023
132Q- 20-160	AMD-P	00-08-075	132S- 40-140	REP-P	00-12-010	132X- 50-170	AMD	00-05-023
132Q- 20-160	AMD	00-14-007	132S- 40-140	REP	00-18-095	132X- 50-180	AMD	00-05-023
132Q- 20-170	AMD-P	00-08-075	132S- 40-145	REP-P	00-12-010	132X- 50-190	AMD	00-05-023
132Q- 20-170	AMD	00-14-007	132S- 40-145	REP	00-18-095	132X- 50-210	AMD	00-05-023
132Q- 20-180	AMD-P	00-08-075	132S- 40-150	REP-P	00-12-010	132X- 50-230	AMD	00-05-023
132Q- 20-180	AMD	00-14-007	132S- 40-150	REP	00-18-095	132X- 50-240	AMD	00-05-023
132Q- 20-200	AMD-P	00-08-075	132S- 40-155	REP-P	00-12-010	132X- 50-260	AMD	00-05-023
132Q- 20-200	AMD	00-14-007	132S- 40-155	REP	00-18-095	132X- 50-270	AMD	00-05-023
132Q- 20-210	AMD-P	00-08-075	132S- 40-160	NEW-P	00-12-010	132X- 50-280	AMD	00-05-023
132Q- 20-210	AMD	00-14-007	132S- 40-160	NEW	00-18-095	132X- 60-010	AMD	00-05-023
132Q- 20-220	AMD-P	00-08-075	132S- 40-165	NEW-P	00-12-010	132X- 60-015	NEW	00-05-023
132Q- 20-220	AMD	00-14-007	132S- 40-165	NEW	00-18-095	132X- 60-020	AMD	00-05-023
132Q- 20-240	AMD-P	00-08-075	132S- 40-170	NEW-P	00-12-010	132X- 60-035	NEW	00-05-023
132Q- 20-240	AMD	00-14-007	132S- 40-170	NEW	00-18-095	132X- 60-037	NEW	00-05-023
132Q- 20-250	AMD-P	00-08-075	132S- 40-175	NEW-P	00-12-010	132X- 60-040	AMD	00-05-023
132Q- 20-250	AMD	00-14-007	132S- 40-175	NEW	00-18-095	132X- 60-045	NEW	00-05-023
132Q- 20-260	AMD-P	00-08-075	132S- 40-180	NEW-P	00-12-010	132X- 60-046	NEW	00-05-023
132Q- 20-260	AMD	00-14-007	132S- 40-180	NEW	00-18-095	132X- 60-050	AMD	00-05-023
132Q- 20-270	AMD-P	00-08-075	132S- 40-185	NEW-P	00-12-010	132X- 60-060	AMD	00-05-023
132Q- 20-270	AMD	00-14-007	132S- 40-185	NEW	00-18-095	132X- 60-065	NEW	00-05-023
132Q- 94-010	AMD-P	00-08-075	132S- 40-190	NEW-P	00-12-010	132X- 60-075	NEW	00-05-023
132Q- 94-010	AMD	00-14-007	132S- 40-190	NEW	00-18-095	132X- 60-080	AMD	00-05-023
132Q- 94-020	AMD-P	00-08-075	132S- 40-195	NEW-P	00-12-010	132X- 60-090	AMD	00-05-023
132Q- 94-020	AMD	00-14-007	132S- 40-195	NEW	00-18-095	132X- 60-100	AMD	00-05-023
132Q- 94-030	AMD-P	00-08-075	132S- 40-200	NEW-P	00-12-010	132X- 60-110	AMD	00-05-023
132Q- 94-030	AMD	00-14-007	132S- 40-200	NEW	00-18-095	132X- 60-120	AMD	00-05-023
132Q- 94-125	AMD-P	00-08-075	132S- 40-210	NEW-P	00-12-010	132X- 60-130	AMD	00-05-023
132Q- 94-125	AMD	00-14-007	132S- 40-210	NEW	00-18-095	132X- 60-140	AMD	00-05-023
132Q- 94-150	AMD-P	00-08-075	132X- 10-010	AMD	00-05-023	132X- 60-150	AMD	00-05-023
132Q- 94-150	AMD	00-14-007	132X- 10-030	AMD	00-05-023	132X- 60-160	AMD	00-05-023
132S- 40-005	AMD-P	00-12-010	132X- 10-050	AMD	00-05-023	132X- 60-170	AMD	00-05-023
132S- 40-005	AMD	00-18-095	132X- 10-060	AMD	00-05-023	132X- 60-178	NEW	00-05-023
132S- 40-010	REP-P	00-12-010	132X- 10-080	AMD	00-05-023	132X- 60-180	AMD	00-05-023
132S- 40-015	REP	00-18-095	132X- 10-100	AMD	00-05-023	132Z-104-010	REP-XR	00-11-018
132S- 40-015	REP-P	00-12-010	132X- 10-110	AMD	00-05-023	132Z-112-010	NEW-P	00-07-121
132S- 40-015	REP	00-18-095	132X- 20-010	REP	00-05-022	132Z-112-020	NEW-P	00-07-121
132S- 40-020	REP-P	00-12-010	132X- 20-020	REP	00-05-022	132Z-112-030	NEW-P	00-07-121
132S- 40-020	REP	00-18-095	132X- 20-030	REP	00-05-022	132Z-112-040	NEW-P	00-07-121
132S- 40-025	REP-P	00-12-010	132X- 20-040	REP	00-05-022	132Z-112-050	NEW-P	00-07-121
132S- 40-025	REP	00-18-095	132X- 20-050	REP	00-05-022	132Z-115-010	NEW-P	00-07-121
132S- 40-030	REP-P	00-12-010	132X- 20-060	REP	00-05-022	132Z-115-020	NEW-P	00-07-121
132S- 40-030	REP	00-18-095	132X- 20-070	REP	00-05-022	132Z-115-030	NEW-P	00-07-121
132S- 40-035	REP-P	00-12-010	132X- 20-080	REP	00-05-022	132Z-115-040	NEW-P	00-07-121
132S- 40-035	REP	00-18-095	132X- 20-090	REP	00-05-022	132Z-115-050	NEW-P	00-07-121
132S- 40-040	REP-P	00-12-010	132X- 20-100	REP	00-05-022	132Z-115-060	NEW-P	00-07-121
132S- 40-040	REP	00-18-095	132X- 20-110	REP	00-05-022	132Z-115-070	NEW-P	00-07-121
132S- 40-045	REP-P	00-12-010	132X- 20-120	REP	00-05-022	132Z-115-080	NEW-P	00-07-121
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132Z-115-120	NEW-P	00-07-121	137-125-042	NEW-E	00-05-044	139-01-445	REP-P	00-07-097
132Z-115-130	NEW-P	00-07-121	137-125-044	NEW-E	00-05-044	139-01-445	REP	00-17-017
132Z-115-140	NEW-P	00-07-121	137-125-046	NEW-E	00-05-044	139-01-450	REP-P	00-07-097
132Z-115-150	NEW-P	00-07-121	137-125-048	NEW-E	00-05-044	139-01-450	REP	00-17-017
132Z-115-160	NEW-P	00-07-121	137-125-052	NEW-E	00-05-044	139-01-455	REP-P	00-07-097
132Z-115-170	NEW-P	00-07-121	137-125-054	NEW-E	00-05-044	139-01-455	REP	00-17-017
132Z-115-180	NEW-P	00-07-121	137-125-060	NEW-E	00-05-044	139-01-460	REP-P	00-07-097
132Z-115-190	NEW-P	00-07-121	137-125-070	NEW-E	00-05-044	139-01-460	REP	00-17-017
132Z-115-200	NEW-P	00-07-121	137-125-072	NEW-E	00-05-044	139-01-465	REP-P	00-07-097
132Z-115-210	NEW-P	00-07-121	137-125-076	NEW-E	00-05-044	139-01-465	REP	00-17-017
132Z-115-220	NEW-P	00-07-121	137-125-078	NEW-E	00-05-044	139-01-470	REP-P	00-07-097
132Z-115-230	NEW-P	00-07-121	137-125-090	NEW-E	00-05-044	139-01-470	REP	00-17-017
136-10-035	NEW-P	00-12-003	137-125-095	NEW-E	00-05-044	139-01-475	REP-P	00-07-097
136-10-035	NEW	00-18-020	137-125-100	NEW-E	00-05-044	139-01-475	REP	00-17-017
136-150-022	AMD-P	00-12-004	137-125-105	NEW-E	00-05-044	139-01-510	REP-P	00-07-097
136-150-022	AMD	00-18-021	137-125-110	NEW-E	00-05-044	139-01-510	REP	00-17-017
136-167-020	AMD	00-05-043	137-125-115	NEW-E	00-05-044	139-01-515	REP-P	00-07-097
136-167-030	AMD	00-05-043	137-125-120	NEW-E	00-05-044	139-01-515	REP	00-17-017
137-28	PREP	00-02-070	137-125-125	NEW-E	00-05-044	139-01-520	REP-P	00-07-097
137-28-140	AMD-P	00-07-048	137-125-130	NEW-E	00-05-044	139-01-520	REP	00-17-017
137-28-140	AMD	00-10-079	137-125-135	NEW-E	00-05-044	139-01-525	REP-P	00-07-097
137-28-160	AMD-P	00-07-048	137-125-140	NEW-E	00-05-044	139-01-525	REP	00-17-017
137-28-160	AMD	00-10-079	137-125-195	NEW-E	00-05-044	139-01-530	REP-P	00-07-097
137-28-170	AMD-P	00-07-048	137-130-005	NEW-E	00-05-045	139-01-530	REP	00-17-017
137-28-170	AMD	00-10-079	137-130-010	NEW-E	00-05-045	139-01-535	REP-P	00-07-097
137-28-185	NEW-P	00-07-048	137-130-020	NEW-E	00-05-045	139-01-535	REP	00-17-017
137-28-185	NEW	00-10-079	137-130-030	NEW-E	00-05-045	139-01-540	REP-P	00-07-097
137-28-220	AMD-P	00-07-048	137-130-040	NEW-E	00-05-045	139-01-540	REP	00-17-017
137-28-220	AMD	00-10-079	137-130-050	NEW-E	00-05-045	139-01-545	REP-P	00-07-097
137-28-230	AMD-P	00-07-048	137-130-060	NEW-E	00-05-045	139-01-545	REP	00-17-017
137-28-230	AMD	00-10-079	137-130-070	NEW-E	00-05-045	139-01-550	REP-P	00-07-097
137-28-260	AMD-P	00-07-048	137-130-080	NEW-E	00-05-045	139-01-550	REP	00-17-017
137-28-260	AMD	00-10-079	137-130-090	NEW-E	00-05-045	139-01-555	REP-P	00-07-097
137-28-270	AMD-P	00-07-048	137-130-100	NEW-E	00-05-045	139-01-555	REP	00-17-017
137-28-270	AMD	00-10-079	137-130-110	NEW-E	00-05-045	139-01-560	REP-P	00-07-097
137-28-290	AMD-P	00-07-048	137-130-120	NEW-E	00-05-045	139-01-560	REP	00-17-017
137-28-290	AMD	00-10-079	137-130-130	NEW-E	00-05-045	139-01-565	REP-P	00-07-097
137-28-300	AMD-P	00-07-048	137-130-140	NEW-E	00-05-045	139-01-565	REP	00-17-017
137-28-300	AMD	00-10-079	137-130-150	NEW-E	00-05-045	139-01-570	REP-P	00-07-097
137-28-310	AMD-P	00-07-048	139-01	PREP	00-04-048	139-01-570	REP	00-17-017
137-28-310	AMD	00-10-079	139-01-100	AMD-P	00-07-097	139-01-575	REP-P	00-07-097
137-28-320	REP-P	00-07-048	139-01-100	AMD	00-17-017	139-01-575	REP	00-17-017
137-28-320	REP	00-10-079	139-01-110	REP-P	00-07-097	139-01-610	REP-P	00-07-097
137-28-350	AMD-P	00-07-048	139-01-110	REP	00-17-017	139-01-610	REP	00-17-017
137-28-350	AMD	00-10-079	139-01-320	REP-P	00-07-097	139-01-615	REP-P	00-07-097
137-28-380	AMD-P	00-07-048	139-01-320	REP	00-17-017	139-01-615	REP	00-17-017
137-28-380	AMD	00-10-079	139-01-330	REP-P	00-07-097	139-01-620	REP-P	00-07-097
137-28-420	AMD-P	00-07-048	139-01-330	REP	00-17-017	139-01-620	REP	00-17-017
137-28-420	AMD	00-10-079	139-01-410	REP-P	00-07-097	139-01-625	REP-P	00-07-097
137-32-002	AMD	00-09-063	139-01-410	REP	00-17-017	139-01-625	REP	00-17-017
137-32-005	AMD	00-09-063	139-01-415	REP-P	00-07-097	139-01-630	REP-P	00-07-097
137-32-010	AMD	00-09-063	139-01-415	REP	00-17-017	139-01-630	REP	00-17-017
137-32-015	AMD	00-09-063	139-01-420	REP-P	00-07-097	139-01-710	REP-P	00-07-097
137-32-020	AMD	00-09-063	139-01-420	REP	00-17-017	139-01-710	REP	00-17-017
137-32-025	AMD	00-09-063	139-01-425	REP-P	00-07-097	139-01-715	REP-P	00-07-097
137-32-030	AMD	00-09-063	139-01-425	REP	00-17-017	139-01-715	REP	00-17-017
137-32-035	AMD	00-09-063	139-01-430	REP-P	00-07-097	139-01-720	REP-P	00-07-097
137-32-045	AMD	00-09-063	139-01-430	REP	00-17-017	139-01-720	REP	00-17-017
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139-01-735	REP-P	00-07-097	139-05-912	AMD	00-17-017	173-24-030	AMD-XA	00-14-032
139-01-735	REP	00-17-017	139-05-915	AMD-P	00-07-097	173-24-040	AMD-XA	00-14-032
139-01-810	REP-P	00-07-097	139-05-915	AMD	00-17-017	173-24-050	AMD-XA	00-14-032
139-01-810	REP	00-17-017	139-10	PREP	00-04-048	173-24-060	AMD-XA	00-14-032
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139-01-820	REP	00-17-017	139-10-210	AMD	00-17-017	173-24-080	AMD-XA	00-14-032
139-02-010	NEW-P	00-07-097	139-10-212	AMD-P	00-07-097	173-24-090	AMD-XA	00-14-032
139-02-010	NEW	00-17-017	139-10-212	AMD	00-17-017	173-24-100	AMD-XA	00-14-032
139-02-020	NEW-P	00-07-097	139-10-215	AMD-P	00-07-097	173-24-110	AMD-XA	00-14-032
139-02-020	NEW	00-17-017	139-10-215	AMD	00-17-017	173-24-120	AMD-XA	00-14-032
139-02-030	NEW-P	00-07-097	139-10-220	AMD-P	00-07-097	173-24-125	AMD-XA	00-14-032
139-02-030	NEW	00-17-017	139-10-220	AMD	00-17-017	173-24-130	AMD-XA	00-14-032
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139-02-040	NEW	00-17-017	139-10-221	NEW	00-17-017	173-24-150	AMD-XA	00-14-032
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139-02-050	NEW	00-17-017	139-10-222	AMD	00-17-017	173-26-020	AMD-P	00-11-175
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139-02-090	NEW	00-17-017	139-10-237	AMD	00-17-017	173-26-230	NEW-P	00-11-175
139-02-100	NEW-P	00-07-097	139-10-240	AMD-P	00-07-097	173-26-240	NEW-P	00-11-175
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139-02-110	NEW	00-17-017	139-10-310	AMD	00-17-017	173-26-280	NEW-P	00-11-175
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139-03-040	NEW	00-17-017	139-10-510	AMD	00-17-017	173-26-360	NEW-P	00-11-175
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139-03-050	NEW	00-17-017	139-10-520	AMD	00-17-017	173-98	PREP	00-11-032
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139-03-060	NEW	00-17-017	139-25-110	AMD-P	00-07-097	173-98-030	AMD	00-09-010
139-03-070	NEW-P	00-07-097	139-25-110	AMD	00-17-017	173-145-010	AMD-XA	00-11-065
139-03-070	NEW	00-17-017	173-09-010	REP-XR	00-18-083	173-145-010	AMD-W	00-16-058
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139-03-080	NEW	00-17-017	173-09-030	REP-XR	00-18-083	173-145-020	AMD-XA	00-11-065
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139-05-200	AMD-P	00-07-097	173-15-010	AMD-XA	00-11-066	173-145-020	AMD-XA	00-18-107
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139-05-210	AMD	00-17-017	173-15-020	AMD	00-16-080	173-145-030	AMD-XA	00-18-107
139-05-220	AMD-P	00-07-097	173-15-030	AMD-XA	00-11-066	173-145-040	AMD-XA	00-11-065
139-05-220	AMD	00-17-017	173-15-030	AMD	00-16-080	173-145-040	AMD-W	00-16-058
139-05-230	AMD-P	00-07-097	173-16-010	REP-P	00-11-175	173-145-040	AMD-XA	00-18-107
139-05-230	AMD	00-17-017	173-16-020	REP-P	00-11-175	173-145-050	AMD-XA	00-11-065
139-05-240	AMD-P	00-07-097	173-16-030	REP-P	00-11-175	173-145-050	AMD-W	00-16-058
139-05-240	AMD	00-17-017	173-16-040	REP-P	00-11-175	173-145-050	AMD-XA	00-18-107
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173-145-080	AMD-W	00-16-058	173-240-150	AMD	00-15-021	173-303-070	AMD	00-11-040
173-145-080	AMD-XA	00-18-107	173-240-160	AMD-XA	00-10-054	173-303-071	AMD-P	00-02-081
173-145-090	AMD-XA	00-11-065	173-240-160	AMD	00-15-021	173-303-071	AMD	00-11-040
173-145-090	AMD-W	00-16-058	173-240-170	AMD-XA	00-10-054	173-303-073	AMD-P	00-02-081
173-145-090	AMD-XA	00-18-107	173-240-170	AMD	00-15-021	173-303-073	AMD	00-11-040
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173-145-100	AMD-XA	00-18-107	173-245-010	AMD-XA	00-09-025	173-303-100	AMD-P	00-02-081
173-145-110	AMD-XA	00-11-065	173-245-010	AMD	00-15-019	173-303-100	AMD	00-11-040
173-145-110	AMD-W	00-16-058	173-245-015	AMD-XA	00-09-025	173-303-110	AMD-P	00-02-081
173-145-110	AMD-XA	00-18-107	173-245-015	AMD	00-15-019	173-303-110	AMD	00-11-040
173-145-120	AMD-XA	00-11-065	173-245-020	AMD-XA	00-09-025	173-303-120	AMD-P	00-02-081
173-145-120	AMD-W	00-16-058	173-245-020	AMD	00-15-019	173-303-120	AMD	00-11-040
173-145-120	AMD-XA	00-18-107	173-245-030	AMD-XA	00-09-025	173-303-160	AMD-P	00-02-081
173-145-130	AMD-XA	00-11-065	173-245-030	AMD	00-15-019	173-303-160	AMD	00-11-040
173-145-130	AMD-W	00-16-058	173-245-040	AMD-XA	00-09-025	173-303-170	AMD-P	00-02-081
173-145-130	AMD-XA	00-18-107	173-245-040	AMD	00-15-019	173-303-170	AMD	00-11-040
173-145-155	AMD-XA	00-11-065	173-245-050	AMD-XA	00-09-025	173-303-180	AMD-P	00-02-081
173-145-155	AMD-W	00-16-058	173-245-050	AMD	00-15-019	173-303-180	AMD	00-11-040
173-145-155	AMD-XA	00-18-107	173-245-055	AMD-XA	00-09-025	173-303-190	AMD-P	00-02-081
173-181	PREP	00-05-096	173-245-055	AMD	00-15-019	173-303-190	AMD	00-11-040
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173-202-010	REP	00-11-005	173-245-060	AMD	00-15-019	173-303-200	AMD	00-11-040
173-202-020	REP-XR	00-06-038	173-245-070	AMD-XA	00-09-025	173-303-201	AMD-P	00-02-081
173-202-020	REP	00-11-005	173-245-070	AMD	00-15-019	173-303-201	AMD	00-11-040
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173-224-040	AMD	00-13-010	173-245-075	AMD	00-15-019	173-303-240	AMD	00-11-040
173-240-020	AMD-XA	00-10-054	173-245-080	AMD-XA	00-09-025	173-303-280	AMD-P	00-02-081
173-240-020	AMD	00-15-021	173-245-080	AMD	00-15-019	173-303-280	AMD	00-11-040
173-240-030	AMD-XA	00-10-054	173-245-084	AMD-XA	00-09-025	173-303-281	AMD-P	00-02-081
173-240-030	AMD	00-15-021	173-245-084	AMD	00-15-019	173-303-281	AMD	00-11-040
173-240-035	AMD-XA	00-10-054	173-245-090	AMD-XA	00-09-025	173-303-300	AMD-P	00-02-081
173-240-035	AMD	00-15-021	173-245-090	AMD	00-15-019	173-303-300	AMD	00-11-040
173-240-040	AMD-XA	00-10-054	173-300-010	AMD-XA	00-13-021	173-303-320	AMD-P	00-02-081
173-240-040	AMD	00-15-021	173-300-020	AMD-XA	00-13-021	173-303-320	AMD	00-11-040
173-240-050	AMD-XA	00-10-054	173-300-030	AMD-XA	00-13-021	173-303-360	AMD-P	00-02-081
173-240-050	AMD	00-15-021	173-300-050	AMD-XA	00-13-021	173-303-360	AMD	00-11-040
173-240-060	AMD-XA	00-10-054	173-300-060	AMD-XA	00-13-021	173-303-370	AMD-P	00-02-081
173-240-060	AMD	00-15-021	173-300-070	AMD-XA	00-13-021	173-303-370	AMD	00-11-040
173-240-070	AMD-XA	00-10-054	173-300-080	AMD-XA	00-13-021	173-303-380	AMD-P	00-02-081
173-240-070	AMD	00-15-021	173-300-090	AMD-XA	00-13-021	173-303-380	AMD	00-11-040
173-240-075	AMD-XA	00-10-054	173-300-100	AMD-XA	00-13-021	173-303-390	AMD-P	00-02-081
173-240-075	AMD	00-15-021	173-300-110	AMD-XA	00-13-021	173-303-390	AMD	00-11-040
173-240-080	AMD-XA	00-10-054	173-300-120	AMD-XA	00-13-021	173-303-400	AMD-P	00-02-081
173-240-080	AMD	00-15-021	173-300-130	AMD-XA	00-13-021	173-303-400	AMD	00-11-040
173-240-090	AMD-XA	00-10-054	173-300-140	AMD-XA	00-13-021	173-303-505	AMD-P	00-02-081
173-240-090	AMD	00-15-021	173-300-150	AMD-XA	00-13-021	173-303-505	AMD	00-11-040
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173-240-095	AMD	00-15-021	173-300-170	AMD-XA	00-13-021	173-303-510	AMD	00-11-040
173-240-100	AMD-XA	00-10-054	173-300-180	AMD-XA	00-13-021	173-303-515	AMD-P	00-02-081
173-240-100	AMD	00-15-021	173-303	AMD-C	00-11-039	173-303-515	AMD	00-11-040
173-240-104	AMD-XA	00-10-054	173-303-010	AMD-P	00-02-081	173-303-520	AMD-P	00-02-081
173-240-104	AMD	00-15-021	173-303-010	AMD	00-11-040	173-303-520	AMD	00-11-040
173-240-110	AMD-XA	00-10-054	173-303-016	AMD-P	00-02-081	173-303-522	AMD-P	00-02-081
173-240-110	AMD	00-15-021	173-303-016	AMD	00-11-040	173-303-522	AMD	00-11-040
173-240-120	AMD-XA	00-10-054	173-303-040	AMD-P	00-02-081	173-303-573	AMD-P	00-02-081
173-240-120	AMD	00-15-021	173-303-040	AMD	00-11-040	173-303-573	AMD	00-11-040
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173-240-130	AMD	00-15-021	173-303-045	AMD	00-11-040	173-303-578	NEW	00-11-040
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173-303-610	AMD	00-11-040	173-305-220	AMD	00-16-103	173-310-050	AMD-XA	00-13-023
173-303-620	AMD-P	00-02-081	173-305-230	AMD-XA	00-10-053	173-310-060	AMD-XA	00-13-023
173-303-620	AMD	00-11-040	173-305-230	AMD	00-16-103	173-310-070	AMD-XA	00-13-023
173-303-630	AMD-P	00-02-081	173-305-240	AMD-XA	00-10-053	173-310-080	AMD-XA	00-13-023
173-303-630	AMD	00-11-040	173-305-240	AMD	00-16-103	173-310-090	AMD-XA	00-13-023
173-303-640	AMD-P	00-02-081	173-306-010	AMD-XA	00-13-022	173-310-100	AMD-XA	00-13-023
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173-303-645	AMD-P	00-02-081	173-306-100	AMD-XA	00-13-022	173-312-020	AMD-XA	00-13-024
173-303-645	AMD	00-11-040	173-306-150	AMD-XA	00-13-022	173-312-030	AMD-XA	00-13-024
173-303-646	AMD-P	00-02-081	173-306-200	AMD-XA	00-13-022	173-312-040	AMD-XA	00-13-024
173-303-646	AMD	00-11-040	173-306-300	AMD-XA	00-13-022	173-312-050	AMD-XA	00-13-024
173-303-650	AMD-P	00-02-081	173-306-310	AMD-XA	00-13-022	173-312-060	AMD-XA	00-13-024
173-303-650	AMD	00-11-040	173-306-320	AMD-XA	00-13-022	173-312-080	AMD-XA	00-13-024
173-303-680	AMD-P	00-02-081	173-306-330	AMD-XA	00-13-022	173-312-090	AMD-XA	00-13-024
173-303-680	AMD	00-11-040	173-306-340	AMD-XA	00-13-022	173-312-100	AMD-XA	00-13-024
173-303-690	AMD-P	00-02-081	173-306-345	AMD-XA	00-13-022	173-321-010	AMD-W	00-09-083
173-303-690	AMD	00-11-040	173-306-350	AMD-XA	00-13-022	173-321-010	AMD-P	00-16-135
173-303-691	AMD-P	00-02-081	173-306-400	AMD-XA	00-13-022	173-321-020	AMD-W	00-09-083
173-303-691	AMD	00-11-040	173-306-405	AMD-XA	00-13-022	173-321-020	AMD-P	00-16-135
173-303-692	NEW-P	00-02-081	173-306-410	AMD-XA	00-13-022	173-321-040	AMD-W	00-09-083
173-303-692	NEW	00-11-040	173-306-440	AMD-XA	00-13-022	173-321-040	AMD-P	00-16-135
173-303-693	NEW-P	00-02-081	173-306-450	AMD-XA	00-13-022	173-321-050	AMD-W	00-09-083
173-303-693	NEW	00-11-040	173-306-470	AMD-XA	00-13-022	173-321-050	AMD-P	00-16-135
173-303-800	AMD-P	00-02-081	173-306-480	AMD-XA	00-13-022	173-321-060	AMD-W	00-09-083
173-303-800	AMD	00-11-040	173-306-490	AMD-XA	00-13-022	173-321-060	AMD-P	00-16-135
173-303-803	NEW-P	00-02-081	173-306-495	AMD-XA	00-13-022	173-321-070	AMD-P	00-16-135
173-303-803	NEW	00-11-040	173-306-500	AMD-XA	00-13-022	173-321-080	AMD-W	00-09-083
173-303-804	AMD-P	00-02-081	173-306-900	AMD-XA	00-13-022	173-321-080	AMD-P	00-16-135
173-303-804	AMD	00-11-040	173-306-9901	AMD-XA	00-13-022	173-322	AMD-W	00-09-083
173-303-805	AMD-P	00-02-081	173-307	AMD	00-15-020	173-322	AMD-P	00-16-135
173-303-805	AMD	00-11-040	173-307-010	AMD-XA	00-10-052	173-322-020	AMD-W	00-09-083
173-303-806	AMD-P	00-02-081	173-307-010	AMD	00-15-020	173-322-020	AMD-P	00-16-135
173-303-806	AMD	00-11-040	173-307-015	AMD-XA	00-10-052	173-322-030	AMD-W	00-09-083
173-303-807	AMD-P	00-02-081	173-307-015	AMD	00-15-020	173-322-030	AMD-P	00-16-135
173-303-807	AMD	00-11-040	173-307-020	AMD-XA	00-10-052	173-322-040	AMD-W	00-09-083
173-303-810	AMD-P	00-02-081	173-307-020	AMD	00-15-020	173-322-040	AMD-P	00-16-135
173-303-810	AMD	00-11-040	173-307-030	AMD-XA	00-10-052	173-322-050	AMD-W	00-09-083
173-303-830	AMD-P	00-02-081	173-307-030	AMD	00-15-020	173-322-050	AMD-P	00-16-135
173-303-830	AMD	00-11-040	173-307-040	AMD-XA	00-10-052	173-322-060	AMD-W	00-09-083
173-303-840	AMD-P	00-02-081	173-307-040	AMD	00-15-020	173-322-060	AMD-P	00-16-135
173-303-840	AMD	00-11-040	173-307-050	AMD-XA	00-10-052	173-322-070	AMD-W	00-09-083
173-303-9904	AMD-P	00-02-081	173-307-050	AMD	00-15-020	173-322-070	AMD-P	00-16-135
173-303-9904	AMD	00-11-040	173-307-060	AMD-XA	00-10-052	173-322-090	AMD-W	00-09-083
173-303-9907	AMD-P	00-02-081	173-307-060	AMD	00-15-020	173-322-090	AMD-P	00-16-135
173-303-9907	AMD	00-11-040	173-307-070	AMD-XA	00-10-052	173-322-100	AMD-W	00-09-083
173-305-010	AMD-XA	00-10-053	173-307-070	AMD	00-15-020	173-322-100	AMD-P	00-16-135
173-305-010	AMD	00-16-103	173-307-080	AMD-XA	00-10-052	173-322-110	AMD-W	00-09-083
173-305-015	AMD-XA	00-10-053	173-307-080	AMD	00-15-020	173-322-110	AMD-P	00-16-135
173-305-015	AMD	00-16-103	173-307-090	AMD-XA	00-10-052	173-322-120	AMD-W	00-09-083
173-305-020	AMD-XA	00-10-053	173-307-090	AMD	00-15-020	173-322-120	AMD-P	00-16-135
173-305-020	AMD	00-16-103	173-307-100	AMD-XA	00-10-052	173-340-100	AMD-W	00-09-083
173-305-040	AMD-XA	00-10-053	173-307-100	AMD	00-15-020	173-340-100	AMD-P	00-16-135
173-305-040	AMD	00-16-103	173-307-110	AMD-XA	00-10-052	173-340-120	AMD-W	00-09-083
173-305-050	AMD-XA	00-10-053	173-307-110	AMD	00-15-020	173-340-120	AMD-P	00-16-135
173-305-050	AMD	00-16-103	173-307-130	AMD-XA	00-10-052	173-340-130	AMD-W	00-09-083
173-305-110	AMD-XA	00-10-053	173-307-130	AMD	00-15-020	173-340-130	AMD-P	00-16-135
173-305-110	AMD	00-16-103	173-307-140	AMD-XA	00-10-052	173-340-140	AMD-W	00-09-083
173-305-120	AMD-XA	00-10-053	173-307-140	AMD	00-15-020	173-340-140	AMD-P	00-16-135
173-305-120	AMD	00-16-103	173-310-010	AMD-XA	00-13-023	173-340-200	AMD-W	00-09-083
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173-340-210	AMD-P	00-16-135	173-340-708	AMD-P	00-16-135	173-425-100	REP	00-07-066
173-340-300	AMD-W	00-09-083	173-340-709	NEW-W	00-09-083	173-425-110	REP	00-07-066
173-340-300	AMD-P	00-16-135	173-340-709	NEW-P	00-16-135	180-27-032	AMD	00-04-007
173-340-310	AMD-W	00-09-083	173-340-710	AMD-W	00-09-083	180-27-102	AMD-P	00-05-104
173-340-310	AMD-P	00-16-135	173-340-710	AMD-P	00-16-135	180-27-102	AMD	00-09-045
173-340-320	AMD-W	00-09-083	173-340-720	AMD-W	00-09-083	180-29-068	NEW	00-04-008
173-340-320	AMD-P	00-16-135	173-340-720	AMD-P	00-16-135	180-29-085	AMD-P	00-10-060
173-340-330	AMD-W	00-09-083	173-340-730	AMD-W	00-09-083	180-29-085	AMD	00-18-060
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173-340-340	AMD-W	00-09-083	173-340-740	AMD-W	00-09-083	180-40-285	AMD	00-07-018
173-340-340	AMD-P	00-16-135	173-340-740	AMD-P	00-16-135	180-40-305	AMD	00-07-018
173-340-350	AMD-W	00-09-083	173-340-745	AMD-W	00-09-083	180-40-315	AMD	00-07-018
173-340-350	AMD-P	00-16-135	173-340-745	AMD-P	00-16-135	180-50	PREP	00-12-017
173-340-355	NEW-P	00-16-135	173-340-747	NEW-W	00-09-083	180-50-100	AMD-P	00-15-093
173-340-357	NEW-P	00-16-135	173-340-747	NEW-P	00-16-135	180-50-105	REP-P	00-15-093
173-340-360	AMD-W	00-09-083	173-340-7490	NEW-W	00-09-083	180-50-115	AMD-P	00-15-093
173-340-360	AMD-P	00-16-135	173-340-7490	NEW-P	00-16-135	180-50-117	NEW-P	00-15-093
173-340-370	NEW-W	00-09-083	173-340-7491	NEW-W	00-09-083	180-50-120	AMD-P	00-15-093
173-340-370	NEW-P	00-16-135	173-340-7491	NEW-P	00-16-135	180-50-125	REP-P	00-15-093
173-340-380	NEW-W	00-09-083	173-340-7492	NEW-W	00-09-083	180-50-130	REP-P	00-15-093
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173-340-390	NEW-W	00-09-083	173-340-7493	NEW-W	00-09-083	180-50-300	AMD-P	00-15-093
173-340-390	NEW-P	00-16-135	173-340-7493	NEW-P	00-16-135	180-50-310	AMD-P	00-15-093
173-340-400	AMD-W	00-09-083	173-340-7494	NEW-W	00-09-083	180-50-315	AMD-P	00-15-093
173-340-400	AMD-P	00-16-135	173-340-7494	NEW-P	00-16-135	180-51	PREP	00-11-171
173-340-410	AMD-W	00-09-083	173-340-750	AMD-W	00-09-083	180-51-001	NEW-P	00-15-092
173-340-410	AMD-P	00-16-135	173-340-750	AMD-P	00-16-135	180-51-003	NEW-P	00-15-092
173-340-420	AMD-W	00-09-083	173-340-760	AMD-W	00-09-083	180-51-005	AMD-P	00-15-092
173-340-420	AMD-P	00-16-135	173-340-760	AMD-P	00-16-135	180-51-010	REP-P	00-15-092
173-340-430	AMD-W	00-09-083	173-340-800	AMD-W	00-09-083	180-51-025	AMD-P	00-15-092
173-340-430	AMD-P	00-16-135	173-340-800	AMD-P	00-16-135	180-51-030	AMD-P	00-15-092
173-340-440	AMD-W	00-09-083	173-340-810	AMD-W	00-09-083	180-51-035	AMD-P	00-15-092
173-340-440	AMD-P	00-16-135	173-340-810	AMD-P	00-16-135	180-51-040	AMD-P	00-15-092
173-340-450	AMD-W	00-09-083	173-340-820	AMD-W	00-09-083	180-51-045	AMD-P	00-15-092
173-340-450	AMD-P	00-16-135	173-340-820	AMD-P	00-16-135	180-51-050	AMD-P	00-15-092
173-340-510	AMD-W	00-09-083	173-340-830	AMD-W	00-09-083	180-51-055	REP-P	00-15-092
173-340-510	AMD-P	00-16-135	173-340-830	AMD-P	00-16-135	180-51-060	AMD-P	00-15-092
173-340-515	NEW-W	00-09-083	173-340-840	AMD-W	00-09-083	180-51-061	NEW-P	00-15-092
173-340-515	NEW-P	00-16-135	173-340-840	AMD-P	00-16-135	180-51-063	NEW	00-04-047
173-340-520	AMD-W	00-09-083	173-340-850	AMD-W	00-09-083	180-51-063	PREP	00-07-017
173-340-520	AMD-P	00-16-135	173-340-850	AMD-P	00-16-135	180-51-063	AMD-P	00-10-018
173-340-530	AMD-W	00-09-083	173-340-900	NEW-P	00-16-135	180-51-063	AMD	00-13-039
173-340-530	AMD-P	00-16-135	173-340-990	NEW-W	00-09-083	180-51-064	NEW	00-04-047
173-340-545	NEW-W	00-09-083	173-400-030	AMD-XA	00-17-136	180-51-065	REP-P	00-15-092
173-340-545	NEW-P	00-16-135	173-400-040	AMD-XA	00-17-136	180-51-070	REP-P	00-15-092
173-340-550	AMD-W	00-09-083	173-400-060	AMD-XA	00-17-136	180-51-075	AMD	00-05-010
173-340-550	AMD-P	00-16-135	173-400-070	AMD-XA	00-17-136	180-51-075	PREP	00-06-054
173-340-600	AMD-W	00-09-083	173-400-075	AMD-XA	00-17-136	180-51-075	AMD-P	00-10-081
173-340-600	AMD-P	00-16-135	173-400-104	AMD-XA	00-17-136	180-51-075	AMD-P	00-15-095
173-340-610	AMD-W	00-09-083	173-400-115	AMD-XA	00-17-136	180-51-080	REP-P	00-15-092
173-340-610	AMD-P	00-16-135	173-422-031	NEW-XA	00-16-079	180-51-085	AMD-P	00-15-092
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173-340-700	AMD-P	00-16-135	173-425	AMD	00-07-066	180-51-105	AMD-P	00-15-092
173-340-702	AMD-W	00-09-083	173-425-010	AMD	00-07-066	180-51-110	AMD-P	00-15-092
173-340-702	AMD-P	00-16-135	173-425-020	AMD	00-07-066	180-51-115	AMD-P	00-15-092
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173-340-704	AMD-P	00-16-135	173-425-040	AMD	00-07-066	180-56-230	PREP	00-07-046
173-340-705	AMD-W	00-09-083	173-425-050	AMD	00-07-066	180-56-230	AMD-P	00-10-020
173-340-705	AMD-P	00-16-135	173-425-060	AMD	00-07-066	180-56-230	AMD	00-13-038
173-340-706	AMD-W	00-09-083	173-425-070	AMD	00-07-066	180-57	PREP	00-12-016
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180-57-020	AMD-P	00-15-094	180-77A-180	AMD-P	00-15-090	180-82-110	AMD	00-18-063
180-57-030	REP-P	00-15-094	180-77A-180	AMD	00-18-064	180-82-135	PREP	00-15-094
180-57-040	REP-P	00-15-094	180-77A-195	AMD-P	00-15-090	180-82-135	NEW-E	00-15-105
180-57-050	AMD-P	00-15-094	180-77A-195	AMD	00-18-064	180-82-202	AMD-P	00-15-091
180-57-055	AMD-P	00-15-094	180-78	PREP	00-15-101	180-82-202	AMD	00-18-061
180-57-070	PREP	00-07-016	180-78A	PREP	00-15-103	180-82-204	AMD-P	00-05-083
180-57-070	AMD-P	00-10-019	180-78A-010	AMD	00-03-049	180-82-204	AMD	00-09-047
180-57-080	REP-P	00-15-094	180-78A-015	PREP	00-15-098	180-82-303	NEW-P	00-15-091
180-77	PREP	00-11-082	180-78A-100	AMD-P	00-05-082	180-82-303	NEW	00-18-061
180-77-004	REP-P	00-15-090	180-78A-100	AMD	00-09-049	180-82-307	NEW-P	00-15-091
180-77-004	REP	00-18-064	180-78A-209	AMD-P	00-05-079	180-82-307	NEW	00-18-061
180-77-014	AMD-P	00-15-090	180-78A-209	AMD	00-09-046	180-82-311	NEW-P	00-05-083
180-77-014	AMD	00-18-064	180-78A-500	PREP	00-05-078	180-82-311	NEW	00-09-047
180-77-031	AMD-P	00-15-090	180-78A-500	AMD-P	00-10-083	180-82-313	NEW-P	00-05-083
180-77-031	AMD	00-18-064	180-78A-500	AMD	00-13-064	180-82-313	NEW	00-09-047
180-77-041	AMD-P	00-15-090	180-78A-505	AMD	00-03-049	180-82-322	AMD-P	00-15-090
180-77-041	AMD	00-18-064	180-78A-510	AMD	00-03-049	180-82-322	AMD	00-18-064
180-77-075	AMD-P	00-15-090	180-78A-515	AMD	00-03-049	180-82-335	NEW-P	00-05-083
180-77-075	AMD	00-18-064	180-78A-520	AMD	00-03-049	180-82-335	NEW	00-09-047
180-77-106	REP-P	00-15-090	180-78A-525	AMD	00-03-049	180-82-338	NEW-P	00-15-091
180-77-106	REP	00-18-064	180-78A-530	AMD	00-03-049	180-82-338	NEW	00-18-061
180-77-110	AMD-P	00-15-090	180-78A-535	AMD	00-03-049	180-82-340	NEW-P	00-05-083
180-77-110	AMD	00-18-064	180-78A-535	PREP	00-11-080	180-82-340	NEW	00-09-047
180-77A	PREP	00-11-082	180-78A-535	AMD-P	00-15-088	180-82-341	NEW-P	00-05-083
180-77A	AMD-P	00-15-090	180-78A-535	PREP	00-15-100	180-82-341	NEW	00-09-047
180-77A	AMD	00-18-064	180-78A-535	AMD	00-18-062	180-82-342	AMD-P	00-05-083
180-77A-004	AMD-P	00-15-090	180-78A-540	AMD	00-03-049	180-82-342	AMD	00-09-047
180-77A-004	AMD	00-18-064	180-78A-545	PREP	00-15-098	180-82-342	AMD-P	00-15-091
180-77A-006	AMD-P	00-15-090	180-78A-550	PREP	00-15-098	180-82-342	AMD	00-18-061
180-77A-006	AMD	00-18-064	180-78A-555	PREP	00-15-098	180-82-343	AMD-P	00-05-083
180-77A-012	REP-P	00-15-090	180-78A-560	PREP	00-15-098	180-82-343	AMD	00-09-047
180-77A-012	REP	00-18-064	180-78A-565	PREP	00-15-098	180-85-030	PREP	00-05-077
180-77A-014	REP-P	00-15-090	180-79A	PREP	00-11-082	180-85-030	AMD-P	00-10-082
180-77A-014	REP	00-18-064	180-79A	PREP	00-15-103	180-85-030	AMD	00-13-065
180-77A-016	REP-P	00-15-090	180-79A-006	AMD	00-03-048	182-12-119	PREP	00-12-045
180-77A-016	REP	00-18-064	180-79A-007	AMD	00-03-048	182-12-119	PREP	00-16-069
180-77A-018	REP-P	00-15-090	180-79A-015	PREP	00-15-099	182-12-132	PREP	00-12-045
180-77A-018	REP	00-18-064	180-79A-020	PREP	00-15-099	182-12-132	PREP	00-16-069
180-77A-020	REP-P	00-15-090	180-79A-022	PREP	00-15-099	182-16	PREP	00-10-101
180-77A-020	REP	00-18-064	180-79A-123	AMD-P	00-05-080	182-25-010	AMD-XA	00-14-075
180-77A-025	AMD-P	00-15-090	180-79A-123	AMD	00-09-048	182-25-020	PREP	00-16-136
180-77A-025	AMD	00-18-064	180-79A-130	AMD	00-03-048	182-25-030	AMD-XA	00-14-075
180-77A-026	REP-P	00-15-090	180-79A-140	PREP	00-05-076	182-25-100	PREP	00-10-101
180-77A-026	REP	00-18-064	180-79A-140	AMD-P	00-10-084	182-25-105	PREP	00-10-101
180-77A-028	REP-P	00-15-090	180-79A-140	AMD	00-13-063	182-25-110	PREP	00-10-101
180-77A-028	REP	00-18-064	180-79A-145	AMD	00-03-048	192-12-025	REP	00-05-064
180-77A-029	AMD-P	00-15-090	180-79A-206	AMD	00-03-048	192-12-072	REP	00-05-068
180-77A-029	AMD	00-18-064	180-79A-211	PREP	00-15-104	192-12-405	REP	00-05-069
180-77A-030	AMD-P	00-15-090	180-79A-231	PREP	00-05-076	192-16-011	REP-E	00-13-057
180-77A-030	AMD	00-18-064	180-79A-231	AMD-P	00-10-084	192-16-017	REP-E	00-05-063
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180-77A-037	AMD	00-18-064	180-79A-257	PREP	00-15-096	192-150-005	NEW-E	00-13-057
180-77A-040	AMD-P	00-15-090	180-79A-257	AMD-E	00-15-106	192-150-050	NEW-E	00-13-057
180-77A-040	AMD	00-18-064	180-79A-260	AMD	00-03-050	192-150-065	NEW-E	00-13-057
180-77A-057	AMD-P	00-15-090	180-79A-300	AMD-P	00-15-090	192-150-085	NEW-E	00-05-063
180-77A-057	AMD	00-18-064	180-79A-300	AMD	00-18-064	192-150-085	NEW-E	00-13-057
180-77A-165	AMD-P	00-15-090	180-82	PREP	00-11-081	192-170-050	NEW-W	00-08-076
180-77A-165	AMD	00-18-064	180-82	PREP	00-11-082	192-170-060	NEW-W	00-08-076
180-77A-170	REP-P	00-15-090	180-82-110	PREP	00-11-083	192-270-005	NEW-E	00-05-063

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
192-270-005	NEW-E	00-13-057	196- 31-030	NEW-P	00-04-059	208-460-180	PREP	00-16-028
192-270-010	NEW-E	00-05-063	196- 31-030	NEW	00-08-042	208-512-020	RECOD-X	00-13-101
192-270-010	NEW-E	00-13-057	196- 31-040	NEW-P	00-04-059	208-512-020	RECOD	00-17-141
192-270-015	NEW-E	00-05-063	196- 31-040	NEW	00-08-042	208-512-030	RECOD-X	00-13-101
192-270-015	NEW-E	00-13-057	196- 31-050	NEW-P	00-04-059	208-512-030	RECOD	00-17-141
192-270-020	NEW-E	00-05-063	196- 31-050	NEW	00-08-042	208-512-045	RECOD-X	00-13-101
192-270-020	NEW-E	00-13-057	196- 31-060	NEW-P	00-04-059	208-512-045	RECOD	00-17-141
192-270-025	NEW-E	00-05-063	196- 31-060	NEW	00-08-042	208-512-050	RECOD-X	00-13-101
192-270-025	NEW-E	00-13-057	196- 31-070	NEW-P	00-04-059	208-512-050	RECOD	00-17-141
192-270-030	NEW-E	00-05-063	196- 31-070	NEW	00-08-042	208-512-060	RECOD-X	00-13-101
192-270-030	NEW-E	00-13-057	196- 32-010	NEW-P	00-16-068	208-512-060	RECOD	00-17-141
192-270-035	NEW-E	00-05-063	196- 32-020	NEW-P	00-16-068	208-512-070	RECOD-X	00-13-101
192-270-035	NEW-E	00-13-057	196- 32-030	NEW-P	00-16-068	208-512-070	RECOD	00-17-141
192-270-040	NEW-E	00-05-063	196- 32-040	NEW-P	00-16-068	208-512-080	RECOD-X	00-13-101
192-270-040	NEW-E	00-13-057	196- 32-050	NEW-P	00-16-068	208-512-080	RECOD	00-17-141
192-270-045	NEW-E	00-05-063	197- 11	PREP	00-07-051	208-512-090	RECOD-X	00-13-101
192-270-045	NEW-E	00-13-057	204- 24-030	PREP	00-08-111	208-512-090	RECOD	00-17-141
192-270-050	NEW-E	00-05-063	204- 24-030	AMD-P	00-11-173	208-512-100	RECOD-X	00-13-101
192-270-050	NEW-E	00-13-057	204- 24-030	AMD	00-15-009	208-512-100	RECOD	00-17-141
192-270-055	NEW-E	00-05-063	204- 24-050	AMD	00-03-081	208-512-110	RECOD-X	00-13-101
192-270-055	NEW-E	00-13-057	204- 38-030	AMD	00-03-023	208-512-110	RECOD	00-17-141
192-270-060	NEW-E	00-05-063	204- 38-040	AMD	00-03-023	208-512-115	RECOD-X	00-13-101
192-270-060	NEW-E	00-13-057	204- 38-050	AMD	00-03-023	208-512-115	RECOD	00-17-141
192-270-065	NEW-E	00-05-063	204- 41-070	PREP	00-15-008	208-512-116	RECOD-X	00-13-101
192-270-065	NEW-E	00-13-057	204- 41-070	NEW-P	00-18-080	208-512-116	RECOD	00-17-141
192-270-070	NEW-E	00-05-063	204- 91A	PREP	00-16-101	208-512-117	RECOD-X	00-13-101
192-270-070	NEW-E	00-13-057	204- 96-010	AMD-E	00-10-059	208-512-117	RECOD	00-17-141
192-300-050	NEW	00-05-068	204- 96-010	PREP	00-11-174	208-512-120	RECOD-X	00-13-101
192-300-170	NEW	00-05-064	204- 96-010	AMD-P	00-15-036	208-512-120	RECOD	00-17-141
192-300-190	NEW	00-05-067	204- 96-010	AMD	00-18-006	208-512-130	RECOD-X	00-13-101
192-320-050	NEW	00-05-068	204- 97-010	NEW-W	00-12-028	208-512-130	RECOD	00-17-141
192-320-070	NEW	00-05-069	204- 97-020	NEW-W	00-12-028	208-512-140	RECOD-X	00-13-101
192-330-100	NEW	00-05-066	204- 97-030	NEW-W	00-12-028	208-512-140	RECOD	00-17-141
192-340-010	NEW	00-05-065	204- 97-040	NEW-W	00-12-028	208-512-150	RECOD-X	00-13-101
194- 20-010	AMD	00-08-039	208-440	PREP	00-04-074	208-512-150	RECOD	00-17-141
194- 20-010	DECOD	00-08-039	208-440	AMD-P	00-13-041	208-512-160	RECOD-X	00-13-101
194- 20-020	AMD	00-08-039	208-440-010	PREP	00-04-074	208-512-160	RECOD	00-17-141
194- 20-020	DECOD	00-08-039	208-440-010	AMD-P	00-13-041	208-512-170	RECOD-X	00-13-101
194- 20-030	AMD	00-08-039	208-440-020	PREP	00-04-074	208-512-170	RECOD	00-17-141
194- 20-030	DECOD	00-08-039	208-440-020	REP-P	00-13-041	208-512-180	RECOD-X	00-13-101
194- 20-040	AMD	00-08-039	208-440-040	PREP	00-04-074	208-512-180	RECOD	00-17-141
194- 20-040	DECOD	00-08-039	208-440-040	REP-P	00-13-041	208-512-190	RECOD-X	00-13-101
194- 20-050	AMD	00-08-039	208-440-050	PREP	00-04-074	208-512-190	RECOD	00-17-141
194- 20-050	DECOD	00-08-039	208-440-050	REP-P	00-13-041	208-512-200	RECOD-X	00-13-101
194- 20-060	REP	00-08-039	208-444-050	PREP	00-16-028	208-512-200	RECOD	00-17-141
194- 20-070	REP	00-08-039	208-460-010	PREP	00-16-028	208-512-210	RECOD-X	00-13-101
194- 20-080	AMD	00-08-039	208-460-020	PREP	00-16-028	208-512-210	RECOD	00-17-141
194- 20-080	DECOD	00-08-039	208-460-030	PREP	00-16-028	208-512-220	RECOD-X	00-13-101
196- 09	PREP	00-15-013	208-460-040	PREP	00-16-028	208-512-220	RECOD	00-17-141
196- 12	PREP	00-16-071	208-460-050	PREP	00-16-028	208-512-230	RECOD-X	00-13-101
196- 16	PREP	00-15-013	208-460-060	PREP	00-16-028	208-512-230	RECOD	00-17-141
196- 20	PREP	00-15-013	208-460-070	PREP	00-16-028	208-512-240	RECOD-X	00-13-101
196- 21	PREP	00-15-013	208-460-080	PREP	00-16-028	208-512-240	RECOD	00-17-141
196- 24-041	PREP	00-15-013	208-460-090	PREP	00-16-028	208-512-250	RECOD-X	00-13-101
196- 24-080	PREP	00-15-013	208-460-100	PREP	00-16-028	208-512-250	RECOD	00-17-141
196- 24-105	PREP	00-15-013	208-460-110	PREP	00-16-028	208-512-260	RECOD-X	00-13-101
196- 26	PREP	00-15-013	208-460-120	PREP	00-16-028	208-512-260	RECOD	00-17-141
196- 27	PREP	00-15-013	208-460-130	PREP	00-16-028	208-512-270	RECOD-X	00-13-101
196- 31-010	NEW-P	00-04-059	208-460-140	PREP	00-16-028	208-512-270	RECOD	00-17-141
196- 31-010	NEW	00-08-042	208-460-150	PREP	00-16-028	208-512-280	RECOD-X	00-13-101
196- 31-020	NEW-P	00-04-059	208-460-160	PREP	00-16-028	208-512-280	RECOD	00-17-141
196- 31-020	NEW	00-08-042	208-460-170	PREP	00-16-028	208-512-290	RECOD-X	00-13-101

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
208-586-100	RECOD	00-17-140	210-02-020	NEW-P	00-08-069	220-20-015	AMD-P	00-14-022
208-586-110	RECOD-X	00-13-100	210-02-020	NEW	00-11-023	220-20-015	AMD	00-17-106
208-586-110	RECOD	00-17-140	210-02-030	NEW-P	00-08-069	220-20-01500A	NEW-E	00-10-069
208-586-120	RECOD-X	00-13-100	210-02-030	NEW	00-11-023	220-20-020	AMD-P	00-06-083
208-586-120	RECOD	00-17-140	210-02-040	NEW-P	00-08-069	220-20-020	AMD-W	00-07-019
208-586-135	RECOD-X	00-13-100	210-02-040	NEW	00-11-023	220-20-020	AMD-P	00-14-022
208-586-135	RECOD	00-17-140	210-02-050	NEW-P	00-08-069	220-20-020	AMD	00-17-106
208-586-140	RECOD-X	00-13-100	210-02-050	NEW	00-11-023	220-20-02000A	NEW-E	00-10-069
208-586-140	RECOD	00-17-140	210-02-060	NEW-P	00-08-069	220-20-025	AMD-P	00-06-083
208-590-010	RECOD-X	00-13-100	210-02-060	NEW	00-11-023	220-20-025	AMD-W	00-07-019
208-590-010	RECOD	00-17-140	210-02-070	NEW-P	00-08-069	220-20-025	AMD-P	00-14-022
208-590-020	RECOD-X	00-13-100	210-02-070	NEW	00-11-023	220-20-025	AMD	00-17-106
208-590-020	RECOD	00-17-140	210-02-080	NEW-P	00-08-069	220-20-02500A	NEW-E	00-10-069
208-590-030	RECOD-X	00-13-100	210-02-080	NEW	00-11-023	220-24-02000L	NEW-E	00-10-067
208-590-030	RECOD	00-17-140	210-02-090	NEW-P	00-08-069	220-24-02000L	REP-E	00-10-067
208-594-010	RECOD-X	00-13-100	210-02-090	NEW	00-11-023	220-24-02000	NEW-E	00-17-001
208-594-010	RECOD	00-17-140	210-02-100	NEW-P	00-08-069	220-24-02000	REP-E	00-17-001
208-594-020	RECOD-X	00-13-100	210-02-100	NEW	00-11-023	220-24-02000	REP-E	00-17-119
208-594-020	RECOD	00-17-140	210-02-110	NEW-P	00-08-069	220-24-02000N	NEW-E	00-17-119
208-594-030	RECOD-X	00-13-100	210-02-110	NEW	00-11-023	220-24-02000N	REP-E	00-18-053
208-594-030	RECOD	00-17-140	210-02-120	NEW-P	00-08-069	220-24-02000P	NEW-E	00-18-053
208-594-040	RECOD-X	00-13-100	210-02-120	NEW	00-11-023	220-24-02000P	REP-E	00-18-053
208-594-040	RECOD	00-17-140	210-02-130	NEW-P	00-08-069	220-32-01500S	REP-E	00-14-051
208-594-050	RECOD-X	00-13-100	210-02-130	NEW	00-11-023	220-32-05100R	NEW-E	00-04-071
208-594-050	RECOD	00-17-140	210-02-140	NEW-P	00-08-069	220-32-05100R	REP-E	00-04-071
208-594-060	RECOD-X	00-13-100	210-02-140	NEW	00-11-023	220-32-05100R	REP-E	00-07-099
208-594-060	RECOD	00-17-140	210-02-150	NEW-P	00-08-069	220-32-05100S	NEW-E	00-14-051
208-594-070	RECOD-X	00-13-100	210-02-150	NEW	00-11-023	220-32-05100T	REP-E	00-18-022
208-594-070	RECOD	00-17-140	210-02-160	NEW-P	00-08-069	220-32-05500A	NEW-E	00-10-097
208-594-080	RECOD-X	00-13-100	210-02-160	NEW	00-11-023	220-32-05500A	REP-E	00-10-097
208-594-080	RECOD	00-17-140	210-02-170	NEW-P	00-08-069	220-32-05500A	REP-E	00-11-030
208-594-090	RECOD-X	00-13-100	210-02-170	NEW	00-11-023	220-32-05500B	NEW-E	00-11-030
208-594-090	RECOD	00-17-140	210-02-180	NEW-P	00-08-069	220-32-05500B	REP-E	00-11-030
208-598-010	RECOD-X	00-13-100	210-02-180	NEW	00-11-023	220-32-05500B	REP-E	00-12-026
208-598-010	RECOD	00-17-140	210-02-190	NEW-P	00-08-069	220-32-05500C	NEW-E	00-12-026
208-598-020	RECOD-X	00-13-100	210-02-190	NEW	00-11-023	220-32-05500C	REP-E	00-12-026
208-598-020	RECOD	00-17-140	210-02-200	NEW-P	00-08-069	220-32-05500Z	NEW-E	00-09-024
208-598-030	RECOD-X	00-13-100	210-02-200	NEW	00-11-023	220-32-05500Z	REP-E	00-09-024
208-598-030	RECOD	00-17-140	220-16-257	AMD	00-08-038	220-32-05500Z	REP-E	00-10-097
208-660-010	AMD-P	00-17-172	220-16-345	AMD	00-08-038	220-32-057	AMD-XA	00-12-052
208-660-020	AMD-P	00-17-172	220-16-480	AMD-W	00-11-087	220-32-057	AMD	00-17-117
208-660-025	AMD-P	00-17-172	220-16-590	AMD-P	00-06-083	220-32-05700E	NEW-E	00-07-109
208-660-030	AMD-P	00-17-172	220-16-590	AMD-W	00-07-019	220-32-05700E	REP-E	00-13-015
208-660-040	AMD-P	00-17-172	220-16-590	AMD	00-08-038	220-32-05700F	NEW-E	00-13-015
208-660-042	AMD-P	00-17-172	220-16-590	AMD-P	00-14-022	220-32-05700F	REP-E	00-16-090
208-660-045	AMD-P	00-17-172	220-16-590	AMD	00-17-106	220-32-05700G	NEW-E	00-17-050
208-660-070	AMD-P	00-17-172	220-16-730	NEW	00-08-038	220-32-05700G	REP-E	00-17-050
208-660-080	AMD-P	00-17-172	220-16-740	NEW-P	00-06-083	220-32-35100T	NEW-E	00-18-022
208-660-08015	AMD-P	00-17-172	220-16-740	NEW-W	00-07-019	220-33-010	AMD-XA	00-12-052
208-660-08025	AMD-P	00-17-172	220-16-740	NEW	00-08-038	220-33-010	AMD	00-17-117
208-660-08030	AMD-P	00-17-172	220-16-740	AMD-P	00-14-022	220-33-01000B	NEW-E	00-05-047
208-660-08032	NEW-P	00-17-172	220-16-740	AMD	00-17-106	220-33-01000B	REP-E	00-05-047
208-660-08040	AMD-P	00-17-172	220-16-74000A	NEW-E	00-10-069	220-33-01000B	REP-E	00-06-011
208-660-130	AMD-P	00-17-172	220-16-750	NEW-P	00-06-083	220-33-01000C	NEW-E	00-06-011
208-660-140	AMD-P	00-17-172	220-16-750	NEW-W	00-07-019	220-33-01000C	REP-E	00-06-036
208-660-145	AMD-P	00-17-172	220-16-750	NEW	00-08-038	220-33-01000D	NEW-E	00-06-036
208-660-160	AMD-P	00-17-172	220-16-750	AMD-P	00-14-022	220-33-01000E	NEW-E	00-14-014
208-680	PREP	00-10-102	220-16-750	AMD	00-17-106	220-33-01000E	REP-E	00-14-014
210-01-120	AMD-P	00-03-040	220-16-75000A	NEW-E	00-10-069	220-33-01000F	NEW-E	00-16-081
210-01-120	AMD	00-07-003	220-20-010	AMD	00-08-038	220-33-01000F	REP-E	00-16-081
210-02-010	NEW-P	00-08-069	220-20-015	AMD-P	00-06-083	220-33-01000G	NEW-E	00-17-130
210-02-010	NEW	00-11-023	220-20-015	AMD-W	00-07-019	220-33-01000G	REP-E	00-17-130

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-33-01000G	REP-E	00-18-004	220-48-019	AMD-W	00-11-086	220-52-069	AMD-P	00-11-045
220-33-01000H	NEW-E	00-18-042	220-48-019	AMD-P	00-14-020	220-52-069	AMD	00-17-108
220-33-01000H	REP-E	00-18-042	220-48-019	AMD	00-17-145	220-52-06900A	NEW-E	00-04-015
220-33-020	AMD-XA	00-12-052	220-48-028	AMD-W	00-11-086	220-52-06900A	REP-E	00-11-116
220-33-020	AMD	00-17-117	220-48-029	AMD-W	00-11-086	220-52-06900B	NEW-E	00-11-116
220-33-03000P	NEW-E	00-11-046	220-48-031	AMD-W	00-11-086	220-52-071	AMD	00-03-042
220-33-03000P	REP-E	00-11-046	220-48-032	AMD-W	00-11-086	220-52-07100N	NEW-E	00-13-054
220-33-03000P	REP-E	00-14-014	220-48-061	AMD-W	00-11-086	220-52-07100N	REP-E	00-16-066
220-33-03000Q	NEW-E	00-14-014	220-48-071	AMD-W	00-11-086	220-52-07100P	NEW-E	00-16-066
220-33-03000Q	REP-E	00-14-014	220-52-03000L	NEW-E	00-11-057	220-52-07100P	REP-E	00-17-020
220-33-040	AMD-XA	00-12-052	220-52-03000L	REP-E	00-11-057	220-52-07100Q	NEW-E	00-17-020
220-33-040	AMD-P	00-14-036	220-52-03000L	REP-E	00-13-006	220-52-073	AMD	00-03-042
220-33-040	AMD-C	00-17-094	220-52-03000	NEW-E	00-13-068	220-52-07300Q	REP-E	00-03-006
220-33-040	AMD	00-17-117	220-52-03000	REP-E	00-13-068	220-52-07300R	NEW-E	00-03-006
220-33-04000I	REP-E	00-06-017	220-52-040	AMD-W	00-08-077	220-52-07300R	REP-E	00-03-006
220-33-04000J	NEW-E	00-06-017	220-52-040	AMD-P	00-14-037	220-52-07300R	REP-E	00-03-044
220-33-04000J	REP-E	00-06-017	220-52-040	AMD	00-18-005	220-52-07300S	NEW-E	00-03-044
220-33-060	AMD-P	00-14-038	220-52-04000Q	REP-E	00-04-084	220-52-07300S	REP-E	00-03-044
220-33-060	AMD-C	00-17-093	220-52-04000R	NEW-E	00-04-084	220-52-07300S	REP-E	00-04-013
220-33-06000A	NEW-E	00-11-056	220-52-04000R	REP-E	00-11-001	220-52-07300T	NEW-E	00-04-013
220-36-023	AMD-XA	00-17-104	220-52-04000S	NEW-E	00-11-001	220-52-07300T	REP-E	00-05-041
220-36-02300A	NEW-E	00-17-139	220-52-04000S	REP-E	00-11-001	220-52-07300U	NEW-E	00-05-041
220-36-02300A	REP-E	00-17-139	220-52-04000T	NEW-E	00-12-025	220-52-07300U	REP-E	00-06-044
220-40-027	AMD-XA	00-17-104	220-52-04000T	REP-E	00-12-025	220-52-07300V	NEW-E	00-06-044
220-40-02700U	NEW-E	00-17-139	220-52-043	AMD-W	00-08-077	220-52-07300V	REP-E	00-06-044
220-40-02700U	REP-E	00-17-139	220-52-043	AMD-P	00-14-037	220-52-07300	NEW-E	00-07-064
220-44-020	AMD-P	00-14-038	220-52-043	AMD	00-18-005	220-52-07300	REP-E	00-07-114
220-44-020	AMD-C	00-17-093	220-52-04600A	NEW-E	00-11-001	220-52-075	AMD	00-05-054
220-44-02000A	NEW-E	00-11-056	220-52-04600A	REP-E	00-11-001	220-52-07500A	NEW-E	00-10-051
220-44-030	AMD-P	00-14-020	220-52-04600B	NEW-E	00-12-025	220-55-005	AMD-P	00-06-084
220-44-030	AMD-C	00-17-091	220-52-04600B	REP-E	00-12-025	220-55-005	AMD	00-11-178
220-44-050	AMD-XA	00-10-038	220-52-04600U	NEW-E	00-04-084	220-55-010	AMD-P	00-06-084
220-44-050	AMD	00-16-033	220-52-04600U	REP-E	00-06-009	220-55-010	AMD	00-11-178
220-44-05000A	NEW-E	00-04-041	220-52-04600V	REP-E	00-04-084	220-55-015	AMD-P	00-06-084
220-44-05000Z	REP-E	00-04-041	220-52-04600X	NEW-E	00-06-009	220-55-015	AMD	00-11-178
220-44-080	AMD-XA	00-10-038	220-52-04600X	REP-E	00-08-037	220-55-070	AMD-P	00-06-084
220-44-080	AMD	00-16-033	220-52-04600Y	NEW-E	00-08-037	220-55-070	AMD	00-11-178
220-47-304	AMD-XA	00-13-095	220-52-04600Y	REP-E	00-08-037	220-55-105	AMD-P	00-06-084
220-47-304	AMD	00-18-023	220-52-04600Y	REP-E	00-08-044	220-55-105	AMD	00-11-178
220-47-311	AMD-XA	00-13-095	220-52-04600Z	NEW-E	00-08-044	220-55-110	AMD-P	00-06-084
220-47-311	AMD	00-18-023	220-52-04600Z	REP-E	00-08-044	220-55-110	AMD	00-11-178
220-47-401	AMD-XA	00-13-095	220-52-050	AMD-P	00-14-020	220-55-115	AMD-P	00-06-084
220-47-401	AMD	00-18-023	220-52-050	AMD	00-17-145	220-55-115	AMD	00-11-178
220-47-411	AMD-XA	00-13-095	220-52-05100A	NEW-E	00-09-055	220-55-132	NEW-P	00-06-084
220-47-411	AMD	00-18-023	220-52-05100A	REP-E	00-10-051	220-55-132	NEW	00-11-178
220-47-427	AMD-XA	00-13-095	220-52-05100B	NEW-E	00-10-051	220-55-170	AMD-P	00-06-042
220-47-427	AMD	00-18-023	220-52-05100B	REP-E	00-12-015	220-55-170	AMD	00-11-177
220-47-428	AMD-XA	00-13-095	220-52-05100C	NEW-E	00-12-015	220-55-17000B	NEW-E	00-11-058
220-47-428	AMD	00-18-023	220-52-05100C	REP-E	00-15-006	220-55-180	AMD-P	00-06-043
220-47-701	NEW-E	00-17-092	220-52-05100D	NEW-E	00-15-006	220-55-180	AMD	00-11-176
220-47-701	REP-E	00-18-077	220-52-05100D	REP-E	00-15-033	220-56-08500U	REP-E	00-08-046
220-47-702	NEW-E	00-18-077	220-52-05100E	NEW-E	00-15-033	220-56-100	AMD-XA	00-11-179
220-48-005	AMD-W	00-11-086	220-52-05100E	REP-E	00-16-025	220-56-100	AMD	00-16-091
220-48-011	AMD-P	00-14-020	220-52-05100F	NEW-E	00-16-025	220-56-103	AMD	00-08-038
220-48-011	AMD	00-17-145	220-52-05100F	REP-E	00-16-040	220-56-103	REP-XA	00-11-179
220-48-015	AMD-W	00-11-086	220-52-05100G	NEW-E	00-16-040	220-56-103	REP	00-16-091
220-48-015	AMD-P	00-14-020	220-52-05100G	REP-E	00-17-006	220-56-105	AMD	00-08-038
220-48-015	AMD-C	00-17-091	220-52-05100H	NEW-E	00-17-006	220-56-115	AMD-XA	00-11-179
220-48-01500K	NEW-E	00-08-037	220-52-05100H	REP-E	00-17-051	220-56-115	AMD	00-16-091
220-48-01500L	NEW-E	00-14-013	220-52-05100I	NEW-E	00-17-051	220-56-11500D	NEW-E	00-10-068
220-48-016	AMD-W	00-11-086	220-52-068	AMD-P	00-14-020	220-56-116	AMD-XA	00-11-179
220-48-017	AMD-W	00-11-086	220-52-068	AMD	00-17-145	220-56-116	AMD	00-16-091

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-56-123	AMD-XA	00-11-179	220-56-23500I	REP-E	00-18-051	220-56-33000X	NEW-E	00-07-098
220-56-123	AMD	00-16-091	220-56-240	AMD	00-08-038	220-56-33000X	REP-E	00-11-055
220-56-12300A	NEW-E	00-10-068	220-56-24000C	NEW-E	00-10-050	220-56-33000Y	NEW-E	00-08-037
220-56-128	AMD-XA	00-11-179	220-56-24000C	REP-E	00-10-050	220-56-33000Y	REP-E	00-09-053
220-56-128	AMD	00-16-091	220-56-24000D	NEW-E	00-11-059	220-56-33000Z	NEW-E	00-09-053
220-56-12800D	NEW-E	00-08-001	220-56-250	AMD	00-08-038	220-56-33000Z	REP-E	00-11-055
220-56-12800D	REP-E	00-08-001	220-56-250	AMD-XA	00-10-038	220-56-335	AMD-W	00-11-087
220-56-12800E	NEW-E	00-10-068	220-56-250	AMD	00-17-016	220-56-350	AMD	00-08-038
220-56-130	AMD	00-08-038	220-56-25000A	REP-E	00-08-084	220-56-350	AMD-XA	00-11-179
220-56-145	AMD	00-08-038	220-56-25000B	NEW-E	00-08-084	220-56-350	AMD	00-16-091
220-56-175	AMD-P	00-06-084	220-56-25500	NEW-E	00-10-070	220-56-35000F	NEW-E	00-08-045
220-56-175	AMD	00-08-038	220-56-25500	REP-E	00-11-008	220-56-35000G	NEW-E	00-10-068
220-56-175	AMD	00-11-178	220-56-25500N	NEW-E	00-11-008	220-56-36000A	REP-E	00-06-010
220-56-180	AMD-XA	00-11-179	220-56-25500N	REP-E	00-12-014	220-56-36000B	NEW-E	00-06-010
220-56-180	AMD	00-16-091	220-56-25500P	NEW-E	00-12-014	220-56-36000B	REP-E	00-06-010
220-56-185	AMD	00-08-038	220-56-25500P	REP-E	00-12-048	220-56-36000C	NEW-E	00-09-001
220-56-190	AMD-XA	00-11-179	220-56-25500Q	NEW-E	00-12-048	220-56-36000C	REP-E	00-09-001
220-56-190	DECOD-X	00-11-179	220-56-25500Q	REP-E	00-13-059	220-56-36000D	NEW-E	00-09-054
220-56-190	AMD	00-16-091	220-56-25500R	NEW-E	00-13-059	220-56-36000D	REP-E	00-09-054
220-56-190	DECOD	00-16-091	220-56-25500R	REP-E	00-14-004	220-56-36000E	NEW-E	00-10-049
220-56-19000C	NEW-E	00-10-068	220-56-25500S	NEW-E	00-14-004	220-56-36000E	REP-E	00-10-049
220-56-19000C	REP-E	00-17-071	220-56-25500S	REP-E	00-16-082	220-56-372	AMD	00-08-038
220-56-19000D	NEW-E	00-14-035	220-56-25500T	NEW-E	00-16-082	220-56-380	AMD	00-08-038
220-56-19000D	REP-E	00-14-035	220-56-27000G	NEW-E	00-06-017	220-56-380	AMD-XA	00-11-179
220-56-19000D	REP-E	00-17-071	220-56-27000G	REP-E	00-06-017	220-56-380	AMD	00-16-091
220-56-19000E	NEW-E	00-17-071	220-56-280	AMD	00-08-038	220-56-38000X	NEW-E	00-08-045
220-56-19000E	REP-E	00-17-120	220-56-28500U	NEW-E	00-08-031	220-56-38000Y	NEW-E	00-10-068
220-56-19000F	NEW-E	00-17-120	220-56-28500U	REP-E	00-08-031	220-57-001	REP-XA	00-11-179
220-56-191	AMD-XA	00-11-179	220-56-28500V	NEW-E	00-08-046	220-57-001	REP	00-16-091
220-56-191	DECOD-P	00-11-179	220-56-28500V	REP-E	00-13-058	220-57-11900A	NEW-E	00-15-087
220-56-191	AMD	00-16-091	220-56-28500	NEW-E	00-14-012	220-57-11900A	REP-E	00-15-087
220-56-191	DECOD	00-16-091	220-56-295	AMD	00-08-038	220-57-120	REP-XA	00-11-179
220-56-19100L	NEW-E	00-10-068	220-56-30500G	NEW-E	00-13-058	220-57-120	REP	00-16-091
220-56-19100L	REP-P	00-17-090	220-56-310	AMD	00-08-038	220-57-125	REP-XA	00-11-179
220-56-19100	NEW-E	00-17-090	220-56-315	AMD	00-08-038	220-57-125	REP	00-16-091
220-56-19100	REP-E	00-17-129	220-56-32500D	NEW-E	00-10-011	220-57-130	REP-XA	00-11-179
220-56-19100N	NEW-E	00-17-129	220-56-32500D	REP-E	00-10-011	220-57-130	REP	00-16-091
220-56-19100N	REP-E	00-17-129	220-56-32500E	NEW-E	00-11-144	220-57-135	REP-XA	00-11-179
220-56-19100N	REP-E	00-18-013	220-56-32500E	REP-E	00-14-023	220-57-135	REP	00-16-091
220-56-19100P	NEW-E	00-18-013	220-56-32500F	NEW-E	00-12-047	220-57-137	REP-XA	00-11-179
220-56-19100P	REP-E	00-18-013	220-56-32500F	REP-E	00-12-047	220-57-137	REP	00-16-091
220-56-19100P	REP-E	00-18-054	220-56-32500G	NEW-E	00-12-069	220-57-1370I	REP-XA	00-11-179
220-56-19100Q	NEW-E	00-18-054	220-56-32500G	REP-E	00-12-069	220-57-1370I	REP	00-16-091
220-56-19100Q	REP-E	00-18-054	220-56-32500H	NEW-E	00-13-053	220-57-138	REP-XA	00-11-179
220-56-195	AMD-XA	00-11-179	220-56-32500H	REP-E	00-13-053	220-57-138	REP	00-16-091
220-56-195	AMD	00-16-091	220-56-32500I	NEW-E	00-14-023	220-57-140	REP-XA	00-11-179
220-56-19500F	NEW-E	00-10-068	220-56-330	AMD	00-08-038	220-57-140	REP	00-16-091
220-56-199	AMD-XA	00-11-179	220-56-33000A	NEW-E	00-11-055	220-57-145	REP-XA	00-11-179
220-56-199	AMD	00-16-091	220-56-33000A	REP-E	00-11-143	220-57-145	REP	00-16-091
220-56-19900A	NEW-E	00-10-068	220-56-33000B	NEW-E	00-11-143	220-57-150	REP-XA	00-11-179
220-56-205	AMD	00-08-038	220-56-33000B	REP-E	00-13-069	220-57-150	REP	00-16-091
220-56-205	REP-XA	00-11-179	220-56-33000C	NEW-E	00-13-069	220-57-155	REP-XA	00-11-179
220-56-205	REP	00-16-091	220-56-33000C	REP-E	00-14-034	220-57-155	REP	00-16-091
220-56-235	AMD	00-08-038	220-56-33000D	NEW-E	00-14-034	220-57-160	AMD	00-08-038
220-56-235	AMD-XA	00-10-038	220-56-33000D	REP-E	00-15-005	220-57-160	REP-XA	00-11-179
220-56-235	AMD	00-17-016	220-56-33000E	NEW-E	00-15-005	220-57-160	REP	00-16-091
220-56-23500E	NEW-E	00-08-084	220-56-33000E	REP-E	00-15-032	220-57-16000A	NEW-E	00-17-064
220-56-23500E	REP-E	00-10-012	220-56-33000F	NEW-E	00-15-032	220-57-16000A	REP-E	00-17-064
220-56-23500F	NEW-E	00-10-012	220-56-33000F	REP-E	00-17-118	220-57-16000B	NEW-E	00-18-014
220-56-23500G	NEW-E	00-16-061	220-56-33000V	REP-E	00-08-037	220-57-16000B	REP-E	00-18-040
220-56-23500H	NEW-E	00-17-099	220-56-33000	NEW-E	00-06-009	220-57-16000V	NEW-E	00-07-073
220-56-23500I	NEW-E	00-18-051	220-56-33000	REP-E	00-08-037	220-57-16000V	REP-E	00-14-015

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-57-16000	NEW-E	00-08-006	220-57-280	REP-XA	00-11-179	220-57-375	REP-XA	00-11-179
220-57-16000	REP-E	00-11-007	220-57-280	REP	00-16-091	220-57-375	REP	00-16-091
220-57-16000X	NEW-E	00-11-007	220-57-285	REP-XA	00-11-179	220-57-380	REP-XA	00-11-179
220-57-16000X	REP-E	00-11-007	220-57-285	REP	00-16-091	220-57-380	REP	00-16-091
220-57-16000Y	NEW-E	00-14-015	220-57-290	REP-XA	00-11-179	220-57-385	REP-XA	00-11-179
220-57-16000Y	REP-E	00-14-015	220-57-290	REP	00-16-091	220-57-385	REP	00-16-091
220-57-16000Z	NEW-E	00-16-039	220-57-29000X	NEW-E	00-11-029	220-57-390	REP-XA	00-11-179
220-57-16000Z	REP-E	00-18-014	220-57-29000X	REP-E	00-11-029	220-57-390	REP	00-16-091
220-57-165	REP-XA	00-11-179	220-57-295	REP-XA	00-11-179	220-57-395	REP-XA	00-11-179
220-57-165	REP	00-16-091	220-57-295	REP	00-16-091	220-57-395	REP	00-16-091
220-57-170	REP-XA	00-11-179	220-57-300	REP-XA	00-11-179	220-57-400	REP-XA	00-11-179
220-57-170	REP	00-16-091	220-57-300	REP	00-16-091	220-57-400	REP	00-16-091
220-57-17000U	NEW-E	00-07-002	220-57-305	REP-XA	00-11-179	220-57-405	REP-XA	00-11-179
220-57-17000U	REP-E	00-11-118	220-57-305	REP	00-16-091	220-57-405	REP	00-16-091
220-57-175	REP-XA	00-11-179	220-57-310	REP-XA	00-11-179	220-57-410	REP-XA	00-11-179
220-57-175	REP	00-16-091	220-57-310	REP	00-16-091	220-57-410	REP	00-16-091
220-57-17500V	NEW-E	00-11-118	220-57-313	REP-XA	00-11-179	220-57-415	REP-XA	00-11-179
220-57-17500V	REP-E	00-11-118	220-57-313	REP	00-16-091	220-57-415	REP	00-16-091
220-57-180	REP-XA	00-11-179	220-57-315	REP-XA	00-11-179	220-57-420	REP-XA	00-11-179
220-57-180	REP	00-16-091	220-57-315	REP	00-16-091	220-57-420	REP	00-16-091
220-57-181	REP-XA	00-11-179	220-57-31500J	NEW-E	00-08-022	220-57-425	REP-XA	00-11-179
220-57-181	REP	00-16-091	220-57-31500J	REP-E	00-08-022	220-57-425	REP	00-16-091
220-57-185	REP-XA	00-11-179	220-57-31500K	NEW-E	00-12-041	220-57-42500F	NEW-E	00-15-087
220-57-185	REP	00-16-091	220-57-31500K	REP-E	00-12-041	220-57-42500F	REP-E	00-15-087
220-57-187	REP-XA	00-11-179	220-57-319	REP-XA	00-11-179	220-57-427	REP-XA	00-11-179
220-57-187	REP	00-16-091	220-57-319	REP	00-16-091	220-57-427	REP	00-16-091
220-57-18700D	NEW-E	00-07-002	220-57-31900A	NEW-E	00-12-013	220-57-430	REP-XA	00-11-179
220-57-190	REP-XA	00-11-179	220-57-31900A	REP-E	00-12-013	220-57-430	REP	00-16-091
220-57-190	REP	00-16-091	220-57-31900Z	NEW-E	00-07-002	220-57-432	REP-XA	00-11-179
220-57-195	REP-XA	00-11-179	220-57-31900Z	REP-E	00-12-013	220-57-432	REP	00-16-091
220-57-195	REP	00-16-091	220-57-321	REP-XA	00-11-179	220-57-435	REP-XA	00-11-179
220-57-200	REP-XA	00-11-179	220-57-321	REP	00-16-091	220-57-435	REP	00-16-091
220-57-200	REP	00-16-091	220-57-32100D	NEW-E	00-08-022	220-57-440	REP-XA	00-11-179
220-57-205	REP-XA	00-11-179	220-57-32100D	REP-E	00-08-022	220-57-440	REP	00-16-091
220-57-205	REP	00-16-091	220-57-325	REP-XA	00-11-179	220-57-445	REP-XA	00-11-179
220-57-210	REP-XA	00-11-179	220-57-325	REP	00-16-091	220-57-445	REP	00-16-091
220-57-210	REP	00-16-091	220-57-326	REP-XA	00-11-179	220-57-450	REP-XA	00-11-179
220-57-215	REP-XA	00-11-179	220-57-326	REP	00-16-091	220-57-450	REP	00-16-091
220-57-215	REP	00-16-091	220-57-327	REP-XA	00-11-179	220-57-455	REP-XA	00-11-179
220-57-225	REP-XA	00-11-179	220-57-327	REP	00-16-091	220-57-455	REP	00-16-091
220-57-225	REP	00-16-091	220-57-330	REP-XA	00-11-179	220-57-460	REP-XA	00-11-179
220-57-230	REP-XA	00-11-179	220-57-330	REP	00-16-091	220-57-460	REP	00-16-091
220-57-230	REP	00-16-091	220-57-335	REP-XA	00-11-179	220-57-462	REP-XA	00-11-179
220-57-235	REP-XA	00-11-179	220-57-335	REP	00-16-091	220-57-462	REP	00-16-091
220-57-235	REP	00-16-091	220-57-340	REP-XA	00-11-179	220-57-465	REP-XA	00-11-179
220-57-240	REP-XA	00-11-179	220-57-340	REP	00-16-091	220-57-465	REP	00-16-091
220-57-240	REP	00-16-091	220-57-341	REP-XA	00-11-179	220-57-470	REP-XA	00-11-179
220-57-245	REP-XA	00-11-179	220-57-341	REP	00-16-091	220-57-470	REP	00-16-091
220-57-245	REP	00-16-091	220-57-342	REP-XA	00-11-179	220-57-473	REP-XA	00-11-179
220-57-250	REP-XA	00-11-179	220-57-342	REP	00-16-091	220-57-473	REP	00-16-091
220-57-250	REP	00-16-091	220-57-345	REP-XA	00-11-179	220-57-475	REP-XA	00-11-179
220-57-255	REP-XA	00-11-179	220-57-345	REP	00-16-091	220-57-475	REP	00-16-091
220-57-255	REP	00-16-091	220-57-34500A	NEW-E	00-03-007	220-57-480	REP-XA	00-11-179
220-57-25500G	NEW-E	00-07-002	220-57-34500A	REP-E	00-03-007	220-57-480	REP	00-16-091
220-57-260	REP-XA	00-11-179	220-57-350	REP-XA	00-11-179	220-57-485	REP-XA	00-11-179
220-57-260	REP	00-16-091	220-57-350	REP	00-16-091	220-57-485	REP	00-16-091
220-57-265	REP-XA	00-11-179	220-57-355	REP-XA	00-11-179	220-57-490	REP-XA	00-11-179
220-57-265	REP	00-16-091	220-57-355	REP	00-16-091	220-57-490	REP	00-16-091
220-57-270	REP-XA	00-11-179	220-57-365	REP-XA	00-11-179	220-57-493	REP-XA	00-11-179
220-57-270	REP	00-16-091	220-57-365	REP	00-16-091	220-57-493	REP	00-16-091
220-57-275	REP-XA	00-11-179	220-57-370	REP-XA	00-11-179	220-57-495	REP-XA	00-11-179
220-57-275	REP	00-16-091	220-57-370	REP	00-16-091	220-57-495	REP	00-16-091

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-57-497	REP-XA	00-11-179	220-57A-080	REP-XA	00-11-179	220-69-236	AMD-P	00-06-084
220-57-497	REP	00-16-091	220-57A-080	REP	00-16-091	220-69-236	AMD	00-11-178
220-57-500	REP-XA	00-11-179	220-57A-082	REP-XA	00-11-179	220-69-24000P	NEW-E	00-10-051
220-57-500	REP	00-16-091	220-57A-082	REP	00-16-091	220-69-24000P	REP-E	00-12-015
220-57-502	REP-XA	00-11-179	220-57A-085	REP-XA	00-11-179	220-69-24000Q	NEW-E	00-12-015
220-57-502	REP	00-16-091	220-57A-085	REP	00-16-091	220-69-24000R	NEW-E	00-13-054
220-57-505	REP-XA	00-11-179	220-57A-090	REP-XA	00-11-179	220-77-090	NEW-P	00-14-008
220-57-505	REP	00-16-091	220-57A-090	REP	00-16-091	220-77-090	NEW	00-17-146
220-57-50500G	NEW-E	00-08-022	220-57A-095	REP-XA	00-11-179	220-88B-030	AMD-P	00-13-082
220-57-50500G	REP-E	00-12-041	220-57A-095	REP	00-16-091	220-88B-030	AMD	00-17-107
220-57-50500H	NEW-E	00-12-041	220-57A-100	REP-XA	00-11-179	220-88B-040	AMD-P	00-13-082
220-57-50500H	REP-E	00-12-041	220-57A-100	REP	00-16-091	220-88B-040	AMD	00-17-107
220-57-510	REP-XA	00-11-179	220-57A-105	REP-XA	00-11-179	220-88B-04000	NEW-E	00-10-071
220-57-510	REP	00-16-091	220-57A-105	REP	00-16-091	220-88B-050	AMD-P	00-13-082
220-57-515	REP-XA	00-11-179	220-57A-110	REP-XA	00-11-179	220-88B-050	AMD	00-17-107
220-57-515	REP	00-16-091	220-57A-110	REP	00-16-091	220-88B-05000	NEW-E	00-10-071
220-57-51500S	NEW-E	00-08-022	220-57A-112	REP-XA	00-11-179	220-88B-05000	REP-E	00-10-071
220-57-51500S	REP-E	00-08-022	220-57A-112	REP	00-16-091	220-88C-010	NEW-P	00-14-038
220-57-51500S	REP-E	00-11-117	220-57A-115	REP-XA	00-11-179	220-88C-010	NEW-C	00-17-093
220-57-51500T	NEW-E	00-11-117	220-57A-115	REP	00-16-091	220-88C-01000	NEW-E	00-11-056
220-57-520	REP-XA	00-11-179	220-57A-120	REP-XA	00-11-179	220-88C-020	NEW-P	00-14-038
220-57-520	REP	00-16-091	220-57A-120	REP	00-16-091	220-88C-020	NEW-C	00-17-093
220-57-525	REP-XA	00-11-179	220-57A-125	REP-XA	00-11-179	220-88C-02000	NEW-E	00-11-056
220-57-525	REP	00-16-091	220-57A-125	REP	00-16-091	220-88C-030	NEW-P	00-14-038
220-57-53000C	NEW-E	00-13-016	220-57A-130	REP-XA	00-11-179	220-88C-030	NEW-C	00-17-093
220-57-53000C	REP-E	00-13-016	220-57A-130	REP	00-16-091	220-88C-03000	NEW-E	00-11-056
220-57A-001	REP-XA	00-11-179	220-57A-135	REP-XA	00-11-179	220-95-013	AMD-P	00-14-021
220-57A-001	REP	00-16-091	220-57A-135	REP	00-16-091	220-95-013	AMD	00-17-105
220-57A-005	REP-XA	00-11-179	220-57A-140	REP-XA	00-11-179	220-95-018	AMD-P	00-14-021
220-57A-005	REP	00-16-091	220-57A-140	REP	00-16-091	220-95-018	AMD	00-17-105
220-57A-010	REP-XA	00-11-179	220-57A-145	REP-XA	00-11-179	220-95-022	AMD-P	00-14-021
220-57A-010	REP	00-16-091	220-57A-145	REP	00-16-091	220-95-022	AMD	00-17-105
220-57A-012	REP-XA	00-11-179	220-57A-150	REP-XA	00-11-179	220-95-032	AMD-P	00-14-021
220-57A-012	REP	00-16-091	220-57A-150	REP	00-16-091	220-95-032	AMD	00-17-105
220-57A-015	REP-XA	00-11-179	220-57A-152	REP-XA	00-11-179	220-140-020	AMD-P	00-17-171
220-57A-015	REP	00-16-091	220-57A-152	REP	00-16-091	222-08-035	AMD-E	00-06-026
220-57A-017	REP-XA	00-11-179	220-57A-155	REP-XA	00-11-179	222-08-035	AMD-C	00-08-103
220-57A-017	REP	00-16-091	220-57A-155	REP	00-16-091	222-10-010	AMD-E	00-06-026
220-57A-020	REP-XA	00-11-179	220-57A-160	REP-XA	00-11-179	222-10-020	NEW-C	00-08-103
220-57A-020	REP	00-16-091	220-57A-160	REP	00-16-091	222-10-030	NEW-E	00-06-026
220-57A-025	REP-XA	00-11-179	220-57A-165	REP-XA	00-11-179	222-10-030	NEW-C	00-08-103
220-57A-025	REP	00-16-091	220-57A-165	REP	00-16-091	222-10-035	NEW-E	00-06-026
220-57A-030	REP-XA	00-11-179	220-57A-170	REP-XA	00-11-179	222-12-010	AMD-E	00-06-026
220-57A-030	REP	00-16-091	220-57A-170	REP	00-16-091	222-12-020	AMD-P	00-08-104
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220-57A-035	REP	00-16-091	220-57A-175	REP	00-16-091	222-12-041	NEW-E	00-06-026
220-57A-037	REP-XA	00-11-179	220-57A-17500	NEW-E	00-14-050	222-12-044	NEW-E	00-06-026
220-57A-037	REP	00-16-091	220-57A-17500	REP-E	00-14-050	222-12-044	NEW-C	00-08-103
220-57A-040	REP-XA	00-11-179	220-57A-17500	REP-E	00-14-060	222-12-045	AMD-E	00-06-026
220-57A-040	REP	00-16-091	220-57A-17500	NEW-E	00-14-060	222-12-045	AMD-C	00-08-103
220-57A-045	REP-XA	00-11-179	220-57A-17500	REP-E	00-14-060	222-12-090	AMD-E	00-06-026
220-57A-045	REP	00-16-091	220-57A-17500	REP-E	00-15-034	222-12-090	AMD-C	00-08-103
220-57A-050	REP-XA	00-11-179	220-57A-17500	NEW-E	00-15-034	222-12-090	AMD-P	00-08-104
220-57A-050	REP	00-16-091	220-57A-17500	REP-E	00-15-034	222-12-090	AMD-E	00-12-093
220-57A-055	REP-XA	00-11-179	220-57A-180	REP-XA	00-11-179	222-16-010	AMD-E	00-06-026
220-57A-055	REP	00-16-091	220-57A-180	REP	00-16-091	222-16-010	AMD-C	00-08-103
220-57A-065	REP-XA	00-11-179	220-57A-183	REP-XA	00-11-179	222-16-030	AMD-E	00-06-026
220-57A-065	REP	00-16-091	220-57A-183	REP	00-16-091	222-16-030	AMD-C	00-08-103
220-57A-070	REP-XA	00-11-179	220-57A-185	REP-XA	00-11-179	222-16-035	AMD-E	00-06-026
220-57A-070	REP	00-16-091	220-57A-185	REP	00-16-091	222-16-036	NEW-E	00-06-026
220-57A-075	REP-XA	00-11-179	220-57A-190	REP-XA	00-11-179	222-16-050	AMD-E	00-06-026
220-57A-075	REP	00-16-091	220-57A-190	REP	00-16-091	222-16-050	AMD-C	00-08-103

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222- 20-010	AMD-E	00-06-026	222- 24-040	AMD-E	00-06-026	230- 04-022	AMD-P	00-05-101
222- 20-010	AMD-C	00-08-103	222- 24-040	AMD-C	00-08-103	230- 04-022	AMD	00-09-052
222- 20-015	NEW-E	00-06-026	222- 24-050	AMD-E	00-06-026	230- 04-026	NEW-P	00-18-087
222- 20-015	NEW-C	00-08-103	222- 24-050	AMD-C	00-08-103	230- 04-110	AMD-P	00-11-114
222- 20-020	AMD-E	00-06-026	222- 24-051	NEW-E	00-06-026	230- 04-110	AMD	00-15-039
222- 20-020	AMD-C	00-08-103	222- 24-052	NEW-E	00-06-026	230- 04-115	AMD-P	00-11-114
222- 20-055	NEW-E	00-06-026	222- 24-060	AMD-E	00-06-026	230- 04-115	AMD	00-15-039
222- 20-070	AMD-C	00-08-103	222- 24-060	AMD-C	00-08-103	230- 04-119	AMD	00-05-102
222- 20-080	AMD-E	00-06-026	222- 30-010	AMD-E	00-06-026	230- 04-120	AMD-P	00-11-114
222- 21-005	NEW-P	00-08-104	222- 30-010	AMD-C	00-08-103	230- 04-120	AMD	00-15-039
222- 21-005	NEW-E	00-12-093	222- 30-020	AMD-E	00-06-026	230- 04-124	AMD-P	00-11-114
222- 21-010	NEW-P	00-08-104	222- 30-020	AMD-C	00-08-103	230- 04-124	AMD	00-15-039
222- 21-010	NEW-E	00-12-093	222- 30-021	NEW-E	00-06-026	230- 04-140	AMD-P	00-05-101
222- 21-020	NEW-P	00-08-104	222- 30-022	NEW-E	00-06-026	230- 04-140	AMD	00-09-052
222- 21-020	NEW-E	00-12-093	222- 30-023	NEW-E	00-06-026	230- 04-142	REP-P	00-05-101
222- 21-030	NEW-P	00-08-104	222- 30-040	AMD-E	00-06-026	230- 04-142	REP-W	00-18-026
222- 21-030	NEW-E	00-12-093	222- 30-045	NEW-E	00-06-026	230- 04-203	AMD-P	00-05-101
222- 21-035	NEW-P	00-08-104	222- 30-060	AMD-E	00-06-026	230- 04-203	AMD-P	00-11-114
222- 21-035	NEW-E	00-12-093	222- 30-070	AMD-E	00-06-026	230- 04-203	AMD	00-15-039
222- 21-040	NEW-P	00-08-104	222- 30-070	AMD-C	00-08-103	230- 04-203	AMD-W	00-18-026
222- 21-040	NEW-E	00-12-093	222- 30-070	AMD-E	00-12-093	230- 04-204	AMD-P	00-05-101
222- 21-045	NEW-P	00-08-104	222- 38-010	AMD-E	00-06-026	230- 04-204	AMD-W	00-18-026
222- 21-045	NEW-E	00-12-093	222- 38-020	AMD-E	00-06-026	230- 04-207	NEW-P	00-05-101
222- 21-050	NEW-P	00-08-104	222- 38-020	AMD-C	00-08-103	230- 04-207	NEW	00-09-052
222- 21-050	NEW-E	00-12-093	222- 38-030	AMD-E	00-06-026	230- 04-255	AMD-P	00-05-101
222- 21-060	NEW-P	00-08-104	222- 38-030	AMD-C	00-08-103	230- 04-255	AMD	00-09-052
222- 21-060	NEW-E	00-12-093	222- 38-040	AMD-E	00-06-026	230- 04-330	AMD-P	00-18-086
222- 21-065	NEW-P	00-08-104	222- 46-012	NEW-E	00-06-026	230- 04-450	AMD-P	00-05-101
222- 21-065	NEW-E	00-12-093	222- 46-055	NEW-C	00-08-103	230- 04-450	AMD	00-09-052
222- 21-070	NEW-P	00-08-104	222- 46-060	AMD-E	00-06-026	230- 08-027	NEW-P	00-05-101
222- 21-070	NEW-E	00-12-093	222- 46-060	AMD-C	00-08-103	230- 08-027	NEW	00-09-052
222- 21-080	NEW-P	00-08-104	222- 46-065	AMD-C	00-08-103	230- 08-040	AMD-P	00-05-101
222- 21-080	NEW-E	00-12-093	222- 46-070	AMD-E	00-06-026	230- 08-040	AMD	00-09-052
222- 21-090	NEW-P	00-08-104	224- 12	PREP	00-11-181	230- 08-080	AMD-P	00-04-099
222- 21-090	NEW-E	00-12-093	224- 12-010	AMD-P	00-15-069	230- 08-080	AMD	00-07-140
222- 22-010	AMD-C	00-08-103	224- 12-030	AMD-P	00-15-069	230- 08-090	AMD-P	00-05-101
222- 22-030	AMD-C	00-08-103	224- 12-070	AMD-P	00-15-069	230- 08-090	AMD	00-09-052
222- 22-035	NEW-C	00-08-103	224- 12-080	AMD-P	00-15-069	230- 08-100	REP-P	00-04-099
222- 22-040	AMD-C	00-08-103	230- 02-108	AMD-P	00-04-099	230- 08-100	REP	00-07-140
222- 22-050	AMD-C	00-08-103	230- 02-108	AMD	00-07-140	230- 08-105	AMD-P	00-04-099
222- 22-060	AMD-C	00-08-103	230- 02-109	NEW-P	00-05-101	230- 08-105	AMD	00-07-140
222- 22-065	NEW-C	00-08-103	230- 02-109	NEW	00-09-052	230- 08-160	AMD-P	00-05-101
222- 22-070	AMD-E	00-06-026	230- 02-110	AMD-P	00-05-101	230- 08-160	AMD	00-09-052
222- 22-070	AMD-C	00-08-103	230- 02-110	AMD	00-09-052	230- 12-050	AMD-P	00-04-099
222- 22-075	NEW-E	00-06-026	230- 02-123	AMD-P	00-04-099	230- 12-050	AMD-P	00-05-101
222- 22-075	NEW-C	00-08-103	230- 02-123	AMD	00-07-140	230- 12-050	AMD	00-07-140
222- 22-076	NEW-E	00-06-026	230- 02-161	AMD-P	00-18-089	230- 12-050	AMD	00-09-052
222- 22-076	NEW-C	00-08-103	230- 02-183	AMD-P	00-04-099	230- 12-072	NEW-P	00-05-101
222- 22-080	AMD-E	00-06-026	230- 02-183	AMD	00-07-140	230- 12-072	NEW	00-09-052
222- 22-090	AMD-E	00-06-026	230- 02-205	AMD	00-05-102	230- 12-073	NEW-P	00-05-101
222- 22-090	AMD-C	00-08-103	230- 02-206	AMD	00-05-102	230- 12-073	NEW	00-09-052
222- 24-010	AMD-E	00-06-026	230- 02-380	AMD-W	00-02-067	230- 12-074	NEW-P	00-11-113
222- 24-010	AMD-C	00-08-103	230- 02-400	REP-P	00-05-101	230- 12-074	NEW	00-15-038
222- 24-015	NEW-E	00-06-026	230- 02-400	REP	00-09-052	230- 12-078	AMD-P	00-04-099
222- 24-020	AMD-E	00-06-026	230- 02-412	NEW-P	00-11-114	230- 12-078	AMD	00-07-140
222- 24-020	AMD-C	00-08-103	230- 02-412	NEW	00-15-039	230- 12-078	AMD	00-07-140
222- 24-025	REP-E	00-06-026	230- 02-415	AMD-P	00-05-101	230- 12-310	AMD-P	00-05-103
222- 24-026	NEW-E	00-06-026	230- 02-415	AMD	00-09-052	230- 12-310	AMD	00-09-051
222- 24-030	AMD-E	00-06-026	230- 02-425	REP-P	00-05-101	230- 12-335	NEW-P	00-11-114
222- 24-030	AMD-C	00-08-103	230- 02-425	REP	00-09-052	230- 12-335	NEW	00-15-039
222- 24-035	AMD-E	00-06-026	230- 02-504	NEW-P	00-12-097	230- 20-110	REP-P	00-04-099
						230- 20-110	REP	00-07-140

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230- 20-120	REP-P	00-04-099	230- 40-160	REP-P	00-05-101	230- 40-870	NEW-P	00-05-101
230- 20-120	REP	00-07-140	230- 40-160	REP	00-09-052	230- 40-870	NEW	00-09-052
230- 20-220	AMD-P	00-04-099	230- 40-200	AMD-P	00-05-101	230- 40-875	NEW-P	00-05-101
230- 20-220	AMD	00-07-140	230- 40-200	AMD	00-09-052	230- 40-875	NEW	00-09-052
230- 20-243	AMD-P	00-04-099	230- 40-225	AMD-P	00-05-101	230- 40-880	NEW-P	00-05-101
230- 20-243	AMD	00-07-140	230- 40-225	AMD	00-09-052	230- 40-880	NEW	00-09-052
230- 20-244	AMD-P	00-04-099	230- 40-400	AMD-P	00-05-101	230- 40-885	NEW-P	00-05-101
230- 20-244	AMD	00-07-140	230- 40-400	AMD	00-09-052	230- 40-885	NEW	00-09-052
230- 25-030	AMD-P	00-12-097	230- 40-550	NEW-P	00-05-101	230- 40-890	NEW-P	00-05-101
230- 25-030	AMD	00-15-048	230- 40-550	NEW	00-09-052	230- 40-890	NEW	00-09-052
230- 25-040	AMD-P	00-12-097	230- 40-552	NEW-P	00-05-101	230- 40-895	NEW-P	00-05-101
230- 25-040	AMD	00-15-048	230- 40-552	NEW	00-09-052	230- 40-895	NEW	00-09-052
230- 25-070	AMD-P	00-12-097	230- 40-554	NEW-P	00-05-101	230- 40-897	NEW-P	00-05-101
230- 25-070	AMD	00-15-048	230- 40-554	NEW	00-09-052	230- 40-897	NEW	00-09-052
230- 25-100	AMD-P	00-12-097	230- 40-556	NEW-P	00-05-101	230- 40-900	REP-P	00-05-101
230- 25-100	AMD	00-15-048	230- 40-556	NEW	00-09-052	230- 40-900	REP	00-09-052
230- 25-110	AMD-P	00-12-097	230- 40-558	NEW-P	00-05-101	230- 46-010	AMD-P	00-18-088
230- 25-110	AMD	00-15-048	230- 40-558	NEW	00-09-052	230- 46-020	AMD-W	00-07-070
230- 25-120	AMD-P	00-12-097	230- 40-560	NEW-P	00-05-101	230- 46-020	REP-P	00-18-088
230- 25-120	AMD	00-15-048	230- 40-560	NEW	00-09-052	230- 46-025	AMD-P	00-18-088
230- 25-150	AMD-P	00-12-097	230- 40-562	NEW-P	00-05-101	230- 46-035	NEW-W	00-07-070
230- 25-150	AMD	00-15-048	230- 40-562	NEW	00-09-052	230- 46-070	AMD-P	00-18-088
230- 25-200	AMD-P	00-12-097	230- 40-600	NEW-P	00-05-101	230- 50-010	AMD-P	00-05-101
230- 25-200	AMD	00-15-048	230- 40-600	NEW	00-09-052	230- 50-010	AMD	00-09-052
230- 25-220	AMD-P	00-12-097	230- 40-610	NEW-P	00-05-101	232- 12-001	AMD-XA	00-11-179
230- 25-220	AMD	00-15-048	230- 40-610	NEW	00-09-052	232- 12-001	AMD	00-16-091
230- 25-310	AMD-P	00-12-097	230- 40-615	NEW-P	00-05-101	232- 12-011	AMD	00-04-017
230- 25-310	AMD	00-15-048	230- 40-615	NEW	00-09-052	232- 12-011	AMD-P	00-06-083
230- 25-315	AMD-P	00-12-097	230- 40-800	NEW-P	00-05-101	232- 12-011	AMD-P	00-06-100
230- 25-315	AMD	00-15-048	230- 40-800	NEW	00-09-052	232- 12-011	AMD-W	00-07-019
230- 25-325	NEW-P	00-12-097	230- 40-803	NEW-P	00-05-101	232- 12-011	AMD	00-10-001
230- 25-325	NEW	00-15-048	230- 40-803	NEW	00-09-052	232- 12-011	AMD-P	00-14-022
230- 30-070	AMD-P	00-18-090	230- 40-805	NEW-P	00-05-101	232- 12-011	AMD	00-17-106
230- 30-212	REP-P	00-11-114	230- 40-805	NEW	00-09-052	232- 12-01100A	NEW-E	00-10-069
230- 30-212	REP	00-15-039	230- 40-810	NEW-P	00-05-101	232- 12-014	AMD	00-04-017
230- 30-213	REP-P	00-11-114	230- 40-810	NEW	00-09-052	232- 12-018	REP	00-08-038
230- 30-213	REP	00-15-039	230- 40-815	NEW-P	00-05-101	232- 12-047	AMD-P	00-06-088
230- 40-010	AMD-P	00-05-101	230- 40-815	NEW	00-09-052	232- 12-047	AMD	00-11-137
230- 40-010	AMD	00-09-052	230- 40-820	NEW-P	00-05-101	232- 12-051	AMD-P	00-06-089
230- 40-015	REP-P	00-05-101	230- 40-820	NEW	00-09-052	232- 12-051	AMD	00-11-137
230- 40-015	REP	00-09-052	230- 40-823	NEW-P	00-05-101	232- 12-054	AMD-P	00-06-090
230- 40-030	AMD-P	00-05-101	230- 40-823	NEW	00-09-052	232- 12-054	AMD	00-11-137
230- 40-030	AMD	00-09-052	230- 40-825	NEW-P	00-05-101	232- 12-068	AMD-P	00-06-091
230- 40-040	NEW-P	00-05-101	230- 40-825	NEW	00-09-052	232- 12-068	AMD	00-11-137
230- 40-040	NEW	00-09-052	230- 40-830	NEW-P	00-05-101	232- 12-106	NEW-P	00-14-083
230- 40-050	AMD-P	00-05-101	230- 40-830	NEW	00-09-052	232- 12-141	AMD-P	00-14-081
230- 40-050	AMD	00-09-052	230- 40-833	NEW-P	00-05-101	232- 12-161	REP-XR	00-08-027
230- 40-055	AMD-P	00-07-139	230- 40-833	NEW	00-09-052	232- 12-161	REP	00-13-090
230- 40-055	AMD	00-11-054	230- 40-835	NEW-P	00-05-101	232- 12-168	AMD	00-08-038
230- 40-060	REP-P	00-05-101	230- 40-835	NEW	00-09-052	232- 12-18700A	NEW-E	00-16-060
230- 40-060	REP	00-09-052	230- 40-840	NEW-P	00-05-101	232- 12-257	AMD-W	00-02-066
230- 40-070	AMD-P	00-05-101	230- 40-840	NEW	00-09-052	232- 12-257	AMD-P	00-06-094
230- 40-070	AMD	00-09-052	230- 40-845	NEW-P	00-05-101	232- 12-257	AMD	00-11-137
230- 40-120	AMD-P	00-05-101	230- 40-845	NEW	00-09-052	232- 12-31500G	NEW-E	00-04-014
230- 40-120	AMD	00-09-052	230- 40-850	NEW-P	00-05-101	232- 12-619	AMD	00-08-038
230- 40-125	REP-P	00-05-101	230- 40-850	NEW	00-09-052	232- 12-619	AMD-XA	00-11-179
230- 40-125	AMD	00-09-052	230- 40-855	NEW-P	00-05-101	232- 12-619	AMD	00-16-091
230- 40-125	AMD	00-09-087	230- 40-855	NEW	00-09-052	232- 12-61900L	NEW-E	00-10-068
230- 40-130	AMD-P	00-05-101	230- 40-860	NEW-P	00-05-101	232- 12-61900L	REP-E	00-16-067
230- 40-130	AMD	00-09-052	230- 40-860	NEW	00-09-052	232- 12-61900	NEW-E	00-11-002
230- 40-150	REP-P	00-05-101	230- 40-865	NEW-P	00-05-101	232- 12-61900	REP-E	00-11-002
230- 40-150	REP	00-09-052	230- 40-865	NEW	00-09-052	232- 12-61900N	NEW-E	00-16-067

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
232- 12-61900N	REP-E	00-17-049	232- 28-61900G	NEW-E	00-06-008	246- 14-070	NEW	00-10-114
232- 12-61900P	NEW-E	00-17-049	232- 28-61900H	NEW-E	00-07-001	246- 14-080	NEW	00-10-114
232- 12-61900Q	NEW-E	00-18-041	232- 28-61900I	NEW-E	00-07-073	246- 14-090	NEW	00-10-114
232- 12-61900Q	REP-E	00-18-041	232- 28-61900J	NEW-E	00-07-073	246- 14-100	NEW	00-10-114
232- 16-700	AMD-P	00-06-093	232- 28-61900J	NEW-E	00-08-006	246- 14-110	NEW	00-10-114
232- 16-700	AMD	00-11-137	232- 28-61900J	REP-E	00-11-007	246- 14-120	NEW	00-10-114
232- 28-02201	AMD	00-04-017	232- 28-61900K	NEW-E	00-08-001	246- 25-990	PREP-W	00-16-104
232- 28-02202	AMD	00-04-017	232- 28-61900K	REP-E	00-08-001	246-100-011	AMD-P	00-12-101
232- 28-02202	AMD-P	00-06-097	232- 28-61900L	NEW-E	00-12-041	246-100-016	REP-P	00-12-101
232- 28-02202	AMD	00-11-137	232- 28-61900L	REP-E	00-12-041	246-100-021	AMD-P	00-12-101
232- 28-02203	AMD	00-04-017	232- 28-61900	NEW-E	00-13-089	246-100-026	REP-P	00-12-101
232- 28-02204	AMD	00-04-017	232- 28-61900	REP-E	00-13-089	246-100-031	REP-P	00-12-101
232- 28-02205	AMD	00-04-017	232- 28-61900N	NEW-E	00-14-050	246-100-036	AMD-P	00-12-101
232- 28-02206	AMD	00-04-017	232- 28-61900N	REP-E	00-14-050	246-100-041	REP-P	00-12-101
232- 28-02220	AMD	00-04-017	232- 28-61900N	REP-E	00-15-034	246-100-042	REP-P	00-12-101
232- 28-02240	AMD	00-04-017	232- 28-61900P	NEW-E	00-15-031	246-100-043	REP-P	00-12-101
232- 28-24102	REP	00-04-017	232- 28-61900P	REP-E	00-15-031	246-100-046	REP-P	00-12-101
232- 28-248	AMD-P	00-06-095	232- 28-61900Q	NEW-E	00-16-026	246-100-071	REP-P	00-12-101
232- 28-248	AMD	00-11-137	232- 28-61900Q	REP-E	00-16-026	246-100-076	REP-P	00-12-101
232- 28-255	REP	00-04-017	232- 28-61900S	NEW-E	00-16-059	246-100-081	REP-P	00-12-101
232- 28-26000A	NEW-E	00-03-025	232- 28-61900S	REP-E	00-16-059	246-100-086	REP-P	00-12-101
232- 28-261	REP	00-04-017	232- 28-61900T	NEW-E	00-18-050	246-100-091	REP-P	00-12-101
232- 28-262	REP	00-04-017	232- 28-61900T	REP-E	00-18-050	246-100-171	REP-P	00-12-101
232- 28-263	REP	00-04-017	232- 28-61900U	NEW-E	00-18-052	246-100-176	REP-P	00-12-101
232- 28-264	REP-P	00-14-080	232- 28-61900U	REP-E	00-18-052	246-100-181	REP-P	00-12-101
232- 28-266	AMD-P	00-06-096	232- 28-620	RECOD-X	00-11-179	246-100-186	REP-P	00-12-101
232- 28-266	AMD	00-11-137	232- 28-620	RECOD	00-16-091	246-100-196	REP-P	00-12-101
232- 28-269	REP	00-04-017	232- 28-621	RECOD-X	00-11-179	246-100-201	AMD-P	00-12-101
232- 28-270	REP	00-04-017	232- 28-621	RECOD	00-16-091	246-100-216	REP-P	00-12-101
232- 28-271	AMD	00-04-017	236- 18-040	AMD	00-06-052	246-100-217	REP-P	00-12-101
232- 28-272	AMD-P	00-06-099	236- 18-070	AMD	00-06-052	246-100-218	REP-P	00-12-101
232- 28-272	AMD	00-11-137	236- 18-080	AMD	00-06-052	246-100-231	REP-P	00-12-101
232- 28-272	AMD-P	00-16-154	236- 70-040	AMD	00-08-040	246-100-236	REP-P	00-12-101
232- 28-273	AMD-P	00-06-092	236- 70-050	AMD	00-08-040	246-100-241	REP-P	00-12-101
232- 28-273	AMD	00-11-137	236- 70-060	AMD	00-08-040	246-101-001	NEW-P	00-12-101
232- 28-274	REP-P	00-14-080	236- 70-060	AMD	00-08-040	246-101-005	NEW-P	00-12-101
232- 28-275	AMD	00-04-017	236- 70-080	AMD	00-08-040	246-101-0010	NEW-P	00-12-101
232- 28-276	NEW-P	00-06-086	236-200-010	RECOD	00-08-039	246-101-010	NEW-P	00-12-101
232- 28-276	NEW	00-11-137	236-200-020	RECOD	00-08-039	246-101-015	NEW-P	00-12-101
232- 28-27600A	NEW-E	00-16-009	236-200-030	RECOD	00-08-039	246-101-101	NEW-P	00-12-101
232- 28-277	NEW	00-04-017	236-200-040	RECOD	00-08-039	246-101-105	NEW-P	00-12-101
232- 28-278	NEW-P	00-06-087	236-200-050	RECOD	00-08-039	246-101-110	NEW-P	00-12-101
232- 28-278	NEW	00-11-137	236-200-060	RECOD	00-08-039	246-101-115	NEW-P	00-12-101
232- 28-27800A	NEW-E	00-16-062	242- 02-052	AMD-P	00-05-021	246-101-120	NEW-P	00-12-101
232- 28-279	NEW-P	00-06-085	242- 02-052	AMD	00-09-094	246-101-201	NEW-P	00-12-101
232- 28-279	NEW	00-11-137	242- 02-255	NEW-P	00-05-021	246-101-205	NEW-P	00-12-101
232- 28-423	REP-P	00-14-082	242- 02-255	NEW	00-09-094	246-101-210	NEW-P	00-12-101
232- 28-424	NEW-P	00-14-082	242- 02-522	AMD-P	00-05-021	246-101-215	NEW-P	00-12-101
232- 28-424	NEW	00-18-009	242- 02-522	AMD	00-09-094	246-101-220	NEW-P	00-12-101
232- 28-42400A	NEW-E	00-18-003	242- 02-832	AMD-P	00-05-021	246-101-225	NEW-P	00-12-101
232- 28-515	AMD-P	00-14-081	242- 02-832	AMD	00-09-094	246-101-230	NEW-P	00-12-101
232- 28-619	AMD	00-08-038	242- 02-834	AMD-P	00-05-021	246-101-301	NEW-P	00-12-101
232- 28-619	AMD-XA	00-11-179	242- 02-834	AMD	00-09-094	246-101-305	NEW-P	00-12-101
232- 28-619	AMD	00-16-091	242- 04-030	AMD-P	00-05-021	246-101-310	NEW-P	00-12-101
232- 28-61900D	NEW-E	00-03-041	242- 04-030	AMD	00-09-094	246-101-315	NEW-P	00-12-101
232- 28-61900D	REP-E	00-03-041	242- 04-030	AMD	00-09-094	246-101-320	NEW-P	00-12-101
232- 28-61900D	REP-E	00-03-055	242- 04-050	AMD-P	00-05-021	246-101-401	NEW-P	00-12-101
232- 28-61900E	NEW-E	00-03-055	242- 04-050	AMD	00-09-094	246-101-405	NEW-P	00-12-101
232- 28-61900E	REP-E	00-03-055	246- 14-010	NEW	00-10-114	246-101-410	NEW-P	00-12-101
232- 28-61900E	REP-E	00-05-085	246- 14-020	NEW	00-10-114	246-101-415	NEW-P	00-12-101
232- 28-61900F	NEW-E	00-05-085	246- 14-030	NEW	00-10-114	246-101-420	NEW-P	00-12-101
232- 28-61900F	REP-E	00-05-085	246- 14-040	NEW	00-10-114	246-101-425	NEW-P	00-12-101
			246- 14-050	NEW	00-10-114	246-101-501	NEW-P	00-12-101
			246- 14-060	NEW	00-10-114	246-101-505	NEW-P	00-12-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-101-510	NEW-P	00-12-101	246-243-080	AMD	00-08-013	246-290-72005	NEW	00-15-080
246-101-515	NEW-P	00-12-101	246-243-090	AMD-P	00-04-088	246-290-72006	NEW-P	00-11-164
246-101-520	NEW-P	00-12-101	246-243-090	AMD	00-08-013	246-290-72006	NEW	00-15-080
246-101-525	NEW-P	00-12-101	246-243-100	AMD-P	00-04-088	246-290-72007	NEW-P	00-11-164
246-101-601	NEW-P	00-12-101	246-243-100	AMD	00-08-013	246-290-72007	NEW	00-15-080
246-101-605	NEW-P	00-12-101	246-243-110	AMD-P	00-04-088	246-290-72008	NEW-P	00-11-164
246-101-610	NEW-P	00-12-101	246-243-110	AMD	00-08-013	246-290-72008	NEW	00-15-080
246-101-615	NEW-P	00-12-101	246-243-120	AMD-P	00-04-088	246-290-72009	NEW-P	00-11-164
246-101-620	NEW-P	00-12-101	246-243-120	AMD	00-08-013	246-290-72009	NEW	00-15-080
246-101-625	NEW-P	00-12-101	246-243-130	AMD-P	00-04-088	246-290-72010	NEW-P	00-11-164
246-101-630	NEW-P	00-12-101	246-243-130	AMD	00-08-013	246-290-72010	NEW	00-15-080
246-101-635	NEW-P	00-12-101	246-243-140	AMD-P	00-04-088	246-290-72011	NEW-P	00-11-164
246-101-640	NEW-P	00-12-101	246-243-140	AMD	00-08-013	246-290-72011	NEW	00-15-080
246-101-701	NEW-P	00-12-101	246-243-141	NEW-P	00-04-088	246-290-72012	NEW-P	00-11-164
246-101-705	NEW-P	00-12-101	246-243-141	NEW	00-08-013	246-290-72012	NEW	00-15-080
246-101-710	NEW-P	00-12-101	246-243-150	AMD-P	00-04-088	246-292	PREP	00-10-112
246-101-715	NEW-P	00-12-101	246-243-150	AMD	00-08-013	246-323	PREP	00-05-097
246-101-720	NEW-P	00-12-101	246-243-160	AMD-P	00-04-088	246-325	PREP	00-05-097
246-101-725	NEW-P	00-12-101	246-243-160	AMD	00-08-013	246-326	PREP	00-05-097
246-101-730	NEW-P	00-12-101	246-243-170	AMD-P	00-04-088	246-338-001	AMD-P	00-03-073
246-130-001	AMD-P	00-14-063	246-243-170	AMD	00-08-013	246-338-001	AMD	00-06-079
246-130-010	AMD-P	00-14-063	246-243-180	AMD-P	00-04-088	246-338-010	AMD-P	00-03-073
246-130-020	AMD-P	00-14-063	246-243-180	AMD	00-08-013	246-338-010	AMD	00-06-079
246-130-028	NEW-P	00-14-063	246-243-190	AMD-P	00-04-088	246-338-020	AMD-P	00-03-073
246-130-030	AMD-P	00-14-063	246-243-190	AMD	00-08-013	246-338-020	AMD	00-06-079
246-130-040	AMD-P	00-14-063	246-243-195	AMD-P	00-04-088	246-338-022	NEW-P	00-03-073
246-130-060	AMD-P	00-14-063	246-243-195	AMD	00-08-013	246-338-022	NEW	00-06-079
246-130-070	REP-P	00-14-063	246-243-200	AMD-P	00-04-088	246-338-024	NEW-P	00-03-073
246-130-080	NEW-P	00-14-063	246-243-200	AMD	00-08-013	246-338-024	NEW	00-06-079
246-130-090	NEW-P	00-14-063	246-243-203	NEW-P	00-04-088	246-338-026	NEW-P	00-03-073
246-220-007	AMD-P	00-04-088	246-243-203	NEW	00-08-013	246-338-026	NEW	00-06-079
246-220-007	AMD	00-08-013	246-243-210	REP-P	00-04-088	246-338-028	NEW-P	00-03-073
246-220-010	AMD-P	00-04-088	246-243-210	REP	00-08-013	246-338-028	NEW	00-06-079
246-220-010	AMD	00-08-013	246-243-220	AMD-P	00-04-088	246-338-030	REP-P	00-03-073
246-221-020	AMD-P	00-04-088	246-243-220	AMD	00-08-013	246-338-030	REP	00-06-079
246-221-020	AMD	00-08-013	246-243-230	AMD-P	00-04-088	246-338-040	AMD-P	00-03-073
246-221-270	AMD	00-07-085	246-243-230	AMD	00-08-013	246-338-040	AMD	00-06-079
246-232-060	AMD	00-07-085	246-243-250	NEW-P	00-04-088	246-338-050	AMD-P	00-03-073
246-235-075	AMD	00-07-085	246-243-250	NEW	00-08-013	246-338-050	AMD	00-06-079
246-235-080	AMD-P	00-04-088	246-246	PREP-W	00-16-105	246-338-060	AMD-P	00-03-073
246-235-080	AMD	00-08-013	246-246-001	NEW	00-07-085	246-338-060	AMD	00-06-079
246-235-084	NEW-P	00-04-088	246-246-010	NEW	00-07-085	246-338-070	AMD-P	00-03-073
246-235-084	NEW	00-08-013	246-246-020	NEW	00-07-085	246-338-070	AMD	00-06-079
246-235-086	NEW-P	00-04-088	246-246-030	NEW	00-07-085	246-338-080	AMD-P	00-03-073
246-235-086	NEW	00-08-013	246-246-040	NEW	00-07-085	246-338-080	AMD	00-06-079
246-235-090	AMD-P	00-04-088	246-246-050	NEW	00-07-085	246-338-090	AMD-P	00-03-073
246-235-090	AMD	00-08-013	246-246-060	NEW	00-07-085	246-338-090	AMD	00-06-079
246-243-020	AMD-P	00-04-088	246-252-001	AMD-P	00-04-088	246-338-100	AMD-P	00-03-073
246-243-020	AMD	00-08-013	246-252-001	AMD	00-08-013	246-338-100	AMD	00-06-079
246-243-030	AMD-P	00-04-088	246-252-030	AMD-P	00-04-088	246-338-110	AMD-P	00-03-073
246-243-030	AMD	00-08-013	246-252-030	AMD	00-08-013	246-338-110	AMD	00-06-079
246-243-042	NEW-P	00-04-088	246-254-150	AMD-P	00-04-088	246-358-001	AMD	00-06-082
246-243-042	NEW	00-08-013	246-254-150	AMD	00-08-013	246-358-010	AMD	00-06-082
246-243-044	NEW-P	00-04-088	246-290-72001	NEW-P	00-11-164	246-358-020	REP	00-06-082
246-243-044	NEW	00-08-013	246-290-72001	NEW	00-15-080	246-358-025	AMD	00-06-082
246-243-047	NEW-P	00-04-088	246-290-72002	NEW-P	00-11-164	246-358-027	NEW	00-06-082
246-243-047	NEW	00-08-013	246-290-72002	NEW	00-15-080	246-358-029	NEW	00-06-082
246-243-050	AMD-P	00-04-088	246-290-72003	NEW-P	00-11-164	246-358-030	REP	00-06-082
246-243-050	AMD	00-08-013	246-290-72003	NEW	00-15-080	246-358-040	NEW	00-06-082
246-243-060	AMD-P	00-04-088	246-290-72004	NEW-P	00-11-164	246-358-045	AMD	00-06-082
246-243-060	AMD	00-08-013	246-290-72004	NEW	00-15-080	246-358-055	AMD	00-06-082
246-243-080	AMD-P	00-04-088	246-290-72005	NEW-P	00-11-164	246-358-065	AMD	00-06-082

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-358-070	NEW	00-06-082	246-562-010	AMD-P	00-11-165	246-790-130	AMD-P	00-07-084
246-358-075	AMD	00-06-082	246-562-010	AMD	00-15-082	246-790-130	AMD	00-13-009
246-358-090	AMD	00-06-082	246-562-020	AMD-P	00-11-165	246-808-105	PREP	00-10-110
246-358-095	AMD	00-06-082	246-562-020	AMD	00-15-082	246-808-105	AMD-P	00-13-094
246-358-100	AMD	00-06-082	246-562-060	AMD-P	00-11-165	246-808-105	AMD	00-17-180
246-358-125	AMD	00-06-082	246-562-060	AMD	00-15-082	246-808-115	PREP	00-10-110
246-358-135	AMD	00-06-082	246-562-080	AMD-P	00-11-165	246-808-115	AMD-P	00-13-094
246-358-140	REP	00-06-082	246-562-080	AMD	00-15-082	246-808-115	AMD	00-17-180
246-358-145	AMD	00-06-082	246-562-110	AMD-P	00-11-165	246-808-120	PREP	00-10-110
246-358-155	AMD	00-06-082	246-562-110	AMD	00-15-082	246-808-120	REP-P	00-13-094
246-358-165	AMD	00-06-082	246-562-120	AMD-P	00-11-165	246-808-120	REP	00-17-180
246-358-175	AMD	00-06-082	246-562-120	AMD	00-15-082	246-808-135	PREP	00-10-110
246-358-600	REP	00-06-082	246-562-140	AMD-P	00-11-165	246-808-135	AMD-P	00-13-094
246-358-610	REP	00-06-082	246-562-140	AMD	00-15-082	246-808-135	AMD	00-17-180
246-358-620	REP	00-06-082	246-562-150	AMD-P	00-11-165	246-808-700	REP-XR	00-04-087
246-358-630	REP	00-06-082	246-562-150	AMD	00-15-082	246-810-600	NEW	00-03-075A
246-358-640	REP	00-06-082	246-562-160	NEW-P	00-11-165	246-810-610	NEW	00-03-075A
246-358-650	REP	00-06-082	246-562-160	NEW	00-15-082	246-810-620	NEW	00-03-075A
246-358-660	REP	00-06-082	246-780-001	AMD-P	00-03-074	246-810-630	NEW	00-03-075A
246-358-670	REP	00-06-082	246-780-001	AMD	00-07-129	246-810-640	NEW	00-03-075A
246-358-680	REP	00-06-082	246-780-010	AMD-P	00-03-074	246-810-650	NEW	00-03-075A
246-361-001	NEW	00-06-082	246-780-010	AMD	00-07-129	246-810-660	NEW	00-03-075A
246-361-010	NEW	00-06-082	246-780-020	AMD-P	00-03-074	246-811-090	NEW-P	00-08-100
246-361-020	NEW	00-06-082	246-780-020	AMD	00-07-129	246-811-090	NEW	00-12-102
246-361-025	NEW	00-06-082	246-780-022	NEW-P	00-03-074	246-811-100	NEW-P	00-08-100
246-361-030	NEW	00-06-082	246-780-022	NEW	00-07-129	246-811-100	NEW	00-12-102
246-361-035	NEW	00-06-082	246-780-025	NEW-P	00-03-074	246-811-110	NEW-P	00-08-100
246-361-045	NEW	00-06-082	246-780-025	NEW	00-07-129	246-811-110	NEW	00-12-102
246-361-055	NEW	00-06-082	246-780-028	NEW-P	00-03-074	246-812-990	AMD	00-07-050
246-361-065	NEW	00-06-082	246-780-028	NEW	00-07-129	246-830-485	NEW	00-07-086
246-361-070	NEW	00-06-082	246-780-030	AMD-P	00-03-074	246-840	PREP-W	00-18-112
246-361-075	NEW	00-06-082	246-780-030	AMD	00-07-129	246-840-299	NEW-P	00-16-107
246-361-080	NEW	00-06-082	246-780-040	AMD-P	00-03-074	246-840-300	AMD-P	00-16-107
246-361-090	NEW	00-06-082	246-780-040	AMD	00-07-129	246-840-305	AMD-P	00-16-107
246-361-095	NEW	00-06-082	246-780-050	REP-P	00-03-074	246-840-310	AMD-P	00-16-107
246-361-100	NEW	00-06-082	246-780-050	REP	00-07-129	246-840-315	REP-P	00-16-107
246-361-125	NEW	00-06-082	246-780-060	AMD-P	00-03-074	246-840-320	AMD-P	00-16-107
246-361-135	NEW	00-06-082	246-780-060	AMD	00-07-129	246-840-330	AMD-P	00-16-107
246-361-145	NEW	00-06-082	246-780-070	REP-P	00-03-074	246-840-360	AMD-P	00-16-107
246-361-155	NEW	00-06-082	246-780-070	REP	00-07-129	246-840-410	AMD-P	00-16-107
246-361-165	NEW	00-06-082	246-790	AMD-P	00-07-084	246-840-430	REP-P	00-16-107
246-361-175	NEW	00-06-082	246-790	AMD	00-13-009	246-840-440	REP-P	00-16-107
246-361-990	NEW	00-06-082	246-790-010	AMD-P	00-07-084	246-840-500	PREP	00-11-163
246-420-001	REP-P	00-12-101	246-790-010	AMD	00-13-009	246-840-505	PREP	00-11-163
246-420-010	REP-P	00-12-101	246-790-050	AMD-P	00-07-084	246-840-510	PREP	00-11-163
246-420-020	REP-P	00-12-101	246-790-050	AMD	00-13-009	246-840-520	PREP	00-11-163
246-420-030	REP-P	00-12-101	246-790-060	AMD-P	00-07-084	246-840-525	PREP	00-11-163
246-420-040	REP-P	00-12-101	246-790-060	AMD	00-13-009	246-840-530	PREP	00-11-163
246-420-050	REP-P	00-12-101	246-790-065	NEW-P	00-07-084	246-840-535	PREP	00-11-163
246-420-060	REP-P	00-12-101	246-790-065	NEW	00-13-009	246-840-540	PREP	00-11-163
246-490-010	NEW-P	00-05-098	246-790-070	AMD-P	00-07-084	246-840-545	PREP	00-11-163
246-490-010	NEW	00-11-169	246-790-070	AMD	00-13-009	246-840-550	PREP	00-11-163
246-490-020	NEW-P	00-05-098	246-790-080	AMD-P	00-07-084	246-840-555	PREP	00-11-163
246-490-020	NEW	00-11-169	246-790-080	AMD	00-13-009	246-840-560	PREP	00-11-163
246-490-030	NEW-P	00-05-098	246-790-085	AMD-P	00-07-084	246-840-565	PREP	00-11-163
246-490-030	NEW	00-11-169	246-790-085	AMD	00-13-009	246-840-570	PREP	00-11-163
246-490-055	NEW-P	00-05-098	246-790-090	AMD-P	00-07-084	246-840-575	PREP	00-11-163
246-490-055	NEW	00-11-169	246-790-090	AMD	00-13-009	246-840-700	AMD-P	00-14-062
246-490-065	NEW-P	00-05-098	246-790-100	AMD-P	00-07-084	246-840-705	AMD-P	00-14-062
246-490-065	NEW	00-11-169	246-790-100	AMD	00-13-009	246-840-710	AMD-P	00-14-062
246-490-070	NEW-P	00-05-098	246-790-120	AMD-P	00-07-084	246-840-715	REP-P	00-14-062
246-490-070	NEW	00-11-169	246-790-120	AMD	00-13-009	246-840-830	AMD-P	00-11-166

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246-840-910	PREP	00-11-158	246-901-120	AMD	00-15-081	246-976-140	REP	00-08-102
246-840-920	PREP	00-11-158	246-901-130	AMD-P	00-08-101	246-976-141	NEW-P	00-03-075
246-840-930	PREP	00-11-158	246-901-130	AMD	00-15-081	246-976-141	NEW	00-08-102
246-840-940	PREP	00-11-158	246-901-140	NEW-P	00-08-101	246-976-150	REP-P	00-03-075
246-840-950	PREP	00-11-158	246-901-140	NEW	00-15-081	246-976-150	REP	00-08-102
246-840-960	PREP	00-11-158	246-919-475	NEW-P	00-16-109	246-976-151	NEW-P	00-03-075
246-840-970	PREP	00-11-158	246-930-010	PREP	00-08-099	246-976-151	NEW	00-08-102
246-840-980	PREP	00-11-158	246-930-030	PREP	00-08-099	246-976-160	REP-P	00-03-075
246-840-990	PREP-W	00-11-153	246-930-040	PREP	00-08-099	246-976-160	REP	00-08-102
246-841-400	PREP	00-03-072	246-930-200	PREP	00-08-099	246-976-161	NEW-P	00-03-075
246-841-405	PREP	00-11-158	246-930-410	PREP	00-08-099	246-976-161	NEW	00-08-102
246-841-410	PREP	00-03-072	246-939	PREP	00-11-159	246-976-165	REP-P	00-03-075
246-841-420	PREP	00-03-072	246-939-010	NEW-P	00-11-167	246-976-165	REP	00-08-102
246-841-430	PREP	00-03-072	246-939-030	NEW-P	00-11-167	246-976-170	REP-P	00-03-075
246-841-440	PREP	00-03-072	246-939-050	NEW-P	00-11-167	246-976-170	REP	00-08-102
246-841-450	PREP	00-03-072	246-976-001	AMD-P	00-03-075	246-976-171	NEW-P	00-03-075
246-841-460	PREP	00-03-072	246-976-001	AMD	00-08-102	246-976-171	NEW	00-08-102
246-841-470	PREP	00-03-072	246-976-010	AMD-P	00-03-075	246-976-180	REP-P	00-03-075
246-841-480	PREP	00-03-072	246-976-010	AMD	00-08-102	246-976-180	REP	00-08-102
246-841-490	PREP	00-03-072	246-976-020	REP-P	00-03-075	246-976-181	REP-P	00-03-075
246-841-500	PREP	00-03-072	246-976-020	REP	00-08-102	246-976-181	REP	00-08-102
246-841-510	PREP	00-03-072	246-976-021	NEW-P	00-03-075	246-976-182	NEW-P	00-03-075
246-843-072	REP-XR	00-15-078	246-976-021	NEW	00-08-102	246-976-182	NEW	00-08-102
246-843-074	REP-XR	00-15-078	246-976-025	REP-P	00-03-075	246-976-190	REP-P	00-03-075
246-843-150	PREP	00-13-093	246-976-025	REP	00-08-102	246-976-190	REP	00-08-102
246-843-180	PREP	00-13-093	246-976-030	REP-P	00-03-075	246-976-191	NEW-P	00-03-075
246-843-330	PREP	00-13-093	246-976-030	REP	00-08-102	246-976-191	NEW	00-08-102
246-869-220	AMD-P	00-16-108	246-976-031	NEW-P	00-03-075	246-976-200	REP-P	00-03-075
246-883-020	AMD	00-06-078	246-976-031	NEW	00-08-102	246-976-200	REP	00-08-102
246-886-025	NEW-E	00-11-168	246-976-035	REP-P	00-03-075	246-976-210	REP-P	00-03-075
246-887-100	AMD-P	00-17-178	246-976-035	REP	00-08-102	246-976-210	REP	00-08-102
246-887-160	AMD-P	00-06-080	246-976-040	REP-P	00-03-075	246-976-220	REP-P	00-03-075
246-887-160	AMD	00-10-113	246-976-040	REP	00-08-102	246-976-220	REP	00-08-102
246-901	AMD-P	00-08-101	246-976-041	NEW-P	00-03-075	246-976-230	REP-P	00-03-075
246-901	AMD	00-15-081	246-976-041	NEW	00-08-102	246-976-230	REP	00-08-102
246-901-010	AMD-P	00-08-101	246-976-045	REP-P	00-03-075	246-976-240	REP-P	00-03-075
246-901-010	AMD	00-15-081	246-976-045	REP	00-08-102	246-976-240	REP	00-08-102
246-901-020	AMD-P	00-08-101	246-976-050	REP-P	00-03-075	246-976-260	AMD-P	00-03-075
246-901-020	AMD	00-15-081	246-976-050	REP	00-08-102	246-976-260	AMD	00-08-102
246-901-030	AMD-P	00-08-101	246-976-055	REP-P	00-03-075	246-976-270	AMD-P	00-03-075
246-901-030	AMD	00-15-081	246-976-055	REP	00-08-102	246-976-270	AMD	00-08-102
246-901-035	AMD-P	00-08-101	246-976-060	REP-P	00-03-075	246-976-280	REP-P	00-03-075
246-901-035	AMD	00-15-081	246-976-060	REP	00-08-102	246-976-280	REP	00-08-102
246-901-040	AMD-P	00-08-101	246-976-065	REP-P	00-03-075	246-976-290	AMD-P	00-03-075
246-901-040	AMD	00-15-081	246-976-065	REP	00-08-102	246-976-290	AMD	00-08-102
246-901-050	AMD-P	00-08-101	246-976-070	REP-P	00-03-075	246-976-300	AMD-P	00-03-075
246-901-050	AMD	00-15-081	246-976-070	REP	00-08-102	246-976-300	AMD	00-08-102
246-901-060	AMD-P	00-08-101	246-976-075	REP-P	00-03-075	246-976-310	AMD-P	00-03-075
246-901-060	AMD	00-15-081	246-976-075	REP	00-08-102	246-976-310	AMD	00-08-102
246-901-065	AMD-P	00-08-101	246-976-076	REP-P	00-03-075	246-976-320	AMD-P	00-03-075
246-901-065	AMD	00-15-081	246-976-076	REP	00-08-102	246-976-320	AMD	00-08-102
246-901-070	AMD-P	00-08-101	246-976-077	REP-P	00-03-075	246-976-320	PREP	00-10-111
246-901-070	AMD	00-15-081	246-976-077	REP	00-08-102	246-976-320	AMD-P	00-17-181
246-901-080	AMD-P	00-08-101	246-976-080	REP-P	00-03-075	246-976-330	AMD-P	00-03-075
246-901-080	AMD	00-15-081	246-976-080	REP	00-08-102	246-976-330	AMD	00-08-102
246-901-090	AMD-P	00-08-101	246-976-085	REP-P	00-03-075	246-976-340	AMD-P	00-03-075
246-901-090	AMD	00-15-081	246-976-085	REP	00-08-102	246-976-340	AMD	00-08-102
246-901-100	AMD-P	00-08-101	246-976-110	REP-P	00-03-075	246-976-350	REP-P	00-03-075
246-901-100	AMD	00-15-081	246-976-110	REP	00-08-102	246-976-350	REP	00-08-102
246-901-110	REP-P	00-08-101	246-976-120	REP-P	00-03-075	246-976-370	REP-P	00-03-075
246-901-110	REP	00-15-081	246-976-120	REP	00-08-102	246-976-370	REP	00-08-102

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246-976-390	AMD	00-08-102	250- 80-100	NEW	00-08-082	260- 40-100	AMD-P	00-03-089
246-976-390	PREP	00-10-111	250- 80-100	NEW-E	00-08-083	260- 40-100	AMD	00-07-039
246-976-390	AMD-P	00-17-181	250- 81-010	NEW-P	00-05-084	260- 44-070	AMD	00-06-071
246-976-400	AMD-P	00-03-075	250- 81-010	NEW	00-08-080	260- 48-600	AMD	00-06-070
246-976-400	AMD	00-08-102	250- 81-020	NEW-P	00-05-084	260- 48-620	AMD	00-06-070
246-976-420	AMD-P	00-03-075	250- 81-020	NEW	00-08-080	260- 52-010	AMD	00-06-069
246-976-420	AMD	00-08-102	250- 81-030	NEW-P	00-05-084	260- 52-020	AMD-P	00-13-004
246-976-430	AMD-P	00-03-075	250- 81-030	NEW	00-08-080	260- 52-030	AMD	00-06-069
246-976-430	AMD	00-08-102	250- 81-040	NEW-P	00-05-084	260- 52-040	AMD	00-06-069
246-976-440	REP-P	00-03-075	250- 81-040	NEW	00-08-080	260- 52-060	AMD-P	00-03-091
246-976-440	REP	00-08-102	250- 81-050	NEW-P	00-05-084	260- 52-060	AMD	00-07-041
246-976-450	REP-P	00-03-075	250- 81-050	NEW	00-08-080	260- 52-080	AMD-P	00-13-003
246-976-450	REP	00-08-102	250- 81-060	NEW-P	00-05-084	260- 70-700	AMD-P	00-03-092
246-976-890	AMD-P	00-03-075	250- 81-060	NEW	00-08-080	260- 70-700	AMD	00-07-042
246-976-890	AMD	00-08-102	251- 01-175	AMD-P	00-12-072	260- 72-020	AMD-P	00-13-005
246-976-910	AMD-P	00-03-075	251- 01-175	AMD-C	00-16-003	260- 75-020	NEW-P	00-03-090
246-976-910	AMD	00-08-102	251- 01-175	AMD-W	00-18-027	260- 75-020	NEW	00-07-040
246-976-920	AMD-P	00-03-075	251- 01-175	AMD-P	00-18-028	260- 75-030	NEW-P	00-03-090
246-976-920	AMD	00-08-102	251- 01-345	AMD-P	00-04-053	260- 75-030	NEW	00-07-040
246-976-930	AMD-P	00-03-075	251- 01-345	AMD-W	00-05-060	260- 88-010	AMD-P	00-03-093
246-976-930	AMD	00-08-102	251- 01-345	AMD-C	00-06-051	260- 88-010	AMD	00-07-043
246-976-940	AMD-P	00-03-075	251- 01-345	AMD	00-10-027	262- 01-140	NEW	00-06-030
246-976-940	AMD	00-08-102	251- 08-075	NEW-P	00-12-074	263- 12-016	PREP	00-12-053
246-976-950	AMD-P	00-03-075	251- 08-075	NEW	00-16-004	263- 12-016	AMD-P	00-17-143
246-976-950	AMD	00-08-102	251- 08-115	AMD-P	00-04-052	263- 12-020	PREP	00-12-054
246-976-960	AMD-P	00-03-075	251- 08-115	AMD-C	00-06-050	263- 12-020	AMD-P	00-17-143
246-976-960	AMD	00-08-102	251- 08-115	AMD	00-10-026	263- 12-045	PREP	00-12-055
246-976-970	AMD-P	00-03-075	251- 09-080	AMD-P	00-04-052	263- 12-045	AMD-P	00-17-143
246-976-970	AMD	00-08-102	251- 09-080	AMD-C	00-06-050	263- 12-050	PREP	00-12-056
246-976-990	AMD-P	00-03-075	251- 09-080	AMD	00-10-026	263- 12-050	AMD-P	00-17-143
246-976-990	AMD	00-08-102	251- 17-150	AMD-P	00-12-072	263- 12-051	PREP	00-12-056
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248-554-005	REP-P	00-17-160	251- 17-150	AMD-W	00-18-027	263- 12-056	PREP	00-12-056
248-554-010	REP-P	00-17-160	251- 17-150	AMD-P	00-18-028	263- 12-056	REP-P	00-17-144
248-554-015	REP-P	00-17-160	251- 19-085	NEW-P	00-06-048	263- 12-057	PREP	00-12-056
248-554-018	REP-P	00-17-160	251- 19-085	NEW	00-11-121	263- 12-057	REP-P	00-17-144
248-554-020	REP-P	00-17-160	251- 20-020	AMD-P	00-04-053	263- 12-058	PREP	00-12-056
248-554-030	REP-P	00-17-160	251- 20-020	AMD-W	00-05-060	263- 12-058	REP-P	00-17-144
250- 44	PREP	00-15-054	251- 20-020	AMD-C	00-06-051	263- 12-059	PREP	00-12-056
250- 66-020	AMD	00-08-081	251- 20-020	AMD	00-10-027	263- 12-059	REP-P	00-17-144
250- 66-030	AMD	00-08-081	251- 20-030	AMD-P	00-04-053	263- 12-060	PREP	00-12-057
250- 66-040	AMD	00-08-081	251- 20-030	AMD-W	00-05-060	263- 12-060	AMD-P	00-17-143
250- 66-045	NEW	00-08-081	251- 20-030	AMD-C	00-06-051	263- 12-090	PREP	00-12-058
250- 66-050	AMD	00-08-081	251- 20-030	AMD	00-10-027	263- 12-090	AMD-P	00-17-143
250- 80-010	NEW	00-08-082	251- 23-040	AMD-P	00-04-052	263- 12-093	PREP	00-12-059
250- 80-010	NEW-E	00-08-083	251- 23-040	AMD-C	00-06-050	263- 12-093	AMD-P	00-17-143
250- 80-020	NEW	00-08-082	260- 12-180	AMD	00-10-026	263- 12-095	PREP	00-12-060
250- 80-020	NEW-E	00-08-083	260- 24-650	AMD-P	00-13-004	263- 12-095	AMD-P	00-17-143
250- 80-030	NEW	00-08-082	260- 28-230	AMD-P	00-13-004	263- 12-097	PREP	00-12-061
250- 80-030	NEW-E	00-08-083	260- 34-230	AMD	00-06-072	263- 12-097	NEW-P	00-17-142
250- 80-040	NEW	00-08-082	260- 34-030	AMD-P	00-03-088	263- 12-100	PREP	00-12-062
250- 80-040	NEW-E	00-08-083	260- 34-030	AMD	00-07-038	263- 12-100	AMD-P	00-17-143
250- 80-050	NEW	00-08-082	260- 34-080	AMD-P	00-03-088	263- 12-115	PREP	00-12-063
250- 80-050	NEW-E	00-08-083	260- 34-080	AMD	00-07-038	263- 12-115	AMD-P	00-17-143
250- 80-060	NEW	00-08-082	260- 34-080	AMD	00-07-038	263- 12-120	PREP	00-12-064
250- 80-060	NEW-E	00-08-083	260- 34-090	AMD-P	00-03-088	263- 12-120	AMD-P	00-17-143
250- 80-070	NEW	00-08-082	260- 34-090	AMD	00-07-038	263- 12-130	PREP	00-12-065
250- 80-070	NEW-E	00-08-083	260- 34-100	AMD-P	00-03-088	263- 12-130	REP-P	00-17-144
250- 80-080	NEW	00-08-082	260- 34-100	AMD	00-07-038	263- 12-135	PREP	00-12-066
250- 80-080	NEW-E	00-08-083	260- 34-140	AMD-P	00-03-088	263- 12-135	AMD-P	00-17-143
250- 80-080	NEW-E	00-08-083	260- 34-140	AMD-W	00-07-037	263- 12-140	PREP	00-12-067
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263- 12-140	AMD-P	00-17-143	275- 37-020	REP-P	00-11-139	284- 43-220	AMD	00-04-034
263- 12-145	PREP	00-12-068	275- 37-030	REP-P	00-11-139	284- 43-250	AMD	00-04-034
263- 12-145	AMD-P	00-17-143	275- 46-010	DECOD-P	00-17-187	284- 43-710	AMD	00-04-034
275- 16-010	DECOD-P	00-17-157	275- 46-015	DECOD-P	00-17-187	284- 43-710	AMD-E	00-08-011
275- 16-015	AMD-P	00-17-157	275- 46-020	DECOD-P	00-17-187	284- 43-720	AMD	00-04-034
275- 16-015	DECOD-P	00-17-157	275- 46-030	DECOD-P	00-17-187	284- 43-720	AMD-E	00-08-011
275- 16-030	DECOD-P	00-17-157	275- 46-040	DECOD-P	00-17-187	284- 43-730	AMD-E	00-08-011
275- 16-035	AMD-P	00-17-157	275- 46-050	DECOD-P	00-17-187	284- 43-815	NEW-P	00-16-125
275- 16-035	DECOD-P	00-17-157	275- 46-060	AMD-P	00-17-187	284- 43-915	AMD-E	00-08-011
275- 16-045	AMD-P	00-17-157	275- 46-060	DECOD-P	00-17-187	284- 43-930	AMD-E	00-08-011
275- 16-045	DECOD-P	00-17-157	275- 46-065	DECOD-P	00-17-187	284- 43-945	AMD-E	00-08-011
275- 16-055	AMD-P	00-17-157	275- 46-070	AMD-P	00-17-187	284- 74-300	NEW-P	00-04-090
275- 16-055	DECOD-P	00-17-157	275- 46-070	DECOD-P	00-17-187	284- 74-300	NEW	00-07-069
275- 16-065	AMD-P	00-17-157	275- 46-080	AMD-P	00-17-187	284- 74-310	NEW-P	00-04-090
275- 16-065	DECOD-P	00-17-157	275- 46-080	DECOD-P	00-17-187	284- 74-310	NEW	00-07-069
275- 16-075	DECOD-P	00-17-157	275- 46-090	AMD-P	00-17-187	284- 74-320	NEW-P	00-04-090
275- 16-085	AMD-P	00-17-157	275- 46-090	DECOD-P	00-17-187	284- 74-320	NEW	00-07-069
275- 16-085	DECOD-P	00-17-157	275- 46-100	REP-P	00-17-187	284- 74-330	NEW-P	00-04-090
275- 16-095	DECOD-P	00-17-157	275- 47-010	DECOD-P	00-17-187	284- 74-330	NEW	00-07-069
275- 16-105	DECOD-P	00-17-157	275- 47-020	DECOD-P	00-17-187	284- 74-340	NEW-P	00-04-090
275- 20-010	DECOD	00-17-151	275- 47-030	AMD-P	00-17-187	284- 74-340	NEW	00-07-069
275- 20-030	DECOD	00-17-151	275- 47-030	DECOD-P	00-17-187	284- 74-350	NEW-P	00-04-090
275- 20-035	DECOD	00-17-151	275- 47-040	DECOD-P	00-17-187	284- 74-350	NEW	00-07-069
275- 20-080	DECOD	00-17-151	275- 47-050	AMD-P	00-17-187	284- 74-360	NEW-P	00-04-090
275- 30-010	AMD-E	00-10-065	275- 47-050	DECOD-P	00-17-187	284- 74-360	NEW	00-07-069
275- 30-010	AMD-P	00-13-074	275- 54	PREP	00-08-048	284- 74-370	NEW-P	00-04-090
275- 30-010	DECOD-P	00-13-074	275- 55	PREP	00-08-048	284- 74-370	NEW	00-07-069
275- 30-010	AMD	00-17-046	275- 57	PREP	00-08-048	284- 74-380	NEW-P	00-04-090
275- 30-010	DECOD	00-17-046	275- 59-010	DECOD-P	00-17-156	284- 74-380	NEW	00-07-069
275- 30-030	DECOD-P	00-13-074	275- 59-020	AMD-P	00-17-156	284- 90-010	AMD-XA	00-16-126
275- 30-030	DECOD	00-17-046	275- 59-020	DECOD-P	00-17-156	284- 90-020	AMD-XA	00-16-126
275- 30-040	DECOD-P	00-13-074	275- 59-030	AMD-P	00-17-156	284- 90-030	REP-XA	00-16-126
275- 30-040	DECOD	00-17-046	275- 59-030	DECOD-P	00-17-156	286- 40-020	AMD	00-05-008
275- 30-060	DECOD-P	00-13-074	275- 59-041	DECOD-P	00-17-156	296- 15-500	NEW-P	00-10-106
275- 30-060	DECOD	00-17-046	275- 59-050	DECOD-P	00-17-156	296- 15-500	NEW-C	00-14-074
275- 30-070	DECOD-P	00-13-074	275- 59-060	AMD-P	00-17-156	296- 15-500	NEW	00-18-078
275- 30-070	DECOD	00-17-046	275- 59-060	DECOD-P	00-17-156	296- 15-510	NEW-P	00-10-106
275- 33-020	DECOD	00-16-078	275- 59-071	DECOD-P	00-17-156	296- 15-510	NEW-C	00-14-074
275- 33-030	DECOD	00-16-078	275- 59-072	DECOD-P	00-17-156	296- 15-510	NEW	00-18-078
275- 33-040	DECOD	00-16-078	275- 59-080	DECOD-P	00-17-156	296- 17	PREP	00-02-090
275- 33-050	DECOD	00-16-078	275- 59-090	DECOD-P	00-17-156	296- 17	PREP	00-11-135
275- 33-060	DECOD	00-16-078	275-110	PREP	00-12-034	296- 17-31011	AMD-P	00-07-138
275- 35	PREP	00-03-028	275-110-010	REP-P	00-18-048	296- 17-31011	AMD	00-14-052
275- 35-010	REP-P	00-12-103	275-110-020	REP-P	00-18-048	296- 17-31012	AMD-P	00-07-138
275- 35-010	REP	00-16-032	275-110-030	REP-P	00-18-048	296- 17-31012	AMD	00-14-052
275- 35-020	REP-P	00-12-103	275-110-040	REP-P	00-18-048	296- 17-31021	AMD-P	00-07-138
275- 35-020	REP	00-16-032	275-110-050	REP-P	00-18-048	296- 17-31021	AMD	00-14-052
275- 35-030	REP-P	00-12-103	275-110-060	REP-P	00-18-048	296- 17-501	AMD-P	00-07-138
275- 35-030	REP	00-16-032	275-110-070	REP-P	00-18-048	296- 17-501	AMD	00-14-052
275- 35-040	REP-P	00-12-103	275-110-080	REP-P	00-18-048	296- 17-50601	AMD-P	00-07-138
275- 35-040	REP	00-16-032	275-110-090	REP-P	00-18-048	296- 17-50601	AMD	00-14-052
275- 35-050	REP-P	00-12-103	275-110-100	REP-P	00-18-048	296- 17-510	AMD-P	00-07-138
275- 35-050	REP	00-16-032	275-110-110	REP-P	00-18-048	296- 17-510	AMD	00-14-052
275- 35-060	REP-P	00-12-103	275-110-120	REP-P	00-18-048	296- 17-521	AMD-P	00-07-138
275- 35-060	REP	00-16-032	284- 02-070	AMD-E	00-08-011	296- 17-521	AMD	00-14-052
275- 35-070	REP-P	00-12-103	284- 30-600	AMD-P	00-13-113	296- 17-52102	AMD-P	00-07-138
275- 35-070	REP	00-16-032	284- 30-610	AMD-P	00-13-113	296- 17-52102	AMD	00-14-052
275- 35-080	REP-P	00-12-103	284- 43-120	AMD	00-04-034	296- 17-52106	AMD-P	00-07-138
275- 35-080	REP	00-16-032	284- 43-125	NEW	00-04-034	296- 17-52106	AMD	00-14-052
275- 35-100	REP-P	00-12-103	284- 43-130	AMD-P	00-16-125	296- 17-527	AMD-P	00-07-138
275- 35-100	REP	00-16-032	284- 43-200	AMD	00-04-034	296- 17-527	AMD	00-14-052
275- 37-010	REP-P	00-11-139	284- 43-210	AMD	00-04-034	296- 17-529	AMD-P	00-07-138

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-17-529	AMD	00-14-052	296-17-748	AMD	00-14-052	296-17-91212	REP	00-11-060
296-17-537	AMD-P	00-07-138	296-17-749	AMD-P	00-07-138	296-17-91213	REP	00-11-060
296-17-537	AMD	00-14-052	296-17-749	AMD	00-14-052	296-17-91214	REP	00-11-060
296-17-53803	AMD-P	00-07-138	296-17-751	AMD-P	00-07-138	296-17-91215	REP	00-11-060
296-17-53803	AMD	00-14-052	296-17-751	AMD	00-14-052	296-17-91216	REP	00-11-060
296-17-542	AMD-P	00-07-138	296-17-779	AMD-P	00-07-138	296-17-91219	REP	00-11-060
296-17-542	AMD	00-14-052	296-17-779	AMD	00-14-052	296-17-91220	REP	00-11-060
296-17-544	AMD-P	00-07-138	296-17-855	AMD-P	00-07-138	296-17-91221	REP	00-11-060
296-17-544	AMD	00-14-052	296-17-855	AMD	00-14-052	296-17-91222	REP	00-11-060
296-17-54401	AMD-P	00-07-138	296-17-885	AMD-P	00-07-138	296-17-91223	REP	00-11-060
296-17-54401	AMD	00-14-052	296-17-885	AMD	00-14-052	296-17-91224	REP	00-11-060
296-17-54403	NEW-P	00-07-138	296-17-895	AMD-P	00-07-138	296-17-91225	REP	00-11-060
296-17-54403	NEW	00-14-052	296-17-895	AMD	00-14-052	296-17-91250	REP	00-11-060
296-17-545	AMD-P	00-07-138	296-17-90401	NEW	00-11-060	296-17-914	REP	00-11-060
296-17-545	AMD	00-14-052	296-17-90402	NEW	00-11-060	296-17-91402	REP	00-11-060
296-17-546	AMD-P	00-07-138	296-17-90403	NEW	00-11-060	296-17-91403	REP	00-11-060
296-17-546	AMD	00-14-052	296-17-90406	NEW	00-11-060	296-17-91404	REP	00-11-060
296-17-562	AMD-P	00-07-138	296-17-90408	NEW	00-11-060	296-17-91405	REP	00-11-060
296-17-562	AMD	00-14-052	296-17-90409	NEW	00-11-060	296-17-91406	REP	00-11-060
296-17-57001	AMD-P	00-07-138	296-17-90412	NEW	00-11-060	296-17-919	REP	00-11-060
296-17-57001	AMD	00-14-052	296-17-90415	NEW	00-11-060	296-18A	PREP	00-05-002
296-17-583	AMD-P	00-07-138	296-17-90418	NEW	00-11-060	296-18A-420	REP-P	00-10-106
296-17-583	AMD	00-14-052	296-17-90421	NEW	00-11-060	296-18A-420	REP	00-18-078
296-17-58503	AMD-P	00-07-138	296-17-90424	NEW	00-11-060	296-18A-440	REP-P	00-10-106
296-17-58503	AMD	00-14-052	296-17-90427	NEW	00-11-060	296-18A-440	REP	00-18-078
296-17-597	AMD-P	00-07-138	296-17-90430	NEW	00-11-060	296-18A-445	REP-P	00-10-106
296-17-597	AMD	00-14-052	296-17-90433	NEW	00-11-060	296-18A-445	REP	00-18-078
296-17-615	AMD-P	00-07-138	296-17-90434	NEW	00-11-060	296-18A-450	REP-P	00-10-106
296-17-615	AMD	00-14-052	296-17-90436	NEW	00-11-060	296-18A-450	REP	00-18-078
296-17-618	AMD-P	00-07-138	296-17-90439	NEW	00-11-060	296-18A-460	REP-P	00-10-106
296-17-618	AMD	00-14-052	296-17-90442	NEW	00-11-060	296-18A-460	REP	00-18-078
296-17-643	AMD-P	00-07-138	296-17-90445	NEW	00-11-060	296-18A-470	REP-P	00-10-106
296-17-643	AMD	00-14-052	296-17-90448	NEW	00-11-060	296-18A-470	REP	00-18-078
296-17-649	AMD-P	00-07-138	296-17-90451	NEW	00-11-060	296-18A-480	REP-P	00-10-106
296-17-649	AMD	00-14-052	296-17-90463	NEW	00-11-060	296-18A-480	REP	00-18-078
296-17-66003	AMD-P	00-07-138	296-17-90466	NEW	00-11-060	296-18A-490	REP-P	00-10-106
296-17-66003	AMD	00-14-052	296-17-90469	NEW	00-11-060	296-18A-490	REP	00-18-078
296-17-675	AMD-P	00-07-138	296-17-90472	NEW	00-11-060	296-18A-500	REP-P	00-10-106
296-17-675	AMD	00-14-052	296-17-90475	NEW	00-11-060	296-18A-500	REP	00-18-078
296-17-678	AMD-P	00-07-138	296-17-90478	NEW	00-11-060	296-18A-510	REP-P	00-10-106
296-17-678	AMD	00-14-052	296-17-90481	NEW	00-11-060	296-18A-510	REP	00-18-078
296-17-679	AMD-P	00-07-138	296-17-90484	NEW	00-11-060	296-18A-515	REP-P	00-10-106
296-17-679	AMD	00-14-052	296-17-90490	NEW	00-11-060	296-18A-515	REP	00-18-078
296-17-686	AMD-P	00-07-138	296-17-90491	NEW	00-11-060	296-18A-520	REP-P	00-10-106
296-17-686	AMD	00-14-052	296-17-90492	NEW	00-11-060	296-18A-520	REP	00-18-078
296-17-689	AMD-P	00-07-138	296-17-90493	NEW	00-11-060	296-19A	NEW-C	00-14-074
296-17-689	AMD	00-14-052	296-17-90494	NEW	00-11-060	296-19A-010	NEW-P	00-10-106
296-17-690	AMD-P	00-07-138	296-17-90495	NEW	00-11-060	296-19A-010	NEW	00-18-078
296-17-690	AMD	00-14-052	296-17-90496	NEW	00-11-060	296-19A-020	NEW-P	00-10-106
296-17-694	AMD-P	00-07-138	296-17-90497	NEW	00-11-060	296-19A-020	NEW	00-18-078
296-17-694	AMD	00-14-052	296-17-90501	NEW-E	00-16-038	296-19A-030	NEW-P	00-10-106
296-17-695	AMD-P	00-07-138	296-17-91201	REP	00-11-060	296-19A-030	NEW	00-18-078
296-17-695	AMD	00-14-052	296-17-91202	REP	00-11-060	296-19A-040	NEW-P	00-10-106
296-17-712	AMD-P	00-07-138	296-17-91203	REP	00-11-060	296-19A-040	NEW	00-18-078
296-17-712	AMD	00-14-052	296-17-91204	REP	00-11-060	296-19A-045	NEW	00-18-078
296-17-713	AMD-P	00-07-138	296-17-91205	REP	00-11-060	296-19A-050	NEW-P	00-10-106
296-17-713	AMD	00-14-052	296-17-91206	REP	00-11-060	296-19A-050	NEW	00-18-078
296-17-729	AMD-P	00-07-138	296-17-91207	REP	00-11-060	296-19A-060	NEW-P	00-10-106
296-17-729	AMD	00-14-052	296-17-91208	REP	00-11-060	296-19A-060	NEW	00-18-078
296-17-740	AMD-P	00-07-138	296-17-91209	REP	00-11-060	296-19A-070	NEW-P	00-10-106
296-17-740	AMD	00-14-052	296-17-91210	REP	00-11-060	296-19A-070	NEW	00-18-078
296-17-748	AMD-P	00-07-138	296-17-91211	REP	00-11-060	296-19A-080	NEW-P	00-10-106

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-19A-080	NEW	00-18-078	296-19A-410	NEW	00-18-078	296-24-82543	REP	00-08-078
296-19A-090	NEW-P	00-10-106	296-19A-420	NEW-P	00-10-106	296-24-82545	REP	00-08-078
296-19A-090	NEW	00-18-078	296-19A-420	NEW	00-18-078	296-24-840	REP	00-08-078
296-19A-100	NEW-P	00-10-106	296-19A-430	NEW-P	00-10-106	296-24-84001	REP	00-08-078
296-19A-100	NEW	00-18-078	296-19A-430	NEW	00-18-078	296-24-84003	REP	00-08-078
296-19A-110	NEW-P	00-10-106	296-19A-440	NEW-P	00-10-106	296-24-84005	REP	00-08-078
296-19A-110	NEW	00-18-078	296-19A-440	NEW	00-18-078	296-24-84007	REP	00-08-078
296-19A-120	NEW-P	00-10-106	296-19A-450	NEW-P	00-10-106	296-24-84009	REP	00-08-078
296-19A-120	NEW	00-18-078	296-19A-450	NEW	00-18-078	296-24-84011	REP	00-08-078
296-19A-130	NEW-P	00-10-106	296-19A-460	NEW-P	00-10-106	296-24-84013	REP	00-08-078
296-19A-130	NEW	00-18-078	296-19A-460	NEW	00-18-078	296-24-860	NEW	00-08-078
296-19A-140	NEW-P	00-10-106	296-19A-470	NEW-P	00-10-106	296-24-86005	NEW	00-08-078
296-19A-140	NEW	00-18-078	296-19A-470	NEW	00-18-078	296-24-86010	NEW	00-08-078
296-19A-170	NEW-P	00-10-106	296-19A-480	NEW-P	00-10-106	296-24-86015	NEW	00-08-078
296-19A-170	NEW	00-18-078	296-19A-480	NEW	00-18-078	296-24-86020	NEW	00-08-078
296-19A-180	NEW-P	00-10-106	296-20-022	AMD-P	00-05-111	296-24-861	NEW	00-08-078
296-19A-180	NEW	00-18-078	296-20-022	AMD	00-09-078	296-24-86105	NEW	00-08-078
296-19A-190	NEW-P	00-10-106	296-20-12401	NEW-P	00-05-111	296-24-86110	NEW	00-08-078
296-19A-190	NEW	00-18-078	296-20-12401	NEW	00-09-078	296-24-86115	NEW	00-08-078
296-19A-200	NEW-P	00-10-106	296-20-135	AMD-P	00-05-112	296-24-86120	NEW	00-08-078
296-19A-200	NEW	00-18-078	296-20-135	AMD	00-09-077	296-24-86125	NEW	00-08-078
296-19A-210	NEW-P	00-10-106	296-21-290	AMD-P	00-05-111	296-24-86130	NEW	00-08-078
296-19A-210	NEW	00-18-078	296-21-290	AMD	00-09-078	296-24-862	NEW	00-08-078
296-19A-220	NEW-P	00-10-106	296-23-220	AMD-P	00-05-112	296-24-870	REP	00-08-078
296-19A-220	NEW	00-18-078	296-23-220	AMD	00-09-077	296-24-87001	REP	00-08-078
296-19A-230	NEW-P	00-10-106	296-23-230	AMD-P	00-05-112	296-24-87009	REP	00-08-078
296-19A-230	NEW	00-18-078	296-23-230	AMD	00-09-077	296-24-87011	REP	00-08-078
296-19A-240	NEW-P	00-10-106	296-23A-0200	AMD	00-06-027	296-24-87013	REP	00-08-078
296-19A-240	NEW	00-18-078	296-23A-0210	AMD	00-06-027	296-24-87015	REP	00-08-078
296-19A-250	NEW-P	00-10-106	296-23A-0220	AMD	00-06-027	296-24-87017	REP	00-08-078
296-19A-250	NEW	00-18-078	296-23A-0230	AMD-P	00-05-111	296-24-87019	REP	00-08-078
296-19A-260	NEW-P	00-10-106	296-23A-0230	AMD	00-09-078	296-24-87031	REP	00-08-078
296-19A-260	NEW	00-18-078	296-23A-0240	AMD	00-06-027	296-24-87033	REP	00-08-078
296-19A-270	NEW-P	00-10-106	296-23B	PREP	00-14-072	296-24-87035	REP	00-08-078
296-19A-270	NEW	00-18-078	296-24	PREP	00-05-057	296-24-87037	REP	00-08-078
296-19A-280	NEW-P	00-10-106	296-24	PREP	00-10-046	296-24-875	NEW	00-08-078
296-19A-280	NEW	00-18-078	296-24	PREP	00-12-099	296-24-87505	NEW	00-08-078
296-19A-290	NEW-P	00-10-106	296-24-14519	AMD	00-08-078	296-24-87510	NEW	00-08-078
296-19A-290	NEW	00-18-078	296-24-23027	AMD	00-08-078	296-24-87515	NEW	00-08-078
296-19A-300	NEW-P	00-10-106	296-24-23533	AMD	00-08-078	296-24-880	NEW	00-08-078
296-19A-300	NEW	00-18-078	296-24-825	REP	00-08-078	296-24-88005	NEW	00-08-078
296-19A-310	NEW-P	00-10-106	296-24-82501	REP	00-08-078	296-24-88010	NEW	00-08-078
296-19A-310	NEW	00-18-078	296-24-82503	REP	00-08-078	296-24-88015	NEW	00-08-078
296-19A-320	NEW-P	00-10-106	296-24-82505	REP	00-08-078	296-24-88020	NEW	00-08-078
296-19A-320	NEW	00-18-078	296-24-82507	REP	00-08-078	296-24-88025	NEW	00-08-078
296-19A-330	NEW-P	00-10-106	296-24-82509	REP	00-08-078	296-24-88030	NEW	00-08-078
296-19A-330	NEW	00-18-078	296-24-82511	REP	00-08-078	296-24-88035	NEW	00-08-078
296-19A-340	NEW-P	00-10-106	296-24-82513	REP	00-08-078	296-24-88040	NEW	00-08-078
296-19A-340	NEW	00-18-078	296-24-82515	REP	00-08-078	296-24-88045	NEW	00-08-078
296-19A-350	NEW-P	00-10-106	296-24-82517	REP	00-08-078	296-24-88050	NEW	00-08-078
296-19A-350	NEW	00-18-078	296-24-82519	REP	00-08-078	296-24-88055	NEW	00-08-078
296-19A-360	NEW-P	00-10-106	296-24-82521	REP	00-08-078	296-24-885	REP	00-08-078
296-19A-360	NEW	00-18-078	296-24-82523	REP	00-08-078	296-24-88501	REP	00-08-078
296-19A-370	NEW-P	00-10-106	296-24-82525	REP	00-08-078	296-24-88503	REP	00-08-078
296-19A-370	NEW	00-18-078	296-24-82527	REP	00-08-078	296-24-88505	REP	00-08-078
296-19A-380	NEW-P	00-10-106	296-24-82529	REP	00-08-078	296-24-90001	AMD	00-08-078
296-19A-380	NEW	00-18-078	296-24-82531	REP	00-08-078	296-24-90003	AMD	00-08-078
296-19A-390	NEW-P	00-10-106	296-24-82533	REP	00-08-078	296-24-90005	AMD	00-08-078
296-19A-390	NEW	00-18-078	296-24-82535	REP	00-08-078	296-24-90007	AMD	00-08-078
296-19A-400	NEW-P	00-10-106	296-24-82537	REP	00-08-078	296-24-90009	AMD	00-08-078
296-19A-400	NEW	00-18-078	296-24-82539	REP	00-08-078	296-27-150	REP-P	00-05-058
296-19A-410	NEW-P	00-10-106	296-24-82541	REP	00-08-078	296-27-150	REP	00-11-098

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-27-160	REP-P	00-05-058	296-56-60098	AMD-XA	00-16-150	296-62-07709	AMD	00-06-075
296-27-160	REP	00-11-098	296-56-60103	AMD-XA	00-16-150	296-62-07713	AMD	00-06-075
296-27-16001	REP-P	00-05-058	296-56-60107	AMD-XA	00-16-150	296-62-07722	AMD	00-06-075
296-27-16001	REP	00-11-098	296-56-60109	AMD-XA	00-16-150	296-62-07727	AMD	00-06-075
296-27-16002	REP-P	00-05-058	296-56-60111	AMD-XA	00-16-150	296-62-07745	AMD	00-06-075
296-27-16002	REP	00-11-098	296-56-60115	AMD-XA	00-16-150	296-65-003	AMD	00-06-075
296-27-16003	REP-P	00-05-058	296-56-60123	AMD-XA	00-16-150	296-67	PREP	00-10-045
296-27-16003	REP	00-11-098	296-56-60133	AMD-XA	00-16-150	296-79	PREP	00-10-045
296-27-16004	REP-P	00-05-058	296-56-60209	AMD-XA	00-16-150	296-81-005	REP-P	00-14-041
296-27-16004	REP	00-11-098	296-56-60211	AMD-XA	00-16-150	296-81-006	REP-P	00-14-041
296-27-16007	REP-P	00-05-058	296-56-60215	AMD-XA	00-16-150	296-81-007	REP-P	00-14-041
296-27-16007	REP	00-11-098	296-56-60217	AMD-XA	00-16-150	296-81-008	REP-P	00-14-041
296-27-16011	REP-P	00-05-058	296-56-60219	AMD-XA	00-16-150	296-81-009	REP-P	00-14-041
296-27-16011	REP	00-11-098	296-56-60223	AMD-XA	00-16-150	296-81-200	REP-P	00-14-041
296-27-16018	REP-P	00-05-058	296-56-60233	AMD-XA	00-16-150	296-81-240	REP-P	00-14-041
296-27-16018	REP	00-11-098	296-56-60235	AMD-XA	00-16-150	296-81-275	REP-P	00-14-041
296-27-16020	REP-P	00-05-058	296-56-60237	AMD-XA	00-16-150	296-81-277	REP-P	00-14-041
296-27-16020	REP	00-11-098	296-56-60243	AMD-XA	00-16-150	296-81-280	REP-P	00-14-041
296-27-16022	REP-P	00-05-058	296-62	PREP	00-10-045	296-81-290	REP-P	00-14-041
296-27-16022	REP	00-11-098	296-62	PREP	00-10-046	296-81-300	REP-P	00-14-041
296-27-16026	REP-P	00-05-058	296-62	PREP	00-13-091	296-81-306	REP-P	00-14-041
296-27-16026	REP	00-11-098	296-62	PREP	00-13-092	296-81-310	REP-P	00-14-041
296-28	PREP	00-18-034	296-62-051	NEW-C	00-04-075	296-81-315	REP-P	00-14-041
296-30-010	AMD-P	00-02-091	296-62-051	NEW	00-12-024	296-81-320	REP-P	00-14-041
296-30-010	AMD	00-10-003	296-62-05101	NEW-C	00-04-075	296-81-325	REP-P	00-14-041
296-30-080	AMD	00-03-056	296-62-05101	NEW	00-12-024	296-81-330	REP-P	00-14-041
296-30-081	AMD	00-03-056	296-62-05103	NEW-C	00-04-075	296-81-335	REP-P	00-14-041
296-30-085	NEW	00-03-056	296-62-05103	NEW	00-12-024	296-81-340	REP-P	00-14-041
296-30-090	NEW	00-03-056	296-62-05105	NEW-C	00-04-075	296-81-345	REP-P	00-14-041
296-30-095	NEW	00-03-056	296-62-05105	NEW	00-12-024	296-81-350	REP-P	00-14-041
296-30-100	NEW	00-03-056	296-62-05110	NEW-C	00-04-075	296-81-355	REP-P	00-14-041
296-30-105	NEW	00-03-056	296-62-05110	NEW	00-12-024	296-81-360	REP-P	00-14-041
296-30-120	AMD	00-03-056	296-62-05120	NEW-C	00-04-075	296-81-365	REP-P	00-14-041
296-30-130	AMD-P	00-02-091	296-62-05120	NEW	00-12-024	296-81-370	REP-P	00-14-041
296-30-130	AMD	00-10-003	296-62-05122	NEW-C	00-04-075	296-81-990	REP-P	00-14-041
296-30-170	AMD	00-03-056	296-62-05122	NEW	00-12-024	296-81-991	REP-P	00-14-041
296-30-180	AMD	00-03-056	296-62-05130	NEW-C	00-04-075	296-82-010	REP-P	00-14-041
296-31-012	AMD-P	00-02-091	296-62-05130	NEW	00-12-024	296-82-016	REP-P	00-14-041
296-31-012	AMD	00-10-003	296-62-05140	NEW-C	00-04-075	296-82-019	REP-P	00-14-041
296-31-020	REP-P	00-02-091	296-62-05140	NEW	00-12-024	296-82-022	REP-P	00-14-041
296-31-020	REP	00-10-003	296-62-05150	NEW-C	00-04-075	296-82-025	REP-P	00-14-041
296-31-030	AMD	00-03-056	296-62-05150	NEW	00-12-024	296-82-028	REP-P	00-14-041
296-31-035	NEW	00-03-056	296-62-05160	NEW-C	00-04-075	296-82-031	REP-P	00-14-041
296-31-045	NEW	00-03-056	296-62-05160	NEW	00-12-024	296-82-034	REP-P	00-14-041
296-31-050	REP	00-03-056	296-62-05170	NEW-C	00-04-075	296-82-037	REP-P	00-14-041
296-31-055	NEW	00-03-056	296-62-05170	NEW-W	00-12-029	296-82-040	REP-P	00-14-041
296-31-056	NEW	00-03-056	296-62-05172	NEW-C	00-04-075	296-82-045	REP-P	00-14-041
296-31-057	NEW	00-03-056	296-62-05172	NEW	00-12-024	296-82-048	REP-P	00-14-041
296-31-058	NEW	00-03-056	296-62-05174	NEW-C	00-04-075	296-82-051	REP-P	00-14-041
296-31-070	AMD	00-03-056	296-62-05174	NEW	00-12-024	296-82-054	REP-P	00-14-041
296-31-074	NEW	00-03-056	296-62-05176	NEW-C	00-04-075	296-82-057	REP-P	00-14-041
296-31-090	REP	00-03-056	296-62-05176	NEW	00-12-024	296-82-060	REP-P	00-14-041
296-32-240	PREP	00-14-073	296-62-07105	AMD-XA	00-16-151	296-82-066	REP-P	00-14-041
296-45-52530	PREP	00-14-073	296-62-07117	AMD-XA	00-16-151	296-82-070	REP-P	00-14-041
296-46	PREP	00-10-116	296-62-07131	AMD-XA	00-16-151	296-82-078	REP-P	00-14-041
296-46-930	AMD-E	00-06-076	296-62-07150	AMD-XA	00-16-151	296-84-010	REP-P	00-14-041
296-46-930	AMD-E	00-13-102	296-62-07155	AMD-XA	00-16-151	296-84-015	REP-P	00-14-041
296-56-60005	AMD-XA	00-16-150	296-62-07156	AMD-XA	00-16-151	296-84-020	REP-P	00-14-041
296-56-60057	AMD-XA	00-16-150	296-62-07162	AMD-XA	00-16-151	296-84-025	REP-P	00-14-041
296-56-60073	AMD-XA	00-16-150	296-62-07190	AMD-XA	00-16-151	296-84-030	REP-P	00-14-041
296-56-60077	AMD-XA	00-16-150	296-62-07255	AMD-XA	00-16-151	296-84-035	REP-P	00-14-041
296-56-60083	AMD-XA	00-16-150	296-62-07515	AMD	00-06-075	296-84-040	REP-P	00-14-041

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-96-23448	NEW-P	00-14-041	296-115-100	AMD-XA	00-12-100	296-127-01331	NEW-E	00-07-123
296-96-23450	NEW-P	00-14-041	296-127	PREP	00-07-122	296-127-01331	NEW-P	00-11-136
296-96-23500	NEW-P	00-14-041	296-127	PREP	00-15-074	296-127-01331	NEW	00-15-077
296-96-23510	NEW-P	00-14-041	296-127-013	AMD-E	00-07-123	296-127-01332	NEW-E	00-07-123
296-96-23540	NEW-P	00-14-041	296-127-013	AMD-P	00-11-136	296-127-01332	NEW-P	00-11-136
296-96-23600	NEW-P	00-14-041	296-127-013	AMD	00-15-077	296-127-01332	NEW	00-15-077
296-96-23610	NEW-P	00-14-041	296-127-01301	NEW-E	00-07-123	296-127-01333	NEW-E	00-07-123
296-96-23620	NEW-P	00-14-041	296-127-01301	NEW-P	00-11-136	296-127-01333	NEW-P	00-11-136
296-96-23630	NEW-P	00-14-041	296-127-01301	NEW	00-15-077	296-127-01333	NEW	00-15-077
296-96-23700	NEW-P	00-14-041	296-127-01303	NEW-E	00-07-123	296-127-01335	NEW-E	00-07-123
296-96-23710	NEW-P	00-14-041	296-127-01303	NEW-P	00-11-136	296-127-01335	NEW-P	00-11-136
296-96-23800	NEW-P	00-14-041	296-127-01303	NEW	00-15-077	296-127-01335	NEW	00-15-077
296-96-23810	NEW-P	00-14-041	296-127-01305	NEW-E	00-07-123	296-127-01337	NEW-E	00-07-123
296-100-001	REP-P	00-14-041	296-127-01305	NEW-P	00-11-136	296-127-01337	NEW-P	00-11-136
296-100-010	REP-P	00-14-041	296-127-01305	NEW	00-15-077	296-127-01337	NEW	00-15-077
296-100-020	REP-P	00-14-041	296-127-01306	NEW-E	00-07-123	296-127-01339	NEW-E	00-07-123
296-100-030	REP-P	00-14-041	296-127-01306	NEW-P	00-11-136	296-127-01339	NEW-P	00-11-136
296-100-040	REP-P	00-14-041	296-127-01306	NEW	00-15-077	296-127-01339	NEW	00-15-077
296-100-050	REP-P	00-14-041	296-127-01308	NEW-E	00-07-123	296-127-01340	NEW-E	00-07-123
296-100-060	REP-P	00-14-041	296-127-01308	NEW-P	00-11-136	296-127-01340	NEW-P	00-11-136
296-104	PREP	00-10-002	296-127-01308	NEW	00-15-077	296-127-01340	NEW	00-15-077
296-104-010	PREP	00-10-002	296-127-01309	NEW-E	00-07-123	296-127-01342	NEW-E	00-07-123
296-104-010	AMD-P	00-16-149	296-127-01309	NEW-P	00-11-136	296-127-01342	NEW-P	00-11-136
296-104-102	PREP	00-10-002	296-127-01309	NEW	00-15-077	296-127-01342	NEW	00-15-077
296-104-180	PREP	00-10-002	296-127-01310	NEW-E	00-07-123	296-127-01344	NEW-E	00-07-123
296-104-200	PREP	00-10-002	296-127-01310	NEW-P	00-11-136	296-127-01344	NEW-P	00-11-136
296-104-200	AMD-P	00-16-149	296-127-01310	NEW	00-15-077	296-127-01344	NEW	00-15-077
296-104-205	PREP	00-10-002	296-127-01312	NEW-E	00-07-123	296-127-01346	NEW-E	00-07-123
296-104-205	AMD-P	00-16-149	296-127-01312	NEW-P	00-11-136	296-127-01346	NEW-P	00-11-136
296-104-210	PREP	00-10-002	296-127-01312	NEW	00-15-077	296-127-01346	NEW	00-15-077
296-104-210	AMD-P	00-16-149	296-127-01313	NEW-P	00-11-136	296-127-01347	NEW-E	00-07-123
296-104-215	PREP	00-10-002	296-127-01313	NEW	00-15-077	296-127-01347	NEW-P	00-11-136
296-104-215	AMD-P	00-16-149	296-127-01315	NEW-E	00-07-123	296-127-01347	NEW	00-15-077
296-104-220	PREP	00-10-002	296-127-01315	NEW-P	00-11-136	296-127-01349	NEW-E	00-07-123
296-104-220	AMD-P	00-16-149	296-127-01315	NEW	00-15-077	296-127-01349	NEW-P	00-11-136
296-104-230	PREP	00-10-002	296-127-01317	NEW-E	00-07-123	296-127-01349	NEW	00-15-077
296-104-230	AMD-P	00-16-149	296-127-01317	NEW-P	00-11-136	296-127-01351	NEW-E	00-07-123
296-104-235	PREP	00-10-002	296-127-01317	NEW	00-15-077	296-127-01351	NEW-P	00-11-136
296-104-235	AMD-P	00-16-149	296-127-01318	NEW-E	00-07-123	296-127-01351	NEW	00-15-077
296-104-240	PREP	00-10-002	296-127-01318	NEW-P	00-11-136	296-127-01352	NEW-E	00-07-123
296-104-240	AMD-P	00-16-149	296-127-01318	NEW	00-15-077	296-127-01352	NEW-P	00-11-136
296-104-245	PREP	00-10-002	296-127-01320	NEW-E	00-07-123	296-127-01352	NEW	00-15-077
296-104-265	PREP	00-10-002	296-127-01320	NEW-P	00-11-136	296-127-01354	NEW-E	00-07-123
296-104-265	AMD-P	00-16-149	296-127-01320	NEW	00-15-077	296-127-01354	NEW-P	00-11-136
296-104-307	AMD-P	00-16-149	296-127-01322	NEW-E	00-07-123	296-127-01354	NEW	00-15-077
296-104-502	PREP	00-10-002	296-127-01322	NEW-P	00-11-136	296-127-01356	NEW-E	00-07-123
296-104-502	AMD-P	00-16-149	296-127-01322	NEW	00-15-077	296-127-01356	NEW-P	00-11-136
296-104-700	PREP	00-10-002	296-127-01323	NEW-E	00-07-123	296-127-01356	NEW	00-15-077
296-104-700	AMD-P	00-16-149	296-127-01323	NEW-P	00-11-136	296-127-01358	NEW-E	00-07-123
296-104-701	PREP	00-10-002	296-127-01323	NEW	00-15-077	296-127-01358	NEW-P	00-11-136
296-104-701	AMD-P	00-16-149	296-127-01325	NEW-E	00-07-123	296-127-01358	NEW	00-15-077
296-115-001	AMD-XA	00-12-100	296-127-01325	NEW-P	00-11-136	296-127-01360	NEW-E	00-07-123
296-115-005	AMD-XA	00-12-100	296-127-01325	NEW	00-15-077	296-127-01360	NEW-P	00-11-136
296-115-010	AMD-XA	00-12-100	296-127-01327	NEW-E	00-07-123	296-127-01360	NEW	00-15-077
296-115-015	AMD-XA	00-12-100	296-127-01327	NEW-P	00-11-136	296-127-01362	NEW-E	00-07-123
296-115-025	AMD-XA	00-12-100	296-127-01327	NEW	00-15-077	296-127-01362	NEW-P	00-11-136
296-115-030	AMD-XA	00-12-100	296-127-01328	NEW-E	00-07-123	296-127-01362	NEW	00-15-077
296-115-035	AMD-XA	00-12-100	296-127-01328	NEW-P	00-11-136	296-127-01364	NEW-E	00-07-123
296-115-040	AMD-XA	00-12-100	296-127-01328	NEW	00-15-077	296-127-01364	NEW-P	00-11-136
296-115-050	AMD-XA	00-12-100	296-127-01329	NEW-E	00-07-123	296-127-01364	NEW	00-15-077
296-115-060	AMD-XA	00-12-100	296-127-01329	NEW-P	00-11-136	296-127-01367	NEW-E	00-07-123
296-115-070	AMD-XA	00-12-100	296-127-01329	NEW	00-15-077	296-127-01367	NEW-P	00-11-136

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-127-01367	NEW	00-15-077	296-150F	PREP	00-06-077	296-155-505	AMD	00-14-058
296-127-01369	NEW-E	00-07-123	296-150F-0140	AMD-P	00-13-103	296-155-526	NEW-P	00-06-056
296-127-01369	NEW-P	00-11-136	296-150F-0140	AMD	00-17-148	296-155-526	NEW	00-15-028
296-127-01369	NEW	00-15-077	296-150F-0500	AMD-P	00-13-103	296-155-625	PREP	00-14-073
296-127-01370	NEW-E	00-07-123	296-150F-0500	AMD	00-17-148	296-155-680	AMD-XA	00-08-079
296-127-01370	NEW-P	00-11-136	296-150F-0630	NEW-P	00-13-103	296-155-680	AMD	00-14-058
296-127-01370	NEW	00-15-077	296-150F-0630	NEW	00-17-148	296-155-682	AMD-P	00-15-076
296-127-01372	NEW-E	00-07-123	296-150M	PREP	00-06-077	296-305	PREP	00-10-045
296-127-01372	NEW-P	00-11-136	296-150M-0020	AMD-P	00-13-103	296-307	PREP	00-10-046
296-127-01372	NEW	00-15-077	296-150M-0020	AMD	00-17-148	296-307-160	REP	00-06-081
296-127-01374	NEW-E	00-07-123	296-150M-0140	AMD-P	00-13-103	296-307-16001	REP	00-06-081
296-127-01374	NEW-P	00-11-136	296-150M-0140	AMD	00-17-148	296-307-16003	REP	00-06-081
296-127-01374	NEW	00-15-077	296-150M-0306	AMD-P	00-13-103	296-307-16004	REP	00-06-081
296-127-01375	NEW-E	00-07-123	296-150M-0306	AMD	00-17-148	296-307-16005	REP	00-06-081
296-127-01375	NEW-P	00-11-136	296-150M-3000	AMD-P	00-13-103	296-307-16007	REP	00-06-081
296-127-01375	NEW	00-15-077	296-150M-3000	AMD	00-17-148	296-307-16009	REP	00-06-081
296-127-01376	NEW-E	00-07-123	296-150P	PREP	00-06-077	296-307-16011	REP	00-06-081
296-127-01376	NEW-P	00-11-136	296-150P-0140	AMD-P	00-13-103	296-307-16013	REP	00-06-081
296-127-01376	NEW	00-15-077	296-150P-0140	AMD	00-17-148	296-307-16015	REP	00-06-081
296-127-01377	NEW-E	00-07-123	296-150P-3000	AMD-P	00-13-103	296-307-16017	REP	00-06-081
296-127-01377	NEW-P	00-11-136	296-150P-3000	AMD	00-17-148	296-307-16019	REP	00-06-081
296-127-01377	NEW	00-15-077	296-150R	PREP	00-06-077	296-307-16021	REP	00-06-081
296-127-01378	NEW-E	00-07-123	296-150R-0140	AMD-P	00-13-103	296-307-16023	REP	00-06-081
296-127-01378	NEW-P	00-11-136	296-150R-0140	AMD	00-17-148	296-307-161	NEW	00-06-081
296-127-01378	NEW	00-15-077	296-150R-3000	AMD-P	00-13-103	296-307-16101	NEW	00-06-081
296-127-01379	NEW-E	00-07-123	296-150R-3000	AMD	00-17-148	296-307-16103	NEW	00-06-081
296-127-01379	NEW-P	00-11-136	296-150V	PREP	00-06-077	296-307-16105	NEW	00-06-081
296-127-01379	NEW	00-15-077	296-150V-0140	AMD-P	00-13-103	296-307-16110	NEW	00-06-081
296-127-01382	NEW-E	00-07-123	296-150V-0140	AMD	00-17-148	296-307-16115	NEW	00-06-081
296-127-01382	NEW-P	00-11-136	296-150V-0530	AMD-P	00-13-103	296-307-16120	NEW	00-06-081
296-127-01382	NEW	00-15-077	296-150V-0530	AMD	00-17-148	296-307-16125	NEW	00-06-081
296-127-01384	NEW-E	00-07-123	296-150V-1180	AMD-P	00-13-103	296-307-16130	NEW	00-06-081
296-127-01384	NEW-P	00-11-136	296-150V-1180	AMD	00-17-148	296-307-16135	NEW	00-06-081
296-127-01384	NEW	00-15-077	296-150V-1220	AMD-P	00-13-103	296-307-16140	NEW	00-06-081
296-127-01386	NEW-E	00-07-123	296-150V-1220	AMD	00-17-148	296-307-16145	NEW	00-06-081
296-127-01386	NEW-P	00-11-136	296-155	PREP	00-04-002	296-307-16150	NEW	00-06-081
296-127-01386	NEW	00-15-077	296-155	PREP	00-05-057	296-307-16155	NEW	00-06-081
296-127-01387	NEW-E	00-07-123	296-155	PREP	00-12-099	296-307-16160	NEW	00-06-081
296-127-01387	NEW-P	00-11-136	296-155	PREP	00-13-091	296-307-16165	NEW	00-06-081
296-127-01387	NEW	00-15-077	296-155-110	AMD	00-08-078	296-307-16170	NEW	00-06-081
296-127-01389	NEW-E	00-07-123	296-155-205	PREP	00-14-073	296-307-16175	NEW	00-06-081
296-127-01389	NEW-P	00-11-136	296-155-24501	AMD-XA	00-08-079	296-307-16180	NEW	00-06-081
296-127-01389	NEW	00-15-077	296-155-24501	AMD	00-14-058	296-307-16185	NEW	00-06-081
296-127-01391	NEW-E	00-07-123	296-155-24503	AMD-XA	00-08-079	296-307-16190	NEW	00-06-081
296-127-01391	NEW-P	00-11-136	296-155-24503	AMD	00-14-058	296-307-163	NEW	00-06-081
296-127-01391	NEW	00-15-077	296-155-24505	AMD-XA	00-08-079	296-307-16301	NEW	00-06-081
296-127-018	PREP	00-15-075	296-155-24505	AMD	00-14-058	296-307-16303	NEW	00-06-081
296-150C	PREP	00-06-077	296-155-24510	AMD-XA	00-08-079	296-307-16305	NEW	00-06-081
296-150C-0140	AMD-P	00-13-103	296-155-24510	AMD	00-14-058	296-307-16310	NEW	00-06-081
296-150C-0140	AMD	00-17-148	296-155-24515	AMD-XA	00-08-079	296-307-16315	NEW	00-06-081
296-150C-0200	AMD-P	00-13-103	296-155-24515	AMD	00-14-058	296-307-16320	NEW	00-06-081
296-150C-0200	AMD	00-17-148	296-155-24520	AMD-XA	00-08-079	296-307-16325	NEW	00-06-081
296-150C-0910	AMD-P	00-13-103	296-155-24520	AMD	00-14-058	296-307-16330	NEW	00-06-081
296-150C-0910	AMD	00-17-148	296-155-24521	AMD-XA	00-08-079	296-307-16335	NEW	00-06-081
296-150C-0970	AMD-P	00-13-103	296-155-24521	AMD	00-14-058	296-307-16340	NEW	00-06-081
296-150C-0970	AMD	00-17-148	296-155-24525	AMD-XA	00-08-079	296-307-16345	NEW	00-06-081
296-150C-1070	AMD-P	00-13-103	296-155-24525	AMD	00-14-058	296-307-16350	NEW	00-06-081
296-150C-1070	AMD	00-17-148	296-155-305	AMD-E	00-12-018	296-307-16355	NEW	00-06-081
296-150C-1175	NEW-P	00-13-103	296-155-305	PREP	00-14-073	296-307-16360	NEW	00-06-081
296-150C-1175	NEW	00-17-148	296-155-483	AMD-XA	00-08-079	296-307-16365	NEW	00-06-081
296-150C-1346	NEW-P	00-13-103	296-155-483	AMD	00-14-058	296-307-16370	NEW	00-06-081
296-150C-1346	NEW	00-17-148	296-155-505	AMD-XA	00-08-079	296-307-16375	NEW	00-06-081

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-307-16380	NEW	00-06-081	296-350-240	REP-P	00-05-058	296-350-70065	NEW-P	00-05-058
296-307-16385	NEW	00-06-081	296-350-240	REP	00-11-098	296-350-70065	NEW	00-11-098
296-307-16390	NEW	00-06-081	296-350-250	REP-P	00-05-058	296-350-70070	NEW-P	00-05-058
296-307-16395	NEW	00-06-081	296-350-250	REP	00-11-098	296-350-70070	NEW	00-11-098
296-350	AMD-P	00-05-058	296-350-255	REP-P	00-05-058	296-401A	PREP	00-10-116
296-350	AMD	00-11-098	296-350-255	REP	00-11-098	296-401A-140	AMD-E	00-06-076
296-350-010	AMD-P	00-05-058	296-350-260	REP-P	00-05-058	296-401A-140	AMD-E	00-13-102
296-350-010	AMD	00-11-098	296-350-260	REP	00-11-098	296-402-010	REP-P	00-07-137
296-350-020	REP-P	00-05-058	296-350-270	REP-P	00-05-058	296-402-010	REP	00-11-115
296-350-020	REP	00-11-098	296-350-270	REP	00-11-098	296-402-020	REP-P	00-07-137
296-350-030	REP-P	00-05-058	296-350-280	REP-P	00-05-058	296-402-020	REP	00-11-115
296-350-030	REP	00-11-098	296-350-280	REP	00-11-098	296-402-030	REP-P	00-07-137
296-350-040	REP-P	00-05-058	296-350-400	REP-P	00-05-058	296-402-030	REP	00-11-115
296-350-040	REP	00-11-098	296-350-400	REP	00-11-098	296-402-040	REP-P	00-07-137
296-350-050	REP-P	00-05-058	296-350-450	REP-P	00-05-058	296-402-040	REP	00-11-115
296-350-050	REP	00-11-098	296-350-450	REP	00-11-098	296-402-050	REP-P	00-07-137
296-350-060	REP-P	00-05-058	296-350-460	REP-P	00-05-058	296-402-050	REP	00-11-115
296-350-060	REP	00-11-098	296-350-460	REP	00-11-098	296-402-060	REP-P	00-07-137
296-350-070	REP-P	00-05-058	296-350-470	REP-P	00-05-058	296-402-060	REP	00-11-115
296-350-070	REP	00-11-098	296-350-470	REP	00-11-098	296-402-070	REP-P	00-07-137
296-350-080	REP-P	00-05-058	296-350-600	NEW-P	00-05-058	296-402-070	REP	00-11-115
296-350-080	REP	00-11-098	296-350-600	NEW	00-11-098	296-402-080	REP-P	00-07-137
296-350-090	REP-P	00-05-058	296-350-60010	NEW-P	00-05-058	296-402-080	REP	00-11-115
296-350-090	REP	00-11-098	296-350-60010	NEW	00-11-098	296-402-090	REP-P	00-07-137
296-350-095	REP-P	00-05-058	296-350-60015	NEW-P	00-05-058	296-402-090	REP	00-11-115
296-350-095	REP	00-11-098	296-350-60015	NEW	00-11-098	296-402-100	REP-P	00-07-137
296-350-100	NEW-P	00-05-058	296-350-60020	NEW-P	00-05-058	296-402-100	REP	00-11-115
296-350-100	NEW	00-11-098	296-350-60020	NEW	00-11-098	296-402-110	REP-P	00-07-137
296-350-10010	NEW-P	00-05-058	296-350-60025	NEW-P	00-05-058	296-402-110	REP	00-11-115
296-350-10010	NEW	00-11-098	296-350-60025	NEW	00-11-098	296-402-120	REP-P	00-07-137
296-350-10020	NEW-P	00-05-058	296-350-60030	NEW-P	00-05-058	296-402-120	REP	00-11-115
296-350-10020	NEW	00-11-098	296-350-60030	NEW	00-11-098	296-402-130	REP-P	00-07-137
296-350-10030	NEW-P	00-05-058	296-350-60035	NEW-P	00-05-058	296-402-130	REP	00-11-115
296-350-10030	NEW	00-11-098	296-350-60035	NEW	00-11-098	296-402-140	REP-P	00-07-137
296-350-10040	NEW-P	00-05-058	296-350-60040	NEW-P	00-05-058	296-402-140	REP	00-11-115
296-350-10040	NEW	00-11-098	296-350-60040	NEW	00-11-098	296-402-150	REP-P	00-07-137
296-350-10050	NEW-P	00-05-058	296-350-60045	NEW-P	00-05-058	296-402-150	REP	00-11-115
296-350-10050	NEW	00-11-098	296-350-60045	NEW	00-11-098	296-402-160	REP-P	00-07-137
296-350-150	NEW-P	00-05-058	296-350-700	NEW-P	00-05-058	296-402-160	REP	00-11-115
296-350-150	NEW	00-11-098	296-350-700	NEW	00-11-098	296-402-170	REP-P	00-07-137
296-350-15010	NEW-P	00-05-058	296-350-70010	NEW-P	00-05-058	296-402-170	REP	00-11-115
296-350-15010	NEW	00-11-098	296-350-70010	NEW	00-11-098	296-402-180	REP-P	00-07-137
296-350-15015	NEW-P	00-05-058	296-350-70015	NEW-P	00-05-058	296-402-180	REP	00-11-115
296-350-15015	NEW	00-11-098	296-350-70015	NEW	00-11-098	296-402-190	REP-P	00-07-137
296-350-15020	NEW-P	00-05-058	296-350-70020	NEW-P	00-05-058	296-402-190	REP	00-11-115
296-350-15020	NEW	00-11-098	296-350-70020	NEW	00-11-098	296-402-200	REP-P	00-07-137
296-350-15025	NEW-P	00-05-058	296-350-70025	NEW-P	00-05-058	296-402-200	REP	00-11-115
296-350-15025	NEW	00-11-098	296-350-70025	NEW	00-11-098	296-402A-010	NEW-P	00-07-137
296-350-15030	NEW-P	00-05-058	296-350-70030	NEW-P	00-05-058	296-402A-010	NEW	00-11-115
296-350-15030	NEW	00-11-098	296-350-70030	NEW	00-11-098	296-402A-020	NEW-P	00-07-137
296-350-15035	NEW-P	00-05-058	296-350-70035	NEW-P	00-05-058	296-402A-020	NEW	00-11-115
296-350-15035	NEW	00-11-098	296-350-70035	NEW	00-11-098	296-402A-030	NEW-P	00-07-137
296-350-15040	NEW-P	00-05-058	296-350-70040	NEW-P	00-05-058	296-402A-030	NEW	00-11-115
296-350-15040	NEW	00-11-098	296-350-70040	NEW	00-11-098	296-402A-040	NEW-P	00-07-137
296-350-15045	NEW-P	00-05-058	296-350-70045	NEW-P	00-05-058	296-402A-040	NEW	00-11-115
296-350-15045	NEW	00-11-098	296-350-70045	NEW	00-11-098	296-402A-050	NEW-P	00-07-137
296-350-200	REP-P	00-05-058	296-350-70050	NEW-P	00-05-058	296-402A-050	NEW	00-11-115
296-350-200	REP	00-11-098	296-350-70050	NEW	00-11-098	296-402A-060	NEW-P	00-07-137
296-350-210	REP-P	00-05-058	296-350-70055	NEW-P	00-05-058	296-402A-060	NEW	00-11-115
296-350-210	REP	00-11-098	296-350-70055	NEW	00-11-098	296-402A-070	NEW-P	00-07-137
296-350-230	REP-P	00-05-058	296-350-70060	NEW-P	00-05-058	296-402A-070	NEW	00-11-115
296-350-230	REP	00-11-098	296-350-70060	NEW	00-11-098	296-402A-080	NEW-P	00-07-137

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-402A-080	NEW	00-11-115	296-402A-410	NEW	00-11-115	304- 12-047	NEW	00-11-028
296-402A-090	NEW-P	00-07-137	296-402A-420	NEW-P	00-07-137	304- 12-050	REP	00-11-028
296-402A-090	NEW	00-11-115	296-402A-425	NEW-P	00-07-137	304- 12-070	REP	00-11-028
296-402A-100	NEW-P	00-07-137	296-402A-430	NEW-P	00-07-137	304- 12-125	AMD	00-11-028
296-402A-100	NEW	00-11-115	296-402A-430	NEW	00-11-115	304- 12-140	REP	00-11-028
296-402A-110	NEW-P	00-07-137	296-402A-440	NEW-P	00-07-137	304- 12-145	REP	00-11-028
296-402A-110	NEW	00-11-115	296-402A-440	NEW	00-11-115	304- 12-275	REP	00-11-028
296-402A-130	NEW-P	00-07-137	296-402A-450	NEW-P	00-07-137	304- 12-290	REP	00-11-028
296-402A-130	NEW	00-11-115	296-402A-450	NEW	00-11-115	304- 12-360	REP	00-11-028
296-402A-140	NEW-P	00-07-137	296-402A-460	NEW-P	00-07-137	304- 12-370	REP	00-11-028
296-402A-140	NEW	00-11-115	296-402A-460	NEW	00-11-115	304- 12-380	REP	00-11-028
296-402A-150	NEW-P	00-07-137	296-402A-470	NEW-P	00-07-137	304- 20	AMD	00-11-028
296-402A-150	NEW	00-11-115	296-402A-470	NEW	00-11-115	304- 20-005	NEW	00-11-028
296-402A-160	NEW-P	00-07-137	296-402A-480	NEW-P	00-07-137	304- 20-010	AMD	00-11-028
296-402A-160	NEW	00-11-115	296-402A-480	NEW	00-11-115	304- 20-020	REP	00-11-028
296-402A-170	NEW-P	00-07-137	296-402A-490	NEW-P	00-07-137	304- 20-030	REP	00-11-028
296-402A-170	NEW	00-11-115	296-402A-490	NEW	00-11-115	304- 20-040	REP	00-11-028
296-402A-180	NEW-P	00-07-137	296-402A-500	NEW-P	00-07-137	304- 20-050	AMD	00-11-028
296-402A-180	NEW	00-11-115	296-402A-500	NEW	00-11-115	304- 20-060	AMD	00-11-028
296-402A-190	NEW-P	00-07-137	296-402A-510	NEW-P	00-07-137	304- 20-065	NEW	00-11-028
296-402A-190	NEW	00-11-115	296-402A-510	NEW	00-11-115	304- 20-070	AMD	00-11-028
296-402A-200	NEW-P	00-07-137	296-402A-520	NEW-P	00-07-137	304- 20-090	REP	00-11-028
296-402A-200	NEW	00-11-115	296-402A-520	NEW	00-11-115	304- 20-100	REP	00-11-028
296-402A-210	NEW-P	00-07-137	296-402A-530	NEW-P	00-07-137	304- 20-990	REP	00-11-028
296-402A-210	NEW	00-11-115	296-402A-530	NEW	00-11-115	308- 04-020	AMD-P	00-05-014
296-402A-220	NEW-P	00-07-137	296-402A-540	NEW-P	00-07-137	308- 04-020	AMD	00-08-032
296-402A-220	NEW	00-11-115	296-402A-540	NEW	00-11-115	308- 08-085	PREP	00-18-071
296-402A-230	NEW-P	00-07-137	296-402A-550	NEW-P	00-07-137	308- 12-321	PREP	00-11-172
296-402A-230	NEW	00-11-115	296-402A-550	NEW	00-11-115	308- 12-321	AMD-P	00-16-030
296-402A-240	NEW-P	00-07-137	296-402A-560	NEW-P	00-07-137	308- 12-322	PREP	00-11-172
296-402A-240	NEW	00-11-115	296-402A-560	NEW	00-11-115	308- 12-322	AMD-P	00-16-030
296-402A-250	NEW-P	00-07-137	296-402A-570	NEW-P	00-07-137	308- 12-323	PREP	00-11-172
296-402A-250	NEW	00-11-115	296-402A-570	NEW	00-11-115	308- 12-323	AMD-P	00-16-030
296-402A-260	NEW-P	00-07-137	296-402A-580	NEW-P	00-07-137	308- 12-324	PREP	00-11-172
296-402A-260	NEW	00-11-115	296-402A-580	NEW	00-11-115	308- 12-324	AMD-P	00-16-030
296-402A-270	NEW-P	00-07-137	296-402A-590	NEW-P	00-07-137	308- 12-325	PREP	00-11-172
296-402A-270	NEW	00-11-115	296-402A-590	NEW	00-11-115	308- 12-325	AMD-P	00-16-030
296-402A-290	NEW-P	00-07-137	296-402A-600	NEW-P	00-07-137	308- 20	PREP	00-18-035
296-402A-290	NEW	00-11-115	296-402A-600	NEW	00-11-115	308- 29-010	PREP	00-12-002
296-402A-300	NEW-P	00-07-137	296-402A-610	NEW-P	00-07-137	308- 29-020	PREP	00-12-002
296-402A-300	NEW	00-11-115	296-402A-610	NEW	00-11-115	308- 29-025	PREP	00-12-002
296-402A-310	NEW-P	00-07-137	296-402A-620	NEW-P	00-07-137	308- 29-030	PREP	00-12-002
296-402A-310	NEW	00-11-115	296-402A-620	NEW	00-11-115	308- 29-050	PREP	00-12-002
296-402A-320	NEW-P	00-07-137	296-402A-630	NEW-P	00-07-137	308- 29-060	PREP	00-12-002
296-402A-320	NEW	00-11-115	296-402A-630	NEW	00-11-115	308- 29-070	PREP	00-12-002
296-402A-330	NEW-P	00-07-137	296-402A-640	NEW-P	00-07-137	308- 29-080	PREP	00-12-002
296-402A-330	NEW	00-11-115	296-402A-640	NEW	00-11-115	308- 29-090	PREP	00-12-002
296-402A-340	NEW-P	00-07-137	296-402A-650	NEW-P	00-07-137	308- 29-100	PREP	00-12-002
296-402A-340	NEW	00-11-115	296-402A-650	NEW	00-11-115	308- 29-110	PREP	00-12-002
296-402A-350	NEW-P	00-07-137	296-402A-660	NEW-P	00-07-137	308- 29-120	PREP	00-12-002
296-402A-350	NEW	00-11-115	296-402A-660	NEW	00-11-115	308- 56A	PREP	00-07-092
296-402A-360	NEW-P	00-07-137	296-402A-670	NEW-P	00-07-137	308- 56A-010	AMD-P	00-16-115
296-402A-360	NEW	00-11-115	296-402A-670	NEW	00-11-115	308- 56A-015	REP-P	00-16-115
296-402A-370	NEW-P	00-07-137	296-402A-675	NEW	00-11-115	308- 56A-020	PREP	00-07-092
296-402A-370	NEW	00-11-115	296-402A-680	NEW-P	00-07-137	308- 56A-020	AMD-P	00-16-115
296-402A-380	NEW-P	00-07-137	296-402A-680	NEW	00-11-115	308- 56A-021	PREP	00-07-092
296-402A-380	NEW	00-11-115	296-402A-690	NEW-P	00-07-137	308- 56A-021	AMD-P	00-16-115
296-402A-390	NEW-P	00-07-137	296-402A-690	NEW	00-11-115	308- 56A-022	PREP	00-07-092
296-402A-390	NEW	00-11-115	296-403	PREP	00-10-116	308- 56A-022	REP-P	00-16-115
296-402A-400	NEW-P	00-07-137	304- 12-030	AMD	00-11-028	308- 56A-023	PREP	00-07-092
296-402A-400	NEW	00-11-115	304- 12-035	REP	00-11-028	308- 56A-023	REP-P	00-16-115
296-402A-410	NEW-P	00-07-137	304- 12-040	REP	00-11-028	308- 56A-090	PREP	00-07-092

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308- 56A-090	AMD-P	00-16-115	308- 57-500	REP-P	00-09-019	308- 65-150	AMD	00-13-020
308- 56A-335	PREP	00-09-018	308- 57-500	REP-W	00-11-041	308- 65-170	AMD-P	00-09-071
308- 56A-355	PREP	00-09-018	308- 58-010	REP	00-06-025	308- 65-170	AMD	00-13-020
308- 56A-450	AMD	00-04-046	308- 58-020	REP	00-06-025	308- 65-180	REP-P	00-09-071
308- 56A-455	AMD	00-04-046	308- 58-030	REP	00-06-025	308- 65-180	REP	00-13-020
308- 56A-460	AMD	00-06-025	308- 58-040	REP	00-06-025	308- 65-190	AMD-P	00-09-071
308- 56A-465	REP	00-04-046	308- 58-050	REP	00-06-025	308- 65-190	AMD	00-13-020
308- 56A-470	REP	00-04-046	308- 63	PREP	00-06-007	308- 72-500	PREP	00-08-063
308- 56A-500	AMD	00-06-004	308- 63-020	AMD-P	00-09-069	308- 72-665	PREP	00-08-063
308- 56A-500	AMD-P	00-09-007	308- 63-020	AMD	00-13-019	308- 72-690	PREP	00-08-063
308- 56A-500	AMD	00-13-083	308- 63-030	AMD-P	00-09-069	308- 72-700	PREP	00-08-063
308- 56A-505	AMD	00-06-004	308- 63-030	AMD	00-13-019	308- 72-710	PREP	00-08-063
308- 56A-510	REP	00-06-004	308- 63-040	AMD-P	00-09-069	308- 72-720	NEW-P	00-05-014
308- 56A-515	REP	00-06-004	308- 63-040	AMD	00-13-019	308- 72-720	NEW	00-08-032
308- 56A-520	REP	00-06-004	308- 63-050	AMD-P	00-09-069	308- 77	PREP	00-03-037
308- 56A-610	REP	00-06-020	308- 63-050	AMD	00-13-019	308- 77-045	PREP	00-03-037
308- 56A-620	AMD	00-06-020	308- 63-060	AMD-P	00-09-069	308- 77-045	REP-P	00-11-037
308- 56A-620	REP-P	00-09-007	308- 63-060	AMD	00-13-019	308- 77-045	REP	00-16-045
308- 56A-620	REP	00-13-083	308- 63-070	AMD-P	00-09-069	308- 77-155	PREP	00-03-037
308- 56A-640	AMD	00-06-020	308- 63-070	AMD	00-13-019	308- 77-155	AMD-P	00-11-037
308- 56A-650	REP	00-06-020	308- 63-080	AMD-P	00-09-069	308- 77-155	AMD	00-16-045
308- 56A-660	REP	00-06-020	308- 63-080	AMD	00-13-019	308- 77-165	PREP	00-03-037
308- 56A-670	REP	00-06-020	308- 63-090	AMD-P	00-09-069	308- 77-165	AMD-P	00-11-037
308- 56A-680	REP	00-06-020	308- 63-090	AMD	00-13-019	308- 77-165	AMD	00-16-045
308- 56A-690	REP	00-06-020	308- 63-100	AMD-P	00-09-069	308- 77-170	PREP	00-03-037
308- 57-005	PREP	00-06-001	308- 63-100	AMD	00-13-019	308- 77-170	AMD-P	00-11-037
308- 57-005	REP-P	00-09-019	308- 63-110	AMD-P	00-09-069	308- 77-170	AMD	00-16-045
308- 57-005	REP-W	00-11-041	308- 63-110	AMD	00-13-019	308- 77-180	PREP	00-03-037
308- 57-010	PREP	00-06-001	308- 63-120	AMD-P	00-09-069	308- 77-180	AMD-P	00-11-037
308- 57-010	REP-P	00-09-019	308- 63-120	AMD	00-13-019	308- 77-180	AMD	00-16-045
308- 57-010	REP-W	00-11-041	308- 63-130	AMD-P	00-09-069	308- 77-215	PREP	00-08-062
308- 57-020	PREP	00-06-001	308- 63-130	AMD	00-13-019	308- 77-240	PREP	00-03-037
308- 57-020	REP-P	00-09-019	308- 63-140	AMD-P	00-09-069	308- 77-240	AMD-P	00-11-037
308- 57-020	REP-W	00-11-041	308- 63-140	AMD	00-13-019	308- 77-240	AMD	00-16-045
308- 57-030	PREP	00-06-001	308- 63-150	REP-P	00-09-069	308- 77-265	PREP	00-03-037
308- 57-030	REP-P	00-09-019	308- 63-150	REP	00-13-019	308- 77-265	AMD-P	00-11-037
308- 57-030	REP-W	00-11-041	308- 63-160	AMD-P	00-09-069	308- 77-265	AMD	00-16-045
308- 57-110	PREP	00-06-001	308- 63-160	AMD	00-13-019	308- 77-270	PREP	00-03-037
308- 57-110	REP-P	00-09-019	308- 65	PREP	00-06-031	308- 77-270	REP-P	00-11-037
308- 57-110	REP-W	00-11-041	308- 65-020	AMD-P	00-09-071	308- 77-270	REP	00-16-045
308- 57-120	PREP	00-06-001	308- 65-020	AMD	00-13-020	308- 77-280	PREP	00-03-037
308- 57-120	REP-P	00-09-019	308- 65-030	AMD-P	00-09-071	308- 77-280	AMD-P	00-11-037
308- 57-120	REP-W	00-11-041	308- 65-030	AMD	00-13-020	308- 77-280	AMD	00-16-045
308- 57-130	PREP	00-06-001	308- 65-040	AMD-P	00-09-071	308- 77-290	NEW-P	00-05-014
308- 57-130	REP-P	00-09-019	308- 65-040	AMD	00-13-020	308- 77-290	NEW	00-08-032
308- 57-130	REP-W	00-11-041	308- 65-050	AMD-P	00-09-071	308- 78-010	PREP	00-08-064
308- 57-135	PREP	00-06-001	308- 65-050	AMD	00-13-020	308- 78-010	PREP	00-17-122
308- 57-135	REP-P	00-09-019	308- 65-060	AMD-P	00-09-071	308- 78-020	PREP	00-17-122
308- 57-135	REP-W	00-11-041	308- 65-060	AMD	00-13-020	308- 78-040	PREP	00-17-122
308- 57-140	PREP	00-06-001	308- 65-080	AMD-P	00-09-071	308- 78-045	PREP	00-17-122
308- 57-140	REP-P	00-09-019	308- 65-080	AMD	00-13-020	308- 78-050	PREP	00-17-122
308- 57-140	REP-W	00-11-041	308- 65-090	AMD-P	00-09-071	308- 78-060	PREP	00-17-122
308- 57-210	PREP	00-06-001	308- 65-090	AMD	00-13-020	308- 78-070	PREP	00-17-122
308- 57-210	REP-P	00-09-019	308- 65-100	AMD-P	00-09-071	308- 78-080	PREP	00-17-122
308- 57-210	REP-W	00-11-041	308- 65-100	AMD	00-13-020	308- 78-100	NEW-P	00-05-014
308- 57-230	PREP	00-06-001	308- 65-110	AMD-P	00-09-071	308- 78-100	NEW	00-08-032
308- 57-230	REP-P	00-09-019	308- 65-110	AMD	00-13-020	308- 80	PREP	00-06-032
308- 57-230	REP-W	00-11-041	308- 65-130	AMD-P	00-09-071	308- 80-015	AMD-P	00-09-070
308- 57-240	PREP	00-06-001	308- 65-130	AMD	00-13-020	308- 80-015	AMD	00-13-018
308- 57-240	REP-P	00-09-019	308- 65-140	AMD-P	00-09-071	308- 80-020	AMD-P	00-09-070
308- 57-240	REP-W	00-11-041	308- 65-140	AMD	00-13-020	308- 80-020	AMD	00-13-018
308- 57-500	PREP	00-06-001	308- 65-150	AMD-P	00-09-071	308- 88-010	REP	00-06-024

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-88-020	AMD	00-06-024	308-93-460	PREP	00-07-093	308-96A-312	PREP	00-08-043
308-88-030	REP	00-06-024	308-93-460	AMD-P	00-12-084	308-96A-313	PREP	00-08-043
308-88-040	REP	00-06-024	308-93-460	AMD-W	00-14-019	308-96A-314	PREP	00-08-043
308-88-050	REP	00-06-024	308-93-460	AMD-P	00-18-081	308-96A-316	PREP	00-08-043
308-88-170	REP	00-06-024	308-93-470	PREP	00-07-093	308-96A-345	AMD	00-03-057
308-90	PREP	00-06-033	308-93-470	AMD-P	00-12-084	308-96A-350	AMD	00-03-057
308-91-090	PREP	00-03-038	308-93-470	AMD-W	00-14-019	308-96A-355	AMD	00-03-057
308-91-090	AMD-P	00-11-037	308-93-470	AMD-P	00-18-081	308-96A-360	REP	00-03-057
308-91-090	AMD	00-16-045	308-93-640	PREP	00-07-105	308-96A-365	AMD	00-03-057
308-91-150	AMD-P	00-05-014	308-93-650	AMD-P	00-05-049	308-96A-370	REP	00-03-057
308-91-150	AMD	00-08-032	308-93-650	AMD	00-09-065	308-96A-375	REP	00-03-057
308-93-010	AMD-P	00-07-065	308-93-660	PREP	00-16-034	308-96A-380	REP	00-03-057
308-93-010	PREP	00-07-107	308-94	PREP	00-06-034	308-96A-400	PREP	00-06-001
308-93-010	AMD	00-11-131	308-94-010	REP-P	00-05-050	308-96A-400	REP-P	00-09-019
308-93-030	PREP	00-07-107	308-94-010	REP	00-09-066	308-96A-400	REP-W	00-11-041
308-93-050	PREP	00-07-107	308-94-030	PREP	00-07-094	308-96A-410	PREP	00-06-001
308-93-055	PREP	00-07-107	308-94-050	PREP	00-07-094	308-96A-410	REP-P	00-09-019
308-93-056	PREP	00-07-107	308-94-080	PREP	00-07-094	308-96A-410	REP-W	00-11-041
308-93-060	PREP	00-07-105	308-94-100	PREP	00-07-094	308-96A-550	PREP	00-07-108
308-93-069	PREP	00-07-105	308-94-160	REP-P	00-05-050	308-96A-560	PREP	00-07-108
308-93-070	PREP	00-07-105	308-94-160	REP	00-09-066	308-97-011	NEW	00-07-053
308-93-071	PREP	00-07-105	308-96A-005	AMD-P	00-03-094	308-97-230	PREP	00-06-001
308-93-073	PREP	00-07-105	308-96A-005	AMD	00-09-008	308-97-230	AMD-P	00-09-019
308-93-078	PREP	00-07-105	308-96A-065	PREP	00-07-108	308-97-230	AMD-W	00-11-041
308-93-079	PREP	00-07-107	308-96A-066	PREP	00-07-108	308-99-010	REP-P	00-07-126
308-93-086	PREP	00-16-034	308-96A-067	PREP	00-07-108	308-99-010	REP-W	00-09-009
308-93-087	PREP	00-16-034	308-96A-068	PREP	00-07-108	308-99-010	REP-P	00-16-041
308-93-090	PREP	00-07-107	308-96A-070	PREP	00-07-108	308-99-020	AMD-P	00-07-126
308-93-140	PREP	00-16-042	308-96A-071	PREP	00-07-108	308-99-020	AMD-W	00-09-009
308-93-145	AMD-P	00-05-056	308-96A-072	PREP	00-07-108	308-99-020	AMD-P	00-16-041
308-93-145	AMD	00-09-065	308-96A-073	PREP	00-07-108	308-99-021	REP-P	00-07-126
308-93-145	PREP	00-16-042	308-96A-074	PREP	00-07-108	308-99-021	REP-W	00-09-009
308-93-165	REP-P	00-05-049	308-96A-099	PREP	00-06-001	308-99-021	REP-P	00-16-041
308-93-165	REP	00-09-065	308-96A-099	AMD-P	00-09-019	308-99-025	REP-P	00-07-126
308-93-200	PREP	00-07-106	308-96A-099	AMD-W	00-11-041	308-99-025	REP-W	00-09-009
308-93-200	AMD-P	00-18-082	308-96A-135	PREP	00-06-001	308-99-025	REP-P	00-16-041
308-93-220	PREP	00-07-106	308-96A-135	REP-P	00-09-019	308-99-030	REP-P	00-07-126
308-93-220	AMD-P	00-18-082	308-96A-135	REP-W	00-11-041	308-99-030	REP-W	00-09-009
308-93-230	PREP	00-07-106	308-96A-145	PREP	00-06-001	308-99-030	REP-P	00-16-041
308-93-241	PREP	00-07-104	308-96A-145	AMD-P	00-09-019	308-99-040	AMD-P	00-07-126
308-93-241	AMD-P	00-16-094	308-96A-145	AMD-W	00-11-041	308-99-040	AMD-W	00-09-009
308-93-242	PREP	00-07-104	308-96A-175	PREP	00-06-001	308-99-040	AMD-P	00-16-041
308-93-242	AMD-P	00-16-094	308-96A-175	PREP	00-07-108	308-99-050	REP-P	00-07-126
308-93-243	PREP	00-07-104	308-96A-175	AMD-P	00-09-019	308-99-050	REP-W	00-09-009
308-93-243	AMD-P	00-16-094	308-96A-175	AMD-W	00-11-041	308-99-050	REP-P	00-16-041
308-93-244	PREP	00-07-104	308-96A-176	PREP	00-06-001	308-99-060	NEW-P	00-07-126
308-93-244	AMD-P	00-16-094	308-96A-176	PREP	00-07-108	308-99-060	NEW-W	00-09-009
308-93-245	PREP	00-07-104	308-96A-176	AMD-P	00-09-019	308-99-060	NEW-P	00-16-041
308-93-245	REP-P	00-16-094	308-96A-176	AMD-W	00-11-041	308-100-010	AMD-P	00-15-084
308-93-285	PREP	00-07-105	308-96A-180	PREP	00-06-001	308-100-010	AMD	00-18-068
308-93-295	PREP	00-07-106	308-96A-180	AMD-P	00-09-019	308-100-020	AMD-P	00-15-084
308-93-295	AMD-P	00-18-082	308-96A-180	AMD-W	00-11-041	308-100-020	AMD	00-18-068
308-93-350	PREP	00-07-105	308-96A-202	PREP	00-06-001	308-100-040	AMD-P	00-15-084
308-93-360	PREP	00-07-105	308-96A-202	AMD-P	00-09-019	308-100-040	AMD	00-18-068
308-93-440	PREP	00-07-093	308-96A-202	AMD-W	00-11-041	308-100-050	AMD-P	00-15-084
308-93-440	AMD-P	00-12-084	308-96A-203	PREP	00-06-001	308-100-050	AMD	00-18-068
308-93-440	AMD-W	00-14-019	308-96A-203	AMD-P	00-09-019	308-100-090	AMD-P	00-15-084
308-93-440	AMD-P	00-18-081	308-96A-203	AMD-W	00-11-041	308-100-090	AMD-W	00-18-066
308-93-450	PREP	00-07-093	308-96A-306	PREP	00-08-043	308-100-100	AMD-P	00-15-084
308-93-450	AMD-P	00-12-084	308-96A-306	AMD-P	00-11-120	308-100-100	AMD	00-18-068
308-93-450	AMD-W	00-14-019	308-96A-306	AMD	00-16-056	308-100-110	AMD-P	00-15-084
308-93-450	AMD-P	00-18-081	308-96A-311	PREP	00-08-043	308-100-110	AMD	00-18-068

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-100-130	AMD-P	00-15-084	308-124H-012	NEW-P	00-03-063	308-124H-525	NEW-P	00-03-063
308-100-130	AMD	00-18-068	308-124H-012	NEW	00-08-035	308-124H-525	NEW	00-08-035
308-100-140	AMD-P	00-15-084	308-124H-013	NEW-P	00-03-063	308-124H-530	AMD-P	00-03-063
308-100-140	AMD	00-18-068	308-124H-013	NEW	00-08-035	308-124H-530	AMD	00-08-035
308-100-150	AMD-P	00-15-084	308-124H-021	REP-P	00-03-063	308-124H-551	NEW-P	00-03-063
308-100-150	AMD	00-18-068	308-124H-021	REP	00-08-035	308-124H-551	NEW	00-08-035
308-100-190	AMD-P	00-15-084	308-124H-025	AMD-P	00-03-063	308-124H-580	AMD-P	00-03-063
308-100-190	AMD	00-18-068	308-124H-025	AMD	00-08-035	308-124H-580	AMD	00-08-035
308-104-004	AMD-P	00-15-085	308-124H-026	NEW-P	00-03-063	308-124H-800	AMD-P	00-03-063
308-104-004	AMD	00-18-069	308-124H-026	NEW	00-08-035	308-124H-800	AMD	00-08-035
308-104-006	AMD-P	00-15-085	308-124H-027	NEW-P	00-03-063	308-125-120	PREP	00-13-072
308-104-006	AMD	00-18-069	308-124H-027	NEW	00-08-035	308-125-200	AMD	00-04-057
308-104-008	AMD-P	00-15-085	308-124H-028	NEW-P	00-03-063	308-125-200	AMD-P	00-18-091
308-104-008	AMD	00-18-069	308-124H-028	NEW	00-08-035	308-129-100	AMD-P	00-08-005
308-104-012	AMD-P	00-15-085	308-124H-029	NEW-P	00-03-063	308-129-100	AMD	00-11-047
308-104-012	AMD	00-18-069	308-124H-029	NEW	00-08-035	308-129-230	REP-P	00-08-005
308-104-014	AMD-P	00-15-086	308-124H-031	NEW-P	00-03-063	308-129-230	REP	00-11-047
308-104-014	AMD	00-18-070	308-124H-031	NEW	00-08-035	308-300-010	PREP	00-08-067
308-104-015	REP-P	00-15-086	308-124H-034	NEW-P	00-03-063	308-300-020	PREP	00-08-067
308-104-015	REP	00-18-070	308-124H-034	NEW	00-08-035	308-300-030	PREP	00-08-067
308-104-025	AMD-P	00-15-085	308-124H-039	NEW-P	00-03-063	308-300-040	PREP	00-08-067
308-104-025	AMD	00-18-069	308-124H-039	NEW	00-08-035	308-300-050	PREP	00-08-067
308-104-035	AMD-P	00-15-085	308-124H-041	AMD-P	00-03-063	308-300-060	PREP	00-08-067
308-104-035	AMD	00-18-069	308-124H-041	AMD	00-08-035	308-300-070	PREP	00-08-067
308-104-040	AMD-P	00-15-086	308-124H-042	NEW-P	00-03-063	308-300-075	PREP	00-08-067
308-104-040	AMD	00-18-070	308-124H-042	NEW	00-08-035	308-300-080	PREP	00-08-067
308-104-047	AMD-P	00-15-085	308-124H-051	AMD-P	00-03-063	308-300-090	PREP	00-08-067
308-104-047	AMD	00-18-069	308-124H-051	AMD	00-08-035	308-300-100	PREP	00-08-067
308-104-056	AMD-P	00-15-085	308-124H-061	AMD-P	00-03-063	308-300-110	PREP	00-08-067
308-104-056	AMD	00-18-069	308-124H-061	AMD	00-08-035	308-300-120	PREP	00-08-067
308-104-060	REP-P	00-15-085	308-124H-062	AMD-P	00-03-063	308-300-130	PREP	00-08-067
308-104-060	REP	00-18-069	308-124H-062	AMD	00-08-035	308-300-140	PREP	00-08-067
308-104-070	AMD-P	00-15-085	308-124H-210	AMD-P	00-03-063	308-300-150	PREP	00-08-067
308-104-070	AMD	00-18-069	308-124H-210	AMD	00-08-035	308-300-160	PREP	00-08-067
308-104-080	AMD-P	00-15-085	308-124H-220	REP-P	00-03-063	308-300-170	PREP	00-08-067
308-104-080	AMD	00-18-069	308-124H-220	REP	00-08-035	308-300-180	PREP	00-08-067
308-104-090	AMD-P	00-15-085	308-124H-221	NEW-P	00-03-063	308-300-190	PREP	00-08-067
308-104-090	AMD	00-18-069	308-124H-221	NEW	00-08-035	308-300-200	PREP	00-08-067
308-104-100	AMD-P	00-15-086	308-124H-230	AMD-P	00-03-063	308-320	PREP	00-10-029
308-104-100	AMD	00-18-070	308-124H-230	AMD	00-08-035	308-320-010	PREP	00-10-029
308-104-105	AMD-P	00-15-086	308-124H-240	REP-P	00-03-063	308-320-020	PREP	00-10-029
308-104-105	AMD	00-18-070	308-124H-240	REP	00-08-035	308-320-030	PREP	00-10-029
308-104-109	REP-P	00-15-086	308-124H-245	NEW-P	00-03-063	308-320-040	PREP	00-10-029
308-104-109	REP	00-18-070	308-124H-245	NEW	00-08-035	308-320-050	PREP	00-10-029
308-104-120	REP-P	00-15-085	308-124H-246	NEW-P	00-03-063	308-320-060	PREP	00-10-029
308-104-120	REP	00-18-069	308-124H-246	NEW	00-08-035	308-320-070	PREP	00-10-029
308-104-130	AMD-P	00-15-086	308-124H-260	AMD-P	00-03-063	308-320-080	PREP	00-10-029
308-104-130	AMD	00-18-070	308-124H-260	AMD	00-08-035	308-320-090	PREP	00-10-029
308-104-150	AMD-P	00-15-086	308-124H-270	AMD-P	00-03-063	308-330-307	AMD-P	00-15-083
308-104-150	AMD	00-18-070	308-124H-270	AMD	00-08-035	308-330-307	AMD	00-18-067
308-104-155	AMD-P	00-15-086	308-124H-290	AMD-P	00-03-063	308-330-316	AMD-P	00-15-083
308-104-155	AMD	00-18-070	308-124H-290	AMD	00-08-035	308-330-316	AMD	00-18-067
308-104-160	AMD-P	00-15-086	308-124H-300	AMD-P	00-03-063	308-330-325	AMD-P	00-15-083
308-104-160	AMD	00-18-070	308-124H-300	AMD	00-08-035	308-330-325	AMD	00-18-067
308-104-170	AMD-P	00-15-086	308-124H-310	AMD-P	00-03-063	308-330-406	AMD-P	00-15-083
308-104-170	AMD	00-18-070	308-124H-310	AMD	00-08-035	308-330-406	AMD	00-18-067
308-124-021	AMD-P	00-03-063	308-124H-320	AMD-P	00-03-063	308-330-415	AMD-P	00-15-083
308-124-021	AMD	00-08-035	308-124H-320	AMD	00-08-035	308-330-415	AMD	00-18-067
308-124E-013	AMD-P	00-03-063	308-124H-510	AMD-P	00-03-063	308-330-421	AMD-P	00-15-083
308-124E-013	AMD	00-08-035	308-124H-510	AMD	00-08-035	308-330-421	AMD	00-18-067
308-124H-011	AMD-P	00-03-063	308-124H-520	REP-P	00-03-063	308-330-423	AMD-P	00-15-083
308-124H-011	AMD	00-08-035	308-124H-520	REP	00-08-035	308-330-423	AMD	00-18-067

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314- 02-010	NEW	00-07-091	314- 14-140	REP-P	00-17-182	314- 20-180	REP-P	00-09-095
314- 02-015	NEW	00-07-091	314- 14-150	REP-P	00-17-182	314- 20-180	REP	00-17-065
314- 02-020	NEW	00-07-091	314- 14-160	REP-P	00-17-182	314- 24-095	REP-P	00-09-095
314- 02-025	NEW	00-07-091	314- 14-165	REP-P	00-17-182	314- 24-095	REP	00-17-065
314- 02-030	NEW	00-07-091	314- 14-170	REP-P	00-17-182	314- 24-110	REP-P	00-09-095
314- 02-035	NEW	00-07-091	314- 15-010	REP	00-07-117	314- 24-110	REP	00-17-065
314- 02-040	NEW	00-07-091	314- 15-020	REP	00-07-117	314- 24-120	AMD-P	00-09-095
314- 02-045	NEW	00-07-091	314- 15-030	REP	00-07-117	314- 24-120	AMD	00-17-065
314- 02-050	NEW	00-07-091	314- 15-040	REP	00-07-117	314- 24-160	AMD-P	00-09-095
314- 02-055	NEW	00-07-091	314- 15-050	REP	00-07-117	314- 24-160	AMD	00-17-065
314- 02-060	NEW	00-07-091	314- 16-040	AMD-XA	00-07-116	314- 26-010	REP-P	00-09-095
314- 02-065	NEW	00-07-091	314- 16-040	AMD	00-12-051	314- 26-010	REP	00-17-065
314- 02-070	NEW	00-07-091	314- 16-055	REP	00-07-117	314- 37	PREP	00-02-087
314- 02-075	NEW	00-07-091	314- 16-115	REP	00-07-117	314- 42-010	NEW-P	00-02-089
314- 02-080	NEW	00-07-091	314- 16-130	REP-P	00-09-095	314- 42-010	NEW	00-06-016
314- 02-085	NEW	00-07-091	314- 16-130	REP-W	00-12-030	314- 48-010	PREP	00-02-087
314- 02-090	NEW	00-07-091	314- 16-130	REP	00-17-065	314- 56-010	REP-XR	00-02-086
314- 02-095	NEW	00-07-091	314- 16-140	REP	00-07-117	314- 56-010	REP	00-12-012
314- 02-100	NEW	00-07-091	314- 16-180	REP	00-07-117	314- 56-020	REP-XR	00-02-086
314- 02-105	NEW	00-07-091	314- 16-190	AMD-XA	00-07-116	314- 56-020	REP	00-12-012
314- 02-110	NEW	00-07-091	314- 16-190	REP-W	00-12-030	314- 60	PREP	00-02-088
314- 02-115	NEW	00-07-091	314- 16-190	AMD	00-12-051	314- 62	PREP	00-02-088
314- 02-120	NEW	00-07-091	314- 16-196	AMD-XA	00-07-116	314- 64	PREP	00-02-087
314- 02-125	NEW	00-07-091	314- 16-196	REP-W	00-12-030	314- 76-010	PREP	00-02-087
314- 02-130	NEW	00-07-091	314- 16-196	AMD	00-12-051	314- 78-010	REP-XR	00-02-086
314- 13-005	NEW-P	00-17-182	314- 16-197	REP	00-07-117	314- 78-010	REP	00-12-012
314- 13-010	NEW-P	00-17-182	314- 16-199	REP	00-07-117	315- 04	PREP	00-16-044
314- 13-015	NEW-P	00-17-182	314- 16-200	REP	00-07-117	315- 04	PREP	00-16-092
314- 13-020	NEW-P	00-17-182	314- 16-205	REP	00-07-117	315- 04-020	PREP	00-11-016
314- 13-025	NEW-P	00-17-182	314- 16-210	REP	00-07-117	315- 04-020	AMD-P	00-18-036
314- 13-030	NEW-P	00-17-182	314- 16-240	REP	00-07-117	315- 06-120	PREP	00-05-059
314- 13-035	NEW-P	00-17-182	314- 16-250	REP	00-12-011	315- 06-120	AMD-P	00-07-130
314- 13-040	NEW-P	00-17-182	314- 19-005	NEW-P	00-09-095	315- 06-120	AMD	00-12-032
314- 13-045	NEW-P	00-17-182	314- 19-005	NEW	00-17-065	315- 06-120	PREP	00-14-049
314- 13-050	NEW-P	00-17-182	314- 19-010	NEW-P	00-09-095	315- 06-120	AMD-P	00-18-037
314- 13-055	NEW-P	00-17-182	314- 19-010	NEW	00-17-065	315- 11A-165	REP-XR	00-02-055
314- 13-060	NEW-P	00-17-182	314- 19-015	NEW-P	00-09-095	315- 11A-165	REP	00-07-131
314- 13-065	NEW-P	00-17-182	314- 19-015	NEW	00-17-065	315- 11A-187	REP-XR	00-02-055
314- 13-070	NEW-P	00-17-182	314- 19-020	NEW-P	00-09-095	315- 11A-187	REP	00-07-131
314- 13-075	NEW-P	00-17-182	314- 19-020	NEW	00-17-065	315- 11A-188	REP-XR	00-02-055
314- 13-080	NEW-P	00-17-182	314- 19-025	NEW-P	00-09-095	315- 11A-188	REP	00-07-131
314- 13-085	NEW-P	00-17-182	314- 19-025	NEW	00-17-065	315- 11A-189	REP-XR	00-02-055
314- 13-090	NEW-P	00-17-182	314- 19-030	NEW-P	00-09-095	315- 11A-189	REP	00-07-131
314- 13-095	NEW-P	00-17-182	314- 19-030	NEW	00-17-065	315- 11A-190	REP-XR	00-02-055
314- 13-100	NEW-P	00-17-182	314- 19-035	NEW-P	00-09-095	315- 11A-190	REP	00-07-131
314- 13-105	NEW-P	00-17-182	314- 19-035	NEW	00-17-065	315- 11A-191	REP-XR	00-02-055
314- 13-110	NEW-P	00-17-182	314- 19-040	NEW-P	00-09-095	315- 11A-191	REP	00-07-131
314- 13-115	NEW-P	00-17-182	314- 19-040	NEW	00-17-065	315- 11A-192	REP-XR	00-02-055
314- 14	REP-P	00-17-182	314- 20-010	REP-P	00-09-095	315- 11A-192	REP	00-07-131
314- 14-010	REP-P	00-17-182	314- 20-010	REP	00-17-065	315- 11A-193	REP-XR	00-02-055
314- 14-020	REP-P	00-17-182	314- 20-015	AMD-P	00-09-095	315- 11A-193	REP	00-07-131
314- 14-030	REP-P	00-17-182	314- 20-015	AMD	00-17-065	315- 11A-194	REP-XR	00-02-055
314- 14-040	REP-P	00-17-182	314- 20-040	REP-P	00-09-095	315- 11A-194	REP	00-07-131
314- 14-050	REP-P	00-17-182	314- 20-040	REP	00-17-065	315- 11A-195	REP-XR	00-02-055
314- 14-060	REP-P	00-17-182	314- 20-060	REP-P	00-09-095	315- 11A-195	REP	00-07-131
314- 14-070	REP-P	00-17-182	314- 20-060	REP	00-17-065	315- 11A-196	REP-XR	00-02-055
314- 14-080	REP-P	00-17-182	314- 20-150	REP-P	00-09-095	315- 11A-196	REP	00-07-131
314- 14-090	REP-P	00-17-182	314- 20-150	REP	00-17-065	315- 11A-197	REP-XR	00-02-055
314- 14-100	REP-P	00-17-182	314- 20-160	AMD-P	00-09-095	315- 11A-197	REP	00-07-131
314- 14-110	REP-P	00-17-182	314- 20-160	AMD	00-17-065	315- 11A-198	REP-XR	00-02-055
314- 14-120	REP-P	00-17-182	314- 20-170	AMD-P	00-09-095	315- 11A-198	REP	00-07-131

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315- 11A-199	REP	00-07-131	317- 21-255	REP	00-16-134	352- 32-130	AMD-P	00-10-117
315- 11A-200	REP-XR	00-02-055	317- 21-260	REP-XR	00-12-091	352- 32-130	AMD	00-13-070
315- 11A-200	REP	00-07-131	317- 21-260	REP	00-16-134	352- 32-150	AMD-P	00-10-117
315- 11A-201	REP-XR	00-02-055	317- 21-265	REP-XR	00-12-091	352- 32-150	AMD	00-13-070
315- 11A-201	REP	00-07-131	317- 21-265	REP	00-16-134	352- 32-15001	AMD-P	00-10-117
315- 11A-202	REP-XR	00-02-055	317- 21-540	REP-XR	00-12-091	352- 32-15001	AMD	00-13-070
315- 11A-202	REP	00-07-131	317- 21-540	REP	00-16-134	352- 32-155	AMD-P	00-10-117
315- 11A-203	REP-XR	00-02-055	326- 30-041	PREP	00-10-105	352- 32-155	AMD	00-13-070
315- 11A-203	REP	00-07-131	326- 30-041	AMD-P	00-13-112	352- 32-157	AMD-P	00-10-117
315- 11A-204	REP-XR	00-02-055	326- 30-041	AMD	00-17-059	352- 32-157	AMD	00-13-070
315- 11A-204	REP	00-07-131	332- 30-118	REP-XR	00-15-057	352- 32-165	AMD-P	00-10-117
315- 11A-205	REP-XR	00-02-055	332- 30-134	REP-XR	00-15-058	352- 32-165	AMD	00-13-070
315- 11A-205	REP	00-07-131	332- 30-142	REP-XR	00-15-059	352- 32-195	AMD-P	00-10-117
315- 11A-206	REP-XR	00-02-055	332- 30-154	REP-XR	00-15-060	352- 32-195	AMD	00-13-070
315- 11A-206	REP	00-07-131	332- 30-161	REP-XR	00-15-061	352- 32-200	AMD-P	00-10-117
315- 11A-207	REP-XR	00-02-055	332- 30-169	REP-XR	00-15-062	352- 32-200	AMD	00-13-070
315- 11A-207	REP	00-07-131	332-130-050	AMD-P	00-08-034	352- 32-210	AMD-P	00-10-117
315- 11A-208	REP-XR	00-02-055	332-130-050	AMD	00-17-063	352- 32-210	AMD	00-13-070
315- 11A-208	REP	00-07-131	352- 04	PREP	00-12-096	352- 32-215	AMD-P	00-10-117
315- 11A-209	REP-XR	00-02-055	352- 04	PREP	00-16-157	352- 32-215	AMD	00-13-070
315- 11A-209	REP	00-07-131	352- 11	PREP	00-16-157	352- 32-230	AMD-P	00-10-117
315- 11A-210	REP-XR	00-02-055	352- 12	PREP	00-16-157	352- 32-230	AMD	00-13-070
315- 11A-210	REP	00-07-131	352- 16	PREP	00-16-157	352- 32-235	AMD-P	00-10-117
315- 11A-211	REP-XR	00-02-055	352- 20	PREP	00-16-157	352- 32-235	AMD	00-13-070
315- 11A-211	REP	00-07-131	352- 24	PREP	00-16-157	352- 32-250	AMD-P	00-10-117
315- 11A-212	REP-XR	00-02-055	352- 28	PREP	00-16-157	352- 32-250	AMD	00-13-070
315- 11A-212	REP	00-07-131	352- 32	PREP	00-04-081	352- 32-251	AMD-P	00-10-117
315- 11A-213	REP-XR	00-02-055	352- 32	PREP	00-16-157	352- 32-251	AMD	00-13-070
315- 11A-213	REP	00-07-131	352- 32-010	AMD-P	00-10-117	352- 32-255	AMD-P	00-10-117
315- 11A-214	REP-XR	00-02-055	352- 32-010	AMD	00-13-070	352- 32-255	AMD	00-13-070
315- 11A-214	REP	00-07-131	352- 32-011	AMD-P	00-10-117	352- 32-280	AMD-P	00-10-117
315- 11A-215	REP-XR	00-14-057	352- 32-011	AMD	00-13-070	352- 32-280	AMD	00-13-070
315- 11A-216	REP-XR	00-14-057	352- 32-030	AMD-P	00-10-117	352- 32-285	PREP	00-04-081
315- 11A-217	REP-XR	00-14-057	352- 32-030	AMD	00-13-070	352- 32-285	AMD-P	00-10-117
315- 36-100	PREP	00-17-101	352- 32-040	AMD-P	00-10-117	352- 32-285	AMD	00-13-070
317- 10	PREP	00-05-096	352- 32-040	AMD	00-13-070	352- 32-290	AMD-P	00-10-117
317- 21	PREP	00-18-106	352- 32-045	AMD-P	00-10-117	352- 32-290	AMD	00-13-070
317- 21-130	REP-XR	00-12-091	352- 32-045	AMD	00-13-070	352- 32-330	AMD-P	00-10-117
317- 21-130	REP	00-16-134	352- 32-050	AMD-P	00-10-117	352- 32-330	AMD	00-13-070
317- 21-200	REP-XR	00-12-091	352- 32-050	AMD	00-13-070	352- 37	PREP	00-16-157
317- 21-200	REP	00-16-134	352- 32-053	AMD-P	00-10-117	352- 40	PREP	00-16-157
317- 21-205	REP-XR	00-12-091	352- 32-053	AMD	00-13-070	352- 44	PREP	00-16-157
317- 21-205	REP	00-16-134	352- 32-056	AMD-P	00-10-117	352- 48	PREP	00-16-157
317- 21-210	REP-XR	00-12-091	352- 32-056	AMD	00-13-070	352- 52	PREP	00-16-157
317- 21-210	REP	00-16-134	352- 32-060	AMD-P	00-10-117	352- 56	PREP	00-16-157
317- 21-215	REP-XR	00-12-091	352- 32-060	AMD	00-13-070	352- 60	PREP	00-16-157
317- 21-215	REP	00-16-134	352- 32-070	AMD-P	00-10-117	352- 64	PREP	00-12-095
317- 21-220	REP-XR	00-12-091	352- 32-070	AMD	00-13-070	352- 64	PREP	00-16-157
317- 21-220	REP	00-16-134	352- 32-075	AMD-P	00-10-117	352- 65	PREP	00-12-095
317- 21-225	REP-XR	00-12-091	352- 32-075	AMD	00-13-070	352- 65	PREP	00-16-157
317- 21-225	REP	00-16-134	352- 32-080	AMD-P	00-10-117	352- 66	PREP	00-16-157
317- 21-230	REP-XR	00-12-091	352- 32-080	AMD	00-13-070	352- 67	PREP	00-16-157
317- 21-230	REP	00-16-134	352- 32-085	AMD-P	00-10-117	352- 68	PREP	00-16-157
317- 21-235	REP-XR	00-12-091	352- 32-085	AMD	00-13-070	352- 70	PREP	00-12-094
317- 21-235	REP	00-16-134	352- 32-090	AMD-P	00-10-117	352- 70	PREP	00-16-157
317- 21-240	REP-XR	00-12-091	352- 32-090	AMD	00-13-070	352- 70	AMD-P	00-16-158
317- 21-240	REP	00-16-134	352- 32-100	AMD-P	00-10-117	352- 70-010	AMD-P	00-16-158
317- 21-245	REP-XR	00-12-091	352- 32-100	AMD	00-13-070	352- 70-020	AMD-P	00-16-158
317- 21-245	REP	00-16-134	352- 32-110	AMD-P	00-10-117	352- 70-030	AMD-P	00-16-158
317- 21-250	REP-XR	00-12-091	352- 32-110	AMD	00-13-070	352- 70-035	NEW-P	00-16-158
317- 21-250	REP	00-16-134	352- 32-120	AMD-P	00-10-117	352- 70-040	AMD-P	00-16-158

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352- 70-060	AMD-P	00-16-158	363-116-080	PREP	00-13-098	388- 02-0015	NEW	00-18-059
352- 74	PREP	00-16-157	363-116-082	PREP	00-13-098	388- 02-0020	NEW-P	00-10-034
352- 75	PREP	00-16-157	363-116-185	AMD-P	00-10-074	388- 02-0020	NEW	00-18-059
352- 76	PREP	00-12-095	363-116-185	AMD	00-13-097	388- 02-0025	NEW-P	00-10-034
352- 76	PREP	00-16-157	363-116-300	AMD-P	00-08-106	388- 02-0025	NEW	00-18-059
356- 14-045	AMD-P	00-04-052	363-116-300	AMD	00-11-119	388- 02-0030	NEW-P	00-10-034
356- 14-045	AMD-C	00-06-050	365- 18-010	NEW	00-09-060	388- 02-0030	NEW	00-18-059
356- 14-045	AMD	00-10-026	365- 18-020	NEW	00-09-060	388- 02-0035	NEW-P	00-10-034
356- 14-070	AMD-P	00-12-074	365- 18-030	NEW	00-09-060	388- 02-0035	NEW	00-18-059
356- 14-070	AMD	00-16-004	365- 18-040	NEW	00-09-060	388- 02-0040	NEW-P	00-10-034
356- 14-140	AMD-P	00-12-073	365- 18-050	NEW	00-09-060	388- 02-0040	NEW	00-18-059
356- 14-140	AMD	00-16-005	365- 18-060	NEW	00-09-060	388- 02-0045	NEW-P	00-10-034
356- 15-100	AMD-W	00-10-025	365- 18-070	NEW	00-09-060	388- 02-0045	NEW	00-18-059
356- 15-110	AMD-W	00-10-025	365- 18-080	NEW	00-09-060	388- 02-0050	NEW-P	00-10-034
356- 22-220	AMD-P	00-12-072	365- 18-090	NEW	00-09-060	388- 02-0050	NEW	00-18-059
356- 22-220	AMD-C	00-16-003	365- 18-100	NEW	00-09-060	388- 02-0055	NEW-P	00-10-034
356- 22-220	AMD-W	00-18-027	365- 18-110	NEW	00-09-060	388- 02-0055	NEW	00-18-059
356- 22-220	AMD-P	00-18-028	365- 18-120	NEW	00-09-060	388- 02-0060	NEW-P	00-10-034
356- 26-040	AMD-P	00-04-052	365-120	AMD	00-05-020	388- 02-0060	NEW	00-18-059
356- 26-040	AMD-C	00-06-050	365-120-010	AMD	00-05-020	388- 02-0065	NEW-P	00-10-034
356- 26-040	AMD	00-10-026	365-120-020	AMD	00-05-020	388- 02-0065	NEW	00-18-059
356- 30-075	AMD-P	00-04-052	365-120-030	AMD	00-05-020	388- 02-0070	NEW-P	00-10-034
356- 30-075	AMD-C	00-06-050	365-120-040	AMD	00-05-020	388- 02-0070	NEW	00-18-059
356- 30-075	AMD	00-10-026	365-120-050	AMD	00-05-020	388- 02-0075	NEW-P	00-10-034
356- 30-331	AMD-P	00-06-047	365-120-060	AMD	00-05-020	388- 02-0075	NEW	00-18-059
356- 30-331	AMD	00-11-122	365-120-070	NEW	00-05-020	388- 02-0080	NEW-P	00-10-034
359- 14-010	NEW-P	00-04-054	365-120-080	NEW	00-05-020	388- 02-0080	NEW	00-18-059
359- 14-010	NEW-C	00-06-049	365-120-090	NEW	00-05-020	388- 02-0085	NEW-P	00-10-034
359- 14-010	NEW	00-10-028	365-135-020	AMD	00-02-061	388- 02-0085	NEW	00-18-059
359- 14-020	NEW-P	00-04-054	365-195-900	NEW-P	00-03-066	388- 02-0090	NEW-P	00-10-034
359- 14-020	NEW-C	00-06-049	365-195-900	NEW	00-16-064	388- 02-0090	NEW	00-18-059
359- 14-020	NEW	00-10-028	365-195-905	NEW-P	00-03-066	388- 02-0095	NEW-P	00-10-034
359- 14-030	NEW-P	00-04-054	365-195-905	NEW	00-16-064	388- 02-0095	NEW	00-18-059
359- 14-030	NEW-C	00-06-049	365-195-910	NEW-P	00-03-066	388- 02-0100	NEW-P	00-10-034
359- 14-030	NEW	00-10-028	365-195-910	NEW	00-16-064	388- 02-0100	NEW	00-18-059
359- 14-050	NEW-P	00-04-054	365-195-915	NEW-P	00-03-066	388- 02-0105	NEW-P	00-10-034
359- 14-050	NEW-C	00-06-049	365-195-915	NEW	00-16-064	388- 02-0105	NEW	00-18-059
359- 14-050	NEW	00-10-028	365-195-920	NEW-P	00-03-066	388- 02-0110	NEW-P	00-10-034
359- 14-070	NEW-P	00-04-054	365-195-920	NEW	00-16-064	388- 02-0110	NEW	00-18-059
359- 14-070	NEW-C	00-06-049	365-195-925	NEW-P	00-03-066	388- 02-0115	NEW-P	00-10-034
359- 14-070	NEW	00-10-028	365-195-925	NEW	00-16-064	388- 02-0115	NEW	00-18-059
359- 14-080	NEW-P	00-04-054	365-197-010	NEW-P	00-03-067	388- 02-0120	NEW-P	00-10-034
359- 14-080	NEW-C	00-06-049	365-197-010	NEW-W	00-16-097	388- 02-0120	NEW	00-18-059
359- 14-080	NEW	00-10-028	365-197-020	NEW-P	00-03-067	388- 02-0125	NEW-P	00-10-034
359- 14-100	NEW-P	00-04-054	365-197-020	NEW-W	00-16-097	388- 02-0125	NEW	00-18-059
359- 14-100	NEW-C	00-06-049	365-197-030	NEW-P	00-03-067	388- 02-0130	NEW-P	00-10-034
359- 14-100	NEW	00-10-028	365-197-030	NEW-W	00-16-097	388- 02-0130	NEW	00-18-059
359- 14-130	NEW-P	00-04-054	365-197-040	NEW-P	00-03-067	388- 02-0135	NEW-P	00-10-034
359- 14-130	NEW-C	00-06-049	365-197-040	NEW-W	00-16-097	388- 02-0135	NEW	00-18-059
359- 14-130	NEW	00-10-028	365-197-050	NEW-P	00-03-067	388- 02-0140	NEW-P	00-10-034
359- 40-010	NEW-P	00-04-054	365-197-050	NEW-W	00-16-097	388- 02-0140	NEW	00-18-059
359- 40-010	NEW-C	00-06-049	365-197-060	NEW-P	00-03-067	388- 02-0145	NEW-P	00-10-034
359- 40-010	NEW	00-10-028	365-197-060	NEW-W	00-16-097	388- 02-0145	NEW	00-18-059
359- 40-020	NEW-P	00-04-054	365-197-070	NEW-P	00-03-067	388- 02-0150	NEW-P	00-10-034
359- 40-020	NEW-C	00-06-049	365-197-070	NEW-W	00-16-097	388- 02-0150	NEW	00-18-059
359- 40-020	NEW	00-10-028	365-197-080	NEW-P	00-03-067	388- 02-0155	NEW-P	00-10-034
359- 40-050	NEW-P	00-04-054	365-197-080	NEW-W	00-16-097	388- 02-0155	NEW	00-18-059
359- 40-050	NEW-C	00-06-049	388- 02-0005	NEW-P	00-10-034	388- 02-0160	NEW-P	00-10-034
359- 40-050	NEW	00-10-028	388- 02-0005	NEW	00-18-059	388- 02-0160	NEW	00-18-059
359- 40-060	NEW-P	00-04-054	388- 02-0010	NEW-P	00-10-034	388- 02-0165	NEW-P	00-10-034
359- 40-060	NEW-C	00-06-049	388- 02-0010	NEW	00-18-059	388- 02-0165	NEW	00-18-059

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-02-0635	NEW-P	00-10-034	388-08-461	REP-P	00-10-094	388-11-170	REP-P	00-16-114
388-02-0635	NEW	00-18-059	388-08-461	REP	00-18-058	388-11-180	PREP	00-06-039
388-02-0640	NEW-P	00-10-034	388-08-462	REP-P	00-10-094	388-11-180	REP-P	00-16-114
388-02-0640	NEW	00-18-059	388-08-462	REP	00-18-058	388-11-205	PREP	00-06-039
388-02-0645	NEW-P	00-10-034	388-08-464	REP-P	00-10-094	388-11-205	REP-P	00-16-114
388-02-0645	NEW	00-18-059	388-08-464	REP	00-18-058	388-11-210	PREP	00-06-039
388-02-0650	NEW-P	00-10-034	388-08-466	REP-P	00-10-094	388-11-210	REP-P	00-16-114
388-02-0650	NEW	00-18-059	388-08-466	REP	00-18-058	388-11-215	PREP	00-06-039
388-03-010	NEW	00-06-014	388-08-470	REP-P	00-10-094	388-11-215	REP-P	00-16-114
388-03-020	NEW	00-06-014	388-08-470	REP	00-18-058	388-11-220	PREP	00-06-039
388-03-030	NEW	00-06-014	388-08-515	REP-P	00-10-094	388-11-220	REP-P	00-16-114
388-03-050	NEW	00-06-014	388-08-515	REP	00-18-058	388-11-280	PREP	00-06-039
388-03-060	NEW	00-06-014	388-08-525	REP-P	00-10-094	388-11-280	REP-P	00-16-114
388-03-110	NEW	00-06-014	388-08-525	REP	00-18-058	388-11-285	PREP	00-06-039
388-03-112	NEW	00-06-014	388-08-535	REP-P	00-10-094	388-11-285	REP-P	00-10-096
388-03-114	NEW	00-06-014	388-08-535	REP	00-18-058	388-11-285	REP	00-15-016
388-03-115	NEW	00-06-014	388-08-545	REP-P	00-10-094	388-11-290	PREP	00-06-039
388-03-116	NEW	00-06-014	388-08-545	REP	00-18-058	388-11-290	REP-P	00-10-096
388-03-117	NEW	00-06-014	388-08-555	REP-P	00-10-094	388-11-290	REP	00-15-016
388-03-118	NEW	00-06-014	388-08-555	REP	00-18-058	388-11-295	PREP	00-06-039
388-03-120	NEW	00-06-014	388-08-565	REP-P	00-10-094	388-11-295	REP-P	00-10-096
388-03-122	NEW	00-06-014	388-08-565	REP	00-18-058	388-11-295	REP	00-15-016
388-03-123	NEW	00-06-014	388-08-575	REP-P	00-10-094	388-11-300	PREP	00-06-039
388-03-124	NEW	00-06-014	388-08-575	REP	00-18-058	388-11-300	REP-P	00-16-114
388-03-125	NEW	00-06-014	388-08-585	REP-P	00-10-094	388-11-305	PREP	00-06-039
388-03-126	NEW	00-06-014	388-08-585	REP	00-18-058	388-11-305	AMD-P	00-10-096
388-03-130	NEW	00-06-014	388-11-011	PREP	00-06-039	388-11-305	AMD	00-15-016
388-03-132	NEW	00-06-014	388-11-011	AMD-P	00-10-096	388-11-305	REP-P	00-16-114
388-03-133	NEW	00-06-014	388-11-011	AMD	00-15-016	388-11-310	PREP	00-06-039
388-03-135	NEW	00-06-014	388-11-011	REP-P	00-16-114	388-11-310	AMD-P	00-10-096
388-03-138	NEW	00-06-014	388-11-015	PREP	00-06-039	388-11-310	AMD	00-15-016
388-03-140	NEW	00-06-014	388-11-015	REP-P	00-16-114	388-11-310	REP-P	00-16-114
388-03-150	NEW	00-06-014	388-11-045	PREP	00-06-039	388-11-315	PREP	00-06-039
388-03-152	NEW	00-06-014	388-11-045	REP-P	00-16-114	388-11-315	REP-P	00-06-068
388-03-154	NEW	00-06-014	388-11-048	PREP	00-06-039	388-11-315	REP	00-09-076
388-03-156	NEW	00-06-014	388-11-048	REP-P	00-16-114	388-11-320	PREP	00-06-039
388-03-170	NEW	00-06-014	388-11-065	PREP	00-06-039	388-11-320	REP-P	00-16-114
388-03-172	NEW	00-06-014	388-11-065	REP-P	00-16-114	388-11-325	PREP	00-06-039
388-03-174	NEW	00-06-014	388-11-067	PREP	00-06-039	388-11-325	REP-P	00-16-114
388-03-176	NEW	00-06-014	388-11-067	REP-P	00-16-114	388-11-330	PREP	00-06-039
388-08-410	REP-P	00-10-094	388-11-100	PREP	00-06-039	388-11-330	REP-P	00-16-114
388-08-410	REP	00-18-058	388-11-100	AMD-P	00-10-096	388-11-335	PREP	00-06-039
388-08-413	REP-P	00-10-094	388-11-100	AMD	00-15-016	388-11-335	REP-P	00-16-114
388-08-413	REP	00-18-058	388-11-100	REP-P	00-16-114	388-11-340	PREP	00-06-039
388-08-425	REP-P	00-10-094	388-11-120	PREP	00-06-039	388-11-340	REP-P	00-16-114
388-08-425	REP	00-18-058	388-11-120	AMD-P	00-10-096	388-11-400	PREP	00-06-039
388-08-428	REP-P	00-10-094	388-11-120	AMD	00-15-016	388-11-400	REP-P	00-10-096
388-08-428	REP	00-18-058	388-11-120	REP-P	00-16-114	388-11-400	REP	00-15-016
388-08-431	REP-P	00-10-094	388-11-135	PREP	00-06-039	388-11-410	PREP	00-06-039
388-08-431	REP	00-18-058	388-11-135	REP-P	00-16-114	388-11-410	REP-P	00-10-096
388-08-434	REP-P	00-10-094	388-11-140	PREP	00-06-039	388-11-410	REP	00-15-016
388-08-434	REP	00-18-058	388-11-140	REP-P	00-16-114	388-11-415	PREP	00-06-039
388-08-437	REP-P	00-10-094	388-11-143	REP-P	00-16-114	388-11-415	REP-P	00-10-096
388-08-437	REP	00-18-058	388-11-145	PREP	00-06-039	388-11-415	REP	00-15-016
388-08-440	REP-P	00-10-094	388-11-145	REP-P	00-16-114	388-11-420	PREP	00-06-039
388-08-440	REP	00-18-058	388-11-150	PREP	00-06-039	388-11-420	REP-P	00-10-096
388-08-446	REP-P	00-10-094	388-11-150	AMD-P	00-10-096	388-11-420	REP	00-15-016
388-08-446	REP	00-18-058	388-11-150	AMD	00-15-016	388-11-425	PREP	00-06-039
388-08-449	REP-P	00-10-094	388-11-150	REP-P	00-16-114	388-11-425	REP-P	00-10-096
388-08-449	REP	00-18-058	388-11-155	PREP	00-06-039	388-11-425	REP	00-15-016
388-08-452	REP-P	00-10-094	388-11-155	REP-P	00-16-114	388-11-430	PREP	00-06-039
388-08-452	REP	00-18-058	388-11-170	PREP	00-06-039	388-11-430	REP-P	00-10-096

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-3105	NEW-P	00-10-096	388- 14A-4115	NEW-P	00-16-114	388- 15-041	NEW-P	00-17-188
388- 14A-3105	NEW	00-15-016	388- 14A-4120	NEW-P	00-16-114	388- 15-045	NEW-P	00-17-188
388- 14A-3110	NEW-P	00-10-096	388- 14A-4130	NEW-P	00-16-114	388- 15-049	NEW-P	00-17-188
388- 14A-3110	NEW	00-15-016	388- 14A-4200	NEW-P	00-16-114	388- 15-053	NEW-P	00-17-188
388- 14A-3115	NEW-P	00-10-096	388- 14A-4300	NEW-P	00-16-114	388- 15-057	NEW-P	00-17-188
388- 14A-3115	NEW	00-15-016	388- 14A-4500	NEW-P	00-16-114	388- 15-061	NEW-P	00-17-188
388- 14A-3120	NEW-P	00-10-096	388- 14A-4505	NEW-P	00-16-114	388- 15-065	NEW-P	00-17-188
388- 14A-3120	NEW	00-15-016	388- 14A-4510	NEW-P	00-16-114	388- 15-069	NEW-P	00-17-188
388- 14A-3125	NEW-P	00-10-096	388- 14A-4515	NEW-P	00-16-114	388- 15-073	NEW-P	00-17-188
388- 14A-3125	NEW	00-15-016	388- 14A-4520	NEW-P	00-16-114	388- 15-077	NEW-P	00-17-188
388- 14A-3130	NEW-P	00-10-096	388- 14A-4525	NEW-P	00-16-114	388- 15-081	NEW-P	00-17-188
388- 14A-3130	NEW	00-15-016	388- 14A-4530	NEW-P	00-16-114	388- 15-085	NEW-P	00-17-188
388- 14A-3131	NEW-P	00-10-096	388- 14A-4600	NEW-P	00-16-114	388- 15-089	NEW-P	00-17-188
388- 14A-3131	NEW	00-15-016	388- 14A-4605	NEW-P	00-16-114	388- 15-093	NEW-P	00-17-188
388- 14A-3132	NEW-P	00-10-096	388- 14A-4610	NEW-P	00-16-114	388- 15-097	NEW-P	00-17-188
388- 14A-3132	NEW	00-15-016	388- 14A-4615	NEW-P	00-16-114	388- 15-101	NEW-P	00-17-188
388- 14A-3133	NEW-P	00-10-096	388- 14A-4620	NEW-P	00-16-114	388- 15-105	NEW-P	00-17-188
388- 14A-3133	NEW	00-15-016	388- 14A-5000	NEW-P	00-16-114	388- 15-109	NEW-P	00-17-188
388- 14A-3135	NEW-P	00-10-096	388- 14A-5050	NEW-P	00-16-114	388- 15-113	NEW-P	00-17-188
388- 14A-3135	NEW	00-15-016	388- 14A-5100	NEW-P	00-16-114	388- 15-117	NEW-P	00-17-188
388- 14A-3140	NEW-P	00-10-096	388- 14A-5200	NEW-P	00-16-114	388- 15-120	REP	00-03-029
388- 14A-3140	NEW	00-15-016	388- 14A-5300	NEW-P	00-16-114	388- 15-121	NEW-P	00-17-188
388- 14A-3200	NEW-P	00-10-096	388- 14A-5400	NEW-P	00-16-114	388- 15-125	NEW-P	00-17-188
388- 14A-3200	NEW	00-15-016	388- 14A-5500	NEW-P	00-16-114	388- 15-129	NEW-P	00-17-188
388- 14A-3205	NEW-P	00-10-096	388- 14A-5505	NEW-P	00-16-114	388- 15-130	REP-P	00-17-188
388- 14A-3205	NEW	00-15-016	388- 14A-5510	NEW-P	00-16-114	388- 15-131	REP-P	00-17-188
388- 14A-3275	NEW-P	00-16-114	388- 14A-5515	NEW-P	00-16-114	388- 15-132	REP-P	00-17-188
388- 14A-3300	NEW-P	00-16-114	388- 14A-5520	NEW-P	00-16-114	388- 15-133	NEW-P	00-17-188
388- 14A-3304	NEW-P	00-16-114	388- 14A-5525	NEW-P	00-16-114	388- 15-134	REP-P	00-17-188
388- 14A-3310	NEW-P	00-16-114	388- 14A-5530	NEW-P	00-16-114	388- 15-135	NEW-P	00-17-188
388- 14A-3315	NEW-P	00-16-114	388- 14A-5535	NEW-P	00-16-114	388- 15-141	NEW-P	00-17-188
388- 14A-3320	NEW-P	00-16-114	388- 14A-5540	NEW-P	00-16-114	388- 15-145	REP	00-04-056
388- 14A-3350	NEW-P	00-16-114	388- 14A-6000	NEW-P	00-16-114	388- 15-150	REP-P	00-17-189
388- 14A-3370	NEW-P	00-16-114	388- 14A-6100	NEW-P	00-16-114	388- 15-160	REP-P	00-17-189
388- 14A-3375	NEW-P	00-16-114	388- 14A-6200	NEW-P	00-16-114	388- 15-194	PREP	00-11-092
388- 14A-3400	NEW-P	00-16-114	388- 14A-6300	NEW-P	00-16-114	388- 15-196	REP	00-03-043
388- 14A-3500	NEW-P	00-16-114	388- 14A-6400	NEW-P	00-16-114	388- 15-19600	REP	00-03-043
388- 14A-3600	NEW-P	00-16-114	388- 14A-6405	NEW-P	00-16-114	388- 15-19610	REP	00-03-043
388- 14A-3700	NEW-P	00-16-114	388- 14A-6410	NEW-P	00-16-114	388- 15-19620	REP	00-03-043
388- 14A-3800	NEW-P	00-16-114	388- 14A-6415	NEW-P	00-16-114	388- 15-19630	REP	00-03-043
388- 14A-3810	NEW-P	00-16-114	388- 14A-6500	NEW-P	00-16-114	388- 15-19640	REP	00-03-043
388- 14A-3850	NEW-P	00-06-068	388- 14A-7100	NEW-P	00-16-114	388- 15-19650	REP	00-03-043
388- 14A-3850	NEW	00-09-076	388- 14A-7200	NEW-P	00-16-114	388- 15-19660	REP	00-03-043
388- 14A-3855	NEW-P	00-06-068	388- 14A-8100	NEW-P	00-16-114	388- 15-19670	REP	00-03-043
388- 14A-3855	NEW	00-09-076	388- 14A-8105	NEW-P	00-16-114	388- 15-19680	REP	00-03-043
388- 14A-3860	NEW-P	00-06-068	388- 14A-8110	NEW-P	00-16-114	388- 15-198	REP	00-03-043
388- 14A-3860	NEW	00-09-076	388- 14A-8120	NEW-P	00-16-114	388- 15-200	REP	00-04-056
388- 14A-3865	NEW-P	00-06-068	388- 14A-8200	NEW-P	00-16-114	388- 15-201	REP	00-04-056
388- 14A-3865	NEW	00-09-076	388- 14A-8300	NEW-P	00-16-114	388- 15-202	PREP	00-11-092
388- 14A-3870	NEW-P	00-06-068	388- 14A-8400	NEW-P	00-16-114	388- 15-203	PREP	00-11-092
388- 14A-3870	NEW	00-09-076	388- 14A-8500	NEW-P	00-16-114	388- 15-204	PREP	00-11-092
388- 14A-3875	NEW-P	00-06-068	388- 15	AMD-P	00-17-188	388- 15-205	PREP	00-11-092
388- 14A-3875	NEW	00-09-076	388- 15-001	NEW-P	00-17-188	388- 15-206	REP	00-04-056
388- 14A-3900	NEW-P	00-16-114	388- 15-005	NEW-P	00-17-188	388- 15-207	REP	00-04-056
388- 14A-3925	NEW-P	00-16-114	388- 15-009	NEW-P	00-17-188	388- 15-209	REP	00-04-056
388- 14A-4000	NEW-P	00-16-114	388- 15-013	NEW-P	00-17-188	388- 15-214	REP	00-04-056
388- 14A-4010	NEW-P	00-16-114	388- 15-017	NEW-P	00-17-188	388- 15-215	REP	00-04-056
388- 14A-4020	NEW-P	00-16-114	388- 15-021	NEW-P	00-17-188	388- 15-219	REP	00-04-056
388- 14A-4030	NEW-P	00-16-114	388- 15-025	NEW-P	00-17-188	388- 15-220	REP-P	00-17-189
388- 14A-4040	NEW-P	00-16-114	388- 15-029	NEW-P	00-17-188	388- 15-222	REP	00-04-056
388- 14A-4100	NEW-P	00-16-114	388- 15-033	NEW-P	00-17-188	388- 15-360	REP-P	00-16-087
388- 14A-4110	NEW-P	00-16-114	388- 15-037	NEW-P	00-17-188	388- 15-548	REP	00-04-056

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-60-210	REP-P	00-18-018	388-70-054	REP-P	00-17-189	388-71-0445	PREP	00-11-092
388-60-220	REP-P	00-18-018	388-70-058	REP-P	00-17-189	388-71-0445	AMD-P	00-12-035
388-60-230	REP-P	00-18-018	388-70-062	REP-P	00-17-189	388-71-0445	PREP	00-17-153
388-60-240	REP-P	00-18-018	388-70-066	REP-P	00-17-189	388-71-0445	AMD	00-18-099
388-60-250	REP-P	00-18-018	388-70-068	REP-P	00-17-189	388-71-0450	NEW	00-04-056
388-60-260	REP-P	00-18-018	388-70-069	REP-P	00-17-189	388-71-0450	PREP	00-17-153
388-61A-0005	NEW-P	00-17-160	388-70-075	REP-P	00-17-189	388-71-0455	NEW	00-04-056
388-61A-0010	NEW-P	00-17-160	388-70-078	REP-P	00-17-189	388-71-0455	PREP	00-17-153
388-61A-0015	NEW-P	00-17-160	388-70-080	REP-P	00-17-189	388-71-0460	NEW	00-04-056
388-61A-0020	NEW-P	00-17-160	388-70-082	REP-P	00-17-189	388-71-0460	PREP	00-17-153
388-61A-0025	NEW-P	00-17-160	388-70-084	REP-P	00-17-189	388-71-0465	NEW	00-04-056
388-61A-0030	NEW-P	00-17-160	388-70-084	REP-P	00-17-189	388-71-0465	PREP	00-17-153
388-61A-0035	NEW-P	00-17-160	388-70-170	REP-P	00-17-189	388-71-0470	NEW	00-04-056
388-61A-0040	NEW-P	00-17-160	388-70-410	REP-P	00-17-189	388-71-0470	PREP	00-07-100
388-61A-0045	NEW-P	00-17-160	388-70-420	REP-P	00-17-189	388-71-0470	AMD-P	00-12-035
388-61A-0050	NEW-P	00-17-160	388-70-430	REP-P	00-17-189	388-71-0470	PREP	00-17-153
388-61A-0055	NEW-P	00-17-160	388-70-440	REP-P	00-17-189	388-71-0470	AMD	00-18-099
388-61A-0060	NEW-P	00-17-160	388-70-460	REP-P	00-17-189	388-71-0475	NEW	00-04-056
388-61A-0065	NEW-P	00-17-160	388-70-470	REP-P	00-17-189	388-71-0475	PREP	00-17-153
388-61A-0070	NEW-P	00-17-160	388-70-480	REP-P	00-17-189	388-71-0480	NEW	00-04-056
388-61A-0075	NEW-P	00-17-160	388-70-510	REP-P	00-17-189	388-71-0480	PREP	00-07-100
388-61A-0080	NEW-P	00-17-160	388-70-520	REP-P	00-17-189	388-71-0480	AMD-P	00-12-035
388-61A-0085	NEW-P	00-17-160	388-70-530	REP-P	00-17-189	388-71-0480	PREP	00-17-153
388-61A-0090	NEW-P	00-17-160	388-70-540	REP-P	00-17-189	388-71-0480	AMD	00-18-099
388-61A-0095	NEW-P	00-17-160	388-70-550	REP-P	00-17-189	388-71-0500	NEW	00-03-043
388-61A-0100	NEW-P	00-17-160	388-70-560	REP-P	00-17-189	388-71-0500	PREP	00-17-154
388-61A-0105	NEW-P	00-17-160	388-70-570	REP-P	00-17-189	388-71-0500	PREP	00-17-154
388-61A-0110	NEW-P	00-17-160	388-70-580	REP-P	00-17-189	388-71-0505	NEW	00-03-043
388-61A-0115	NEW-P	00-17-160	388-70-590	REP-P	00-17-189	388-71-0505	PREP	00-17-154
388-61A-0120	NEW-P	00-17-160	388-70-595	REP-P	00-17-189	388-71-0510	NEW	00-03-043
388-61A-0125	NEW-P	00-17-160	388-70-700	REP-P	00-17-189	388-71-0510	PREP	00-17-154
388-61A-0130	NEW-P	00-17-160	388-71-0100	NEW	00-03-029	388-71-0515	NEW	00-03-043
388-61A-0135	NEW-P	00-17-160	388-71-0105	NEW	00-03-029	388-71-0515	PREP	00-17-154
388-61A-0140	NEW-P	00-17-160	388-71-0110	NEW	00-03-029	388-71-0520	NEW	00-03-043
388-61A-0145	NEW-P	00-17-160	388-71-0115	NEW	00-03-029	388-71-0520	PREP	00-17-154
388-61A-0150	NEW-P	00-17-160	388-71-0120	NEW	00-03-029	388-71-0525	NEW	00-03-043
388-61A-0155	NEW-P	00-17-160	388-71-0150	NEW	00-03-029	388-71-0525	PREP	00-17-154
388-61A-0160	NEW-P	00-17-160	388-71-0155	NEW	00-03-029	388-71-0530	NEW	00-03-043
388-61A-0165	NEW-P	00-17-160	388-71-0400	NEW	00-04-056	388-71-0530	PREP	00-17-154
388-61A-0170	NEW-P	00-17-160	388-71-0400	PREP	00-17-153	388-71-0535	NEW	00-03-043
388-61A-0175	NEW-P	00-17-160	388-71-0405	NEW	00-04-056	388-71-0535	PREP	00-17-154
388-61A-0180	NEW-P	00-17-160	388-71-0405	PREP	00-17-153	388-71-0540	NEW	00-03-043
388-61A-0185	NEW-P	00-17-160	388-71-0410	NEW	00-04-056	388-71-0540	PREP	00-17-154
388-61A-0190	NEW-P	00-17-160	388-71-0410	PREP	00-11-092	388-71-0545	NEW	00-03-043
388-61A-0195	NEW-P	00-17-160	388-71-0410	PREP	00-17-153	388-71-0545	PREP	00-17-154
388-70-010	REP-P	00-17-189	388-71-0415	NEW	00-04-056	388-71-0550	NEW	00-03-043
388-70-012	REP-P	00-17-189	388-71-0415	PREP	00-17-153	388-71-0550	PREP	00-17-154
388-70-013	REP-P	00-17-189	388-71-0420	NEW	00-04-056	388-71-0555	NEW	00-03-043
388-70-022	REP-P	00-17-189	388-71-0420	PREP	00-17-153	388-71-0555	PREP	00-17-154
388-70-024	REP-P	00-17-189	388-71-0425	NEW	00-04-056	388-71-0560	NEW	00-03-043
388-70-031	REP-P	00-17-189	388-71-0425	PREP	00-17-153	388-71-0560	PREP	00-17-154
388-70-032	REP-P	00-17-189	388-71-0430	NEW	00-04-056	388-71-0580	NEW	00-03-043
388-70-033	REP-P	00-17-189	388-71-0430	AMD-P	00-10-033	388-71-0600	NEW	00-04-056
388-70-034	REP-P	00-17-189	388-71-0430	AMD	00-13-077	388-71-0600	PREP	00-17-153
388-70-035	REP-P	00-17-189	388-71-0430	PREP	00-17-153	388-71-0605	NEW	00-04-056
388-70-036	REP-P	00-17-189	388-71-0435	NEW-P	00-10-033	388-71-0605	PREP	00-17-153
388-70-037	REP-P	00-17-189	388-71-0435	NEW	00-13-077	388-71-0610	NEW	00-04-056
388-70-041	REP-P	00-17-189	388-71-0435	PREP	00-17-153	388-71-0610	PREP	00-17-153
388-70-042	REP-P	00-17-189	388-71-0435	PREP	00-17-153	388-71-0615	NEW	00-04-056
388-70-044	REP-P	00-17-189	388-71-0440	NEW	00-04-056	388-71-0615	PREP	00-17-153
388-70-048	REP-P	00-17-189	388-71-0440	PREP	00-11-092	388-71-0620	NEW	00-04-056
388-70-051	REP-P	00-17-189	388-71-0440	PREP	00-17-153	388-71-0620	PREP	00-17-153
			388-71-0445	NEW	00-04-056	388-71-0700	NEW-P	00-18-098
			388-71-0445	PREP	00-07-100			

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 71-1000	NEW	00-04-056	388- 73-103	REP-P	00-17-133	388- 73-395	REP-P	00-17-133
388- 71-1005	NEW	00-04-056	388- 73-104	REP-P	00-17-133	388- 73-500	REP-P	00-17-133
388- 71-1010	NEW	00-04-056	388- 73-106	REP-P	00-17-133	388- 73-502	REP-P	00-17-133
388- 71-1015	NEW	00-04-056	388- 73-108	REP-P	00-17-133	388- 73-504	REP-P	00-17-133
388- 71-1020	NEW	00-04-056	388- 73-110	REP-P	00-17-133	388- 73-506	REP-P	00-17-133
388- 71-1025	NEW	00-04-056	388- 73-112	REP-P	00-17-133	388- 73-508	REP-P	00-17-133
388- 71-1030	NEW	00-04-056	388- 73-114	REP-P	00-17-133	388- 73-510	REP-P	00-17-133
388- 71-1035	NEW	00-04-056	388- 73-116	REP-P	00-17-133	388- 73-512	REP-P	00-17-133
388- 71-1065	NEW	00-04-056	388- 73-118	REP-P	00-17-133	388- 73-600	REP-P	00-17-133
388- 71-1070	NEW	00-04-056	388- 73-120	REP-P	00-17-133	388- 73-602	REP-P	00-17-133
388- 71-1075	NEW	00-04-056	388- 73-122	REP-P	00-17-133	388- 73-604	REP-P	00-17-133
388- 71-1080	NEW	00-04-056	388- 73-124	REP-P	00-17-133	388- 73-606	REP-P	00-17-133
388- 71-1085	NEW	00-04-056	388- 73-126	REP-P	00-17-133	388- 73-610	REP-P	00-17-133
388- 71-1090	NEW	00-04-056	388- 73-128	REP-P	00-17-133	388- 73-700	REP-P	00-17-133
388- 71-1095	NEW	00-04-056	388- 73-130	REP-P	00-17-133	388- 73-702	REP-P	00-17-133
388- 71-1100	NEW	00-04-056	388- 73-132	REP-P	00-17-133	388- 73-704	REP-P	00-17-133
388- 71-1105	NEW	00-04-056	388- 73-134	REP-P	00-17-133	388- 73-706	REP-P	00-17-133
388- 71-1110	NEW	00-04-056	388- 73-136	REP-P	00-17-133	388- 73-708	REP-P	00-17-133
388- 73-010	REP-P	00-17-133	388- 73-138	REP-P	00-17-133	388- 73-710	REP-P	00-17-133
388- 73-012	REP-P	00-17-133	388- 73-140	REP-P	00-17-133	388- 73-712	REP-P	00-17-133
388- 73-014	REP-P	00-17-133	388- 73-142	REP-P	00-17-133	388- 73-714	REP-P	00-17-133
388- 73-016	REP-P	00-17-133	388- 73-143	REP-P	00-17-133	388- 73-718	REP-P	00-17-133
388- 73-018	REP-P	00-17-133	388- 73-144	REP-P	00-17-133	388- 73-720	REP-P	00-17-133
388- 73-019	REP-P	00-17-133	388- 73-146	REP-P	00-17-133	388- 73-722	REP-P	00-17-133
388- 73-01950	REP-P	00-17-133	388- 73-200	REP-P	00-17-133	388- 73-800	REP-P	00-17-133
388- 73-020	REP-P	00-17-133	388- 73-202	REP-P	00-17-133	388- 73-802	REP-P	00-17-133
388- 73-022	REP-P	00-17-133	388- 73-204	REP-P	00-17-133	388- 73-803	REP-P	00-17-133
388- 73-024	REP-P	00-17-133	388- 73-206	REP-P	00-17-133	388- 73-804	REP-P	00-17-133
388- 73-026	REP-P	00-17-133	388- 73-208	REP-P	00-17-133	388- 73-805	REP-P	00-17-133
388- 73-028	REP-P	00-17-133	388- 73-210	REP-P	00-17-133	388- 73-810	REP-P	00-17-133
388- 73-030	REP-P	00-17-133	388- 73-212	REP-P	00-17-133	388- 73-815	REP-P	00-17-133
388- 73-032	REP-P	00-17-133	388- 73-213	REP-P	00-17-133	388- 73-820	REP-P	00-17-133
388- 73-034	REP-P	00-17-133	388- 73-214	REP-P	00-17-133	388- 73-821	REP-P	00-17-133
388- 73-036	REP-P	00-17-133	388- 73-216	REP-P	00-17-133	388- 73-822	REP-P	00-17-133
388- 73-038	REP-P	00-17-133	388- 73-300	REP-P	00-17-133	388- 73-823	REP-P	00-17-133
388- 73-040	REP-P	00-17-133	388- 73-302	REP-P	00-17-133	388- 73-825	REP-P	00-17-133
388- 73-042	REP-P	00-17-133	388- 73-304	REP-P	00-17-133	388- 73-900	REP-P	00-17-133
388- 73-044	REP-P	00-17-133	388- 73-306	REP-P	00-17-133	388- 73-901	REP-P	00-17-133
388- 73-046	REP-P	00-17-133	388- 73-308	REP-P	00-17-133	388- 73-902	REP-P	00-17-133
388- 73-048	REP-P	00-17-133	388- 73-310	REP-P	00-17-133	388- 73-904	REP-P	00-17-133
388- 73-050	REP-P	00-17-133	388- 73-312	REP-P	00-17-133	388- 74-010	REP-P	00-17-186
388- 73-052	REP-P	00-17-133	388- 73-351	REP-P	00-17-133	388- 74-030	REP-P	00-17-186
388- 73-054	REP-P	00-17-133	388- 73-353	REP-P	00-17-133	388- 76-61510	PREP	00-07-057
388- 73-056	REP-P	00-17-133	388- 73-355	REP-P	00-17-133	388- 76-640	PREP	00-07-057
388- 73-057	REP-P	00-17-133	388- 73-357	REP-P	00-17-133	388- 78A	PREP	00-15-014
388- 73-058	REP-P	00-17-133	388- 73-361	REP-P	00-17-133	388- 81	PREP	00-07-055
388- 73-060	REP-P	00-17-133	388- 73-363	REP-P	00-17-133	388- 81-175	REP-P	00-17-161
388- 73-062	REP-P	00-17-133	388- 73-365	REP-P	00-17-133	388- 81-175	REP-P	00-17-162
388- 73-064	REP-P	00-17-133	388- 73-367	REP-P	00-17-133	388- 81-200	REP-P	00-17-162
388- 73-066	REP-P	00-17-133	388- 73-369	REP-P	00-17-133	388- 86	PREP	00-03-011
388- 73-068	REP-P	00-17-133	388- 73-371	REP-P	00-17-133	388- 86-005	DECOD	00-11-183
388- 73-069	REP-P	00-17-133	388- 73-373	REP-P	00-17-133	388- 86-011	REP-P	00-12-080
388- 73-070	REP-P	00-17-133	388- 73-375	REP-P	00-17-133	388- 86-012	PREP	00-03-011
388- 73-072	REP-P	00-17-133	388- 73-377	REP-P	00-17-133	388- 86-012	REP-XR	00-08-057
388- 73-074	REP-P	00-17-133	388- 73-379	REP-P	00-17-133	388- 86-012	REP	00-11-142
388- 73-076	REP-P	00-17-133	388- 73-381	REP-P	00-17-133	388- 86-017	PREP	00-05-108
388- 73-077	REP-P	00-17-133	388- 73-383	REP-P	00-17-133	388- 86-017	REP-P	00-17-082
388- 73-078	REP-P	00-17-133	388- 73-385	REP-P	00-17-133	388- 86-018	DECOD	00-11-183
388- 73-080	REP-P	00-17-133	388- 73-387	REP-P	00-17-133	388- 86-019	PREP	00-03-011
388- 73-100	REP-P	00-17-133	388- 73-389	REP-P	00-17-133	388- 86-019	REP-P	00-11-138
388- 73-101	REP-P	00-17-133	388- 73-391	REP-P	00-17-133	388- 86-019	REP	00-16-031
388- 73-102	REP-P	00-17-133	388- 73-393	REP-P	00-17-133	388- 86-024	REP-P	00-09-041

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 86-024	REP	00-14-068	388- 87-077	REP	00-05-039	388- 97-07040	NEW	00-06-028
388- 86-027	DECOD	00-11-183	388- 87-079	REP-P	00-14-064	388- 97-07045	NEW	00-06-028
388- 86-030	REP-P	00-17-097	388- 87-090	REP	00-04-019	388- 97-07050	NEW	00-06-028
388- 86-035	PREP	00-07-056	388- 87-095	REP-P	00-12-080	388- 97-07055	NEW	00-06-028
388- 86-035	REP-P	00-11-093	388- 87-110	REP-P	00-13-008	388- 97-07060	NEW	00-06-028
388- 86-035	REP	00-14-066	388- 87-200	PREP	00-07-056	388- 97-07065	NEW	00-06-028
388- 86-04001	REP-P	00-17-165	388- 87-200	REP-P	00-09-043	388- 97-07070	NEW	00-06-028
388- 86-055	REP-P	00-12-080	388- 87-200	REP	00-15-050	388- 97-075	AMD	00-06-028
388- 86-059	REP-P	00-14-064	388- 90-010	REP	00-07-045	388- 97-076	NEW	00-06-028
388- 86-067	REP	00-05-039	388- 96	PREP	00-12-077	388- 97-077	NEW	00-06-028
388- 86-071	PREP	00-09-033	388- 96-779	NEW-P	00-09-080	388- 97-080	REP	00-06-028
388- 86-071	REP-P	00-17-079	388- 96-779	NEW-E	00-10-035	388- 97-08010	NEW	00-06-028
388- 86-085	REP-P	00-17-096	388- 96-779	NEW	00-12-098	388- 97-08020	NEW	00-06-028
388- 86-086	REP-P	00-17-125	388- 96-780	NEW-P	00-09-080	388- 97-08030	NEW	00-06-028
388- 86-087	PREP	00-07-056	388- 96-780	NEW-E	00-10-035	388- 97-08040	NEW	00-06-028
388- 86-087	REP-P	00-13-104	388- 96-780	NEW	00-12-098	388- 97-08050	NEW	00-06-028
388- 86-087	REP	00-17-057	388- 96-781	NEW-P	00-09-080	388- 97-08060	NEW	00-06-028
388- 86-090	REP	00-04-019	388- 96-781	NEW-E	00-10-035	388- 97-08070	NEW	00-06-028
388- 86-095	REP-P	00-12-080	388- 96-781	NEW	00-12-098	388- 97-085	AMD	00-06-028
388- 86-09601	REP-P	00-12-080	388- 96-782	NEW-P	00-09-080	388- 97-090	AMD	00-06-028
388- 86-100	REP-P	00-13-008	388- 96-782	NEW-E	00-10-035	388- 97-095	REP	00-06-028
388- 86-100	AMD-P	00-17-096	388- 96-782	NEW	00-12-098	388- 97-097	NEW	00-06-028
388- 86-105	REP-XR	00-09-039	388- 96-901	AMD-P	00-09-080	388- 97-100	REP	00-06-028
388- 86-105	REP	00-13-014	388- 96-901	AMD-E	00-10-035	388- 97-105	REP	00-06-028
388- 86-110	PREP	00-03-011	388- 96-901	AMD	00-12-098	388- 97-110	AMD	00-06-028
388- 86-110	REP-P	00-12-080	388- 97-005	AMD	00-06-028	388- 97-115	AMD	00-06-028
388- 86-115	PREP	00-03-011	388- 97-010	REP	00-06-028	388- 97-120	AMD	00-06-028
388- 86-115	REP-P	00-17-055	388- 97-012	NEW	00-06-028	388- 97-12010	NEW	00-06-028
388- 86-120	PREP	00-03-011	388- 97-015	REP	00-06-028	388- 97-12020	NEW	00-06-028
388- 86-120	REP-P	00-17-053	388- 97-017	NEW	00-06-028	388- 97-12030	NEW	00-06-028
388- 86-200	AMD-P	00-14-064	388- 97-020	REP	00-06-028	388- 97-12040	NEW	00-06-028
388- 86-300	PREP	00-03-011	388- 97-022	NEW	00-06-028	388- 97-12050	NEW	00-06-028
388- 86-300	REP-P	00-14-045	388- 97-022	PREP	00-11-105	388- 97-12060	NEW	00-06-028
388- 86-300	REP	00-18-032	388- 97-022	REP-P	00-18-098	388- 97-12070	NEW	00-06-028
388- 87	PREP	00-03-011	388- 97-025	REP	00-06-028	388- 97-125	AMD	00-06-028
388- 87-005	REP-P	00-09-043	388- 97-027	NEW	00-06-028	388- 97-130	AMD	00-06-028
388- 87-005	REP	00-15-050	388- 97-027	PREP	00-11-105	388- 97-135	AMD	00-06-028
388- 87-007	REP-P	00-09-043	388- 97-027	AMD-P	00-18-098	388- 97-140	AMD	00-06-028
388- 87-007	REP	00-15-050	388- 97-030	REP	00-06-028	388- 97-145	REP	00-06-028
388- 87-008	REP-P	00-09-043	388- 97-032	NEW	00-06-028	388- 97-147	NEW	00-06-028
388- 87-008	REP	00-15-050	388- 97-035	REP	00-06-028	388- 97-150	REP	00-06-028
388- 87-010	REP-P	00-09-043	388- 97-037	NEW	00-06-028	388- 97-155	AMD	00-06-028
388- 87-010	REP	00-15-050	388- 97-040	REP	00-06-028	388- 97-160	AMD	00-06-028
388- 87-011	REP-P	00-09-043	388- 97-042	NEW	00-06-028	388- 97-162	NEW	00-06-028
388- 87-011	REP	00-15-050	388- 97-043	NEW	00-06-028	388- 97-165	AMD	00-06-028
388- 87-012	REP-P	00-09-043	388- 97-045	REP	00-06-028	388- 97-170	AMD	00-06-028
388- 87-012	REP	00-15-050	388- 97-047	NEW	00-06-028	388- 97-175	AMD	00-06-028
388- 87-015	REP-P	00-09-042	388- 97-050	REP	00-06-028	388- 97-180	AMD	00-06-028
388- 87-015	REP	00-14-067	388- 97-051	NEW	00-06-028	388- 97-185	AMD	00-06-028
388- 87-019	REP-P	00-11-138	388- 97-052	NEW	00-06-028	388- 97-190	AMD	00-06-028
388- 87-019	REP	00-16-031	388- 97-053	NEW	00-06-028	388- 97-195	AMD	00-06-028
388- 87-027	PREP	00-03-011	388- 97-055	AMD	00-06-028	388- 97-200	REP	00-06-028
388- 87-027	REP-P	00-17-081	388- 97-060	AMD	00-06-028	388- 97-202	NEW	00-06-028
388- 87-035	REP-P	00-17-096	388- 97-065	AMD	00-06-028	388- 97-205	AMD	00-06-028
388- 87-036	REP-P	00-17-125	388- 97-070	REP	00-06-028	388- 97-210	REP	00-06-028
388- 87-045	REP-XR	00-09-040	388- 97-07005	NEW	00-06-028	388- 97-212	NEW	00-06-028
388- 87-045	REP	00-13-013	388- 97-07010	NEW	00-06-028	388- 97-215	REP	00-06-028
388- 87-048	DECOD	00-11-183	388- 97-07015	NEW	00-06-028	388- 97-220	AMD	00-06-028
388- 87-060	REP-P	00-17-095	388- 97-07020	NEW	00-06-028	388- 97-225	REP	00-06-028
388- 87-062	REP-P	00-17-097	388- 97-07025	NEW	00-06-028	388- 97-230	REP	00-06-028
388- 87-067	REP	00-05-039	388- 97-07030	NEW	00-06-028	388- 97-235	REP	00-06-028
388- 87-075	REP-P	00-12-080	388- 97-07035	NEW	00-06-028	388- 97-240	REP	00-06-028

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-97-245	REP	00-06-028	388-97-353	NEW	00-06-028	388-97-475	REP	00-06-028
388-97-247	NEW	00-06-028	388-97-355	AMD	00-06-028	388-97-480	AMD	00-06-028
388-97-249	NEW	00-06-028	388-97-357	NEW	00-06-028	388-97-48010	NEW	00-06-028
388-97-250	REP	00-06-028	388-97-35710	NEW	00-06-028	388-97-48020	NEW	00-06-028
388-97-251	NEW	00-06-028	388-97-35720	NEW	00-06-028	388-97-48030	NEW	00-06-028
388-97-253	NEW	00-06-028	388-97-360	AMD	00-06-028	388-97-48040	NEW	00-06-028
388-97-255	REP	00-06-028	388-97-36010	NEW	00-06-028	388-97-550	NEW	00-06-028
388-97-260	AMD	00-06-028	388-97-36020	NEW	00-06-028	388-97-555	NEW	00-06-028
388-97-265	REP	00-06-028	388-97-36030	NEW	00-06-028	388-97-560	NEW	00-06-028
388-97-270	REP	00-06-028	388-97-36040	NEW	00-06-028	388-97-565	NEW	00-06-028
388-97-275	REP	00-06-028	388-97-36050	NEW	00-06-028	388-97-570	NEW	00-06-028
388-97-280	REP	00-06-028	388-97-36060	NEW	00-06-028	388-97-575	NEW	00-06-028
388-97-285	NEW	00-06-028	388-97-36070	NEW	00-06-028	388-97-580	NEW	00-06-028
388-97-295	AMD	00-06-028	388-97-365	AMD	00-06-028	388-97-585	NEW	00-06-028
388-97-29510	NEW	00-06-028	388-97-36510	NEW	00-06-028	388-97-590	NEW	00-06-028
388-97-29520	NEW	00-06-028	388-97-36520	NEW	00-06-028	388-97-595	NEW	00-06-028
388-97-29530	NEW	00-06-028	388-97-36530	NEW	00-06-028	388-97-600	NEW	00-06-028
388-97-29540	NEW	00-06-028	388-97-370	AMD	00-06-028	388-146-0010	NEW-P	00-17-159
388-97-29550	NEW	00-06-028	388-97-37010	NEW	00-06-028	388-146-0020	NEW-P	00-17-159
388-97-29560	NEW	00-06-028	388-97-37020	NEW	00-06-028	388-146-0030	NEW-P	00-17-159
388-97-300	REP	00-06-028	388-97-375	AMD	00-06-028	388-146-0040	NEW-P	00-17-159
388-97-305	REP	00-06-028	388-97-380	REP	00-06-028	388-146-0045	NEW-P	00-17-159
388-97-310	AMD	00-06-028	388-97-385	AMD	00-06-028	388-146-0050	NEW-P	00-17-159
388-97-315	AMD	00-06-028	388-97-390	REP	00-06-028	388-146-0060	NEW-P	00-17-159
388-97-320	REP	00-06-028	388-97-395	REP	00-06-028	388-146-0070	NEW-P	00-17-159
388-97-325	AMD	00-06-028	388-97-400	AMD	00-06-028	388-146-0080	NEW-P	00-17-159
388-97-32510	NEW	00-06-028	388-97-40010	NEW	00-06-028	388-146-0090	NEW-P	00-17-159
388-97-32520	NEW	00-06-028	388-97-401	NEW	00-06-028	388-146-0100	NEW-P	00-17-159
388-97-32530	NEW	00-06-028	388-97-402	NEW	00-06-028	388-146-0110	NEW-P	00-17-159
388-97-32540	NEW	00-06-028	388-97-403	NEW	00-06-028	388-146-0120	NEW-P	00-17-159
388-97-32550	NEW	00-06-028	388-97-405	AMD	00-06-028	388-146-0130	NEW-P	00-17-159
388-97-32560	NEW	00-06-028	388-97-410	AMD	00-06-028	388-146-0140	NEW-P	00-17-159
388-97-32570	NEW	00-06-028	388-97-415	AMD	00-06-028	388-146-0150	NEW-P	00-17-159
388-97-32580	NEW	00-06-028	388-97-420	AMD	00-06-028	388-146-0160	NEW-P	00-17-159
388-97-330	AMD	00-06-028	388-97-425	AMD	00-06-028	388-146-0170	NEW-P	00-17-159
388-97-33010	NEW	00-06-028	388-97-430	AMD	00-06-028	388-146-0180	NEW-P	00-17-159
388-97-33020	NEW	00-06-028	388-97-43010	NEW	00-06-028	388-146-0190	NEW-P	00-17-159
388-97-33030	NEW	00-06-028	388-97-43020	NEW	00-06-028	388-146-0200	NEW-P	00-17-159
388-97-33040	NEW	00-06-028	388-97-43030	NEW	00-06-028	388-146-0210	NEW-P	00-17-159
388-97-33050	NEW	00-06-028	388-97-43040	NEW	00-06-028	388-146-0220	NEW-P	00-17-159
388-97-335	AMD	00-06-028	388-97-43050	NEW	00-06-028	388-148-0005	NEW-P	00-17-133
388-97-33510	NEW	00-06-028	388-97-435	REP	00-06-028	388-148-0010	NEW-P	00-17-133
388-97-33520	NEW	00-06-028	388-97-440	REP	00-06-028	388-148-0015	NEW-P	00-17-133
388-97-33530	NEW	00-06-028	388-97-445	REP	00-06-028	388-148-0020	NEW-P	00-17-133
388-97-33540	NEW	00-06-028	388-97-450	REP	00-06-028	388-148-0025	NEW-P	00-17-133
388-97-33550	NEW	00-06-028	388-97-455	AMD	00-06-028	388-148-0030	NEW-P	00-17-133
388-97-33560	NEW	00-06-028	388-97-45510	NEW	00-06-028	388-148-0035	NEW-P	00-17-133
388-97-33570	NEW	00-06-028	388-97-460	AMD	00-06-028	388-148-0040	NEW-P	00-17-133
388-97-33580	NEW	00-06-028	388-97-46010	NEW	00-06-028	388-148-0045	NEW-P	00-17-133
388-97-340	AMD	00-06-028	388-97-465	AMD	00-06-028	388-148-0050	NEW-P	00-17-133
388-97-34010	NEW	00-06-028	388-97-46510	NEW	00-06-028	388-148-0055	NEW-P	00-17-133
388-97-34020	NEW	00-06-028	388-97-46520	NEW	00-06-028	388-148-0060	NEW-P	00-17-133
388-97-345	AMD	00-06-028	388-97-46530	NEW	00-06-028	388-148-0065	NEW-P	00-17-133
388-97-347	NEW	00-06-028	388-97-46540	NEW	00-06-028	388-148-0070	NEW-P	00-17-133
388-97-350	AMD	00-06-028	388-97-46550	NEW	00-06-028	388-148-0075	NEW-P	00-17-133
388-97-35010	NEW	00-06-028	388-97-46560	NEW	00-06-028	388-148-0080	NEW-P	00-17-133
388-97-35020	NEW	00-06-028	388-97-46570	NEW	00-06-028	388-148-0085	NEW-P	00-17-133
388-97-35030	NEW	00-06-028	388-97-46580	NEW	00-06-028	388-148-0090	NEW-P	00-17-133
388-97-35040	NEW	00-06-028	388-97-46590	NEW	00-06-028	388-148-0095	NEW-P	00-17-133
388-97-35050	NEW	00-06-028	388-97-470	AMD	00-06-028	388-148-0100	NEW-P	00-17-133
388-97-35060	NEW	00-06-028	388-97-47010	NEW	00-06-028	388-148-0105	NEW-P	00-17-133
388-97-352	NEW	00-06-028	388-97-47020	NEW	00-06-028	388-148-0110	NEW-P	00-17-133

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-148-1045	NEW-P	00-17-133	388-151-380	AMD-P	00-17-124	388-155-440	AMD	00-06-040
388-148-1050	NEW-P	00-17-133	388-151-390	AMD-P	00-17-124	388-155-450	AMD	00-06-040
388-148-1055	NEW-P	00-17-133	388-151-410	AMD-P	00-17-124	388-155-460	AMD	00-06-040
388-148-1060	NEW-P	00-17-133	388-151-420	AMD-P	00-17-124	388-155-470	AMD	00-06-040
388-148-1065	NEW-P	00-17-133	388-151-430	AMD-P	00-17-124	388-155-480	AMD-XA	00-09-089
388-148-1070	NEW-P	00-17-133	388-151-440	AMD-P	00-17-124	388-155-490	AMD	00-06-040
388-148-1075	NEW-P	00-17-133	388-151-450	AMD-P	00-17-124	388-155-500	AMD	00-06-040
388-148-1080	NEW-P	00-17-133	388-151-460	AMD-P	00-17-124	388-155-600	AMD	00-06-040
388-148-1085	NEW-P	00-17-133	388-151-470	AMD-P	00-17-124	388-155-605	AMD-XA	00-09-089
388-148-1090	NEW-P	00-17-133	388-151-480	AMD-P	00-17-124	388-155-610	AMD-XA	00-09-089
388-148-1095	NEW-P	00-17-133	388-151-490	AMD-P	00-17-124	388-155-620	AMD-XA	00-09-089
388-148-1100	NEW-P	00-17-133	388-151-500	AMD-P	00-17-124	388-155-630	AMD-XA	00-09-089
388-148-1105	NEW-P	00-17-133	388-155-010	AMD	00-06-040	388-155-640	AMD-XA	00-09-089
388-148-1110	NEW-P	00-17-133	388-155-020	AMD	00-06-040	388-155-650	AMD-XA	00-09-089
388-148-1115	NEW-P	00-17-133	388-155-040	AMD-XA	00-09-089	388-155-660	AMD-XA	00-09-089
388-148-1120	NEW-P	00-17-133	388-155-050	AMD-XA	00-09-089	388-155-670	AMD-XA	00-09-089
388-148-1125	NEW-P	00-17-133	388-155-060	AMD-XA	00-09-089	388-155-680	AMD-XA	00-09-089
388-148-1130	NEW-P	00-17-133	388-155-070	AMD	00-06-040	388-160	AMD-P	00-17-158
388-148-1135	NEW-P	00-17-133	388-155-083	NEW-P	00-17-127	388-160-0005	NEW-P	00-17-158
388-148-1140	NEW-P	00-17-133	388-155-085	AMD-XA	00-09-089	388-160-0015	NEW-P	00-17-158
388-148-1145	NEW-P	00-17-133	388-155-090	AMD-XA	00-09-089	388-160-0025	NEW-P	00-17-158
388-150-070	AMD-P	00-17-127	388-155-092	AMD-XA	00-09-089	388-160-0035	NEW-P	00-17-158
388-151-010	AMD-P	00-17-124	388-155-093	AMD-XA	00-09-089	388-160-0045	NEW-P	00-17-158
388-151-020	AMD-P	00-17-124	388-155-094	AMD-XA	00-09-089	388-160-0055	NEW-P	00-17-158
388-151-040	AMD-P	00-17-124	388-155-095	AMD-XA	00-09-089	388-160-0065	NEW-P	00-17-158
388-151-045	NEW-P	00-17-124	388-155-098	AMD	00-06-040	388-160-0075	NEW-P	00-17-158
388-151-050	REP-P	00-17-124	388-155-100	AMD	00-06-040	388-160-0085	NEW-P	00-17-158
388-151-070	AMD-P	00-17-124	388-155-110	AMD	00-06-040	388-160-0095	NEW-P	00-17-158
388-151-075	NEW-P	00-17-124	388-155-120	AMD	00-06-040	388-160-010	REP-P	00-17-158
388-151-080	AMD-P	00-17-124	388-155-130	AMD	00-06-040	388-160-0105	NEW-P	00-17-158
388-151-085	AMD-P	00-17-124	388-155-140	AMD	00-06-040	388-160-0115	NEW-P	00-17-158
388-151-090	AMD-P	00-17-124	388-155-150	AMD	00-06-040	388-160-0125	NEW-P	00-17-158
388-151-092	AMD-P	00-17-124	388-155-160	AMD-XA	00-09-089	388-160-0135	NEW-P	00-17-158
388-151-093	AMD-P	00-17-124	388-155-165	AMD	00-06-040	388-160-0145	NEW-P	00-17-158
388-151-094	AMD-P	00-17-124	388-155-170	AMD	00-06-040	388-160-0155	NEW-P	00-17-158
388-151-095	AMD-P	00-17-124	388-155-180	AMD	00-06-040	388-160-0165	NEW-P	00-17-158
388-151-096	AMD-P	00-17-124	388-155-190	AMD-XA	00-09-089	388-160-0175	NEW-P	00-17-158
388-151-097	AMD-P	00-17-124	388-155-200	AMD	00-06-040	388-160-0185	NEW-P	00-17-158
388-151-098	AMD-P	00-17-124	388-155-210	REP	00-06-040	388-160-0195	NEW-P	00-17-158
388-151-100	AMD-P	00-17-124	388-155-220	AMD	00-06-040	388-160-020	REP-P	00-17-158
388-151-110	AMD-P	00-17-124	388-155-230	AMD	00-06-040	388-160-0205	NEW-P	00-17-158
388-151-120	AMD-P	00-17-124	388-155-240	AMD	00-06-040	388-160-0215	NEW-P	00-17-158
388-151-130	AMD-P	00-17-124	388-155-250	AMD	00-06-040	388-160-0225	NEW-P	00-17-158
388-151-150	AMD-P	00-17-124	388-155-260	REP	00-06-040	388-160-0235	NEW-P	00-17-158
388-151-160	AMD-P	00-17-124	388-155-270	AMD	00-06-040	388-160-0245	NEW-P	00-17-158
388-151-165	AMD-P	00-17-124	388-155-270	AMD-XA	00-09-089	388-160-0255	NEW-P	00-17-158
388-151-170	AMD-P	00-17-124	388-155-280	AMD	00-06-040	388-160-0265	NEW-P	00-17-158
388-151-180	AMD-P	00-17-124	388-155-290	AMD	00-06-040	388-160-0275	NEW-P	00-17-158
388-151-190	AMD-P	00-17-124	388-155-295	AMD	00-06-040	388-160-0285	NEW-P	00-17-158
388-151-200	AMD-P	00-17-124	388-155-310	AMD	00-06-040	388-160-0295	NEW-P	00-17-158
388-151-210	AMD-P	00-17-124	388-155-320	AMD	00-06-040	388-160-030	REP-P	00-17-158
388-151-220	AMD-P	00-17-124	388-155-330	AMD-XA	00-09-089	388-160-0305	NEW-P	00-17-158
388-151-230	AMD-P	00-17-124	388-155-340	AMD	00-06-040	388-160-0315	NEW-P	00-17-158
388-151-240	AMD-P	00-17-124	388-155-350	AMD	00-06-040	388-160-0325	NEW-P	00-17-158
388-151-250	AMD-P	00-17-124	388-155-360	AMD	00-06-040	388-160-0335	NEW-P	00-17-158
388-151-260	AMD-P	00-17-124	388-155-370	AMD-XA	00-09-089	388-160-0345	NEW-P	00-17-158
388-151-280	AMD-P	00-17-124	388-155-380	AMD-XA	00-09-089	388-160-0355	NEW-P	00-17-158
388-151-290	AMD-P	00-17-124	388-155-390	AMD	00-06-040	388-160-0365	NEW-P	00-17-158
388-151-310	AMD-P	00-17-124	388-155-400	AMD	00-06-040	388-160-0375	NEW-P	00-17-158
388-151-320	AMD-P	00-17-124	388-155-410	AMD	00-06-040	388-160-0385	NEW-P	00-17-158
388-151-330	AMD-P	00-17-124	388-155-420	AMD-XA	00-09-089	388-160-0395	NEW-P	00-17-158
388-151-340	AMD-P	00-17-124	388-155-430	AMD	00-06-040	388-160-040	REP-P	00-17-158

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-160-0405	NEW-P	00-17-158	388-160-430	REP-P	00-17-158	388-235-7200	REP-P	00-11-129
388-160-0415	NEW-P	00-17-158	388-160-440	REP-P	00-17-158	388-235-7200	REP	00-16-113
388-160-0425	NEW-P	00-17-158	388-160-460	REP-P	00-17-158	388-235-7300	REP-P	00-11-129
388-160-0435	NEW-P	00-17-158	388-160-470	REP-P	00-17-158	388-235-7300	REP	00-16-113
388-160-0445	NEW-P	00-17-158	388-160-480	REP-P	00-17-158	388-235-7400	REP-P	00-11-129
388-160-0455	NEW-P	00-17-158	388-160-490	REP-P	00-17-158	388-235-7400	REP	00-16-113
388-160-0465	NEW-P	00-17-158	388-160-500	REP-P	00-17-158	388-235-7500	REP-P	00-11-129
388-160-0475	NEW-P	00-17-158	388-160-510	REP-P	00-17-158	388-235-7500	REP	00-16-113
388-160-0485	NEW-P	00-17-158	388-160-520	REP-P	00-17-158	388-235-7600	REP-P	00-11-129
388-160-0495	NEW-P	00-17-158	388-160-530	REP-P	00-17-158	388-235-7600	REP	00-16-113
388-160-050	REP-P	00-17-158	388-160-540	REP-P	00-17-158	388-235-8000	REP-P	00-11-129
388-160-0505	NEW-P	00-17-158	388-160-550	REP-P	00-17-158	388-235-8000	REP	00-16-113
388-160-0515	NEW-P	00-17-158	388-160-560	REP-P	00-17-158	388-235-8100	REP-P	00-11-129
388-160-0525	NEW-P	00-17-158	388-200-1050	REP-P	00-17-004	388-235-8100	REP	00-16-113
388-160-0535	NEW-P	00-17-158	388-200-1160	REP	00-03-035	388-235-8130	REP-P	00-11-129
388-160-0545	NEW-P	00-17-158	388-200-1300	PREP	00-04-036	388-235-8130	REP	00-16-113
388-160-0555	NEW-P	00-17-158	388-200-1300	AMD-P	00-17-004	388-235-8140	REP-P	00-11-129
388-160-0565	NEW-P	00-17-158	388-200-1350	PREP	00-04-036	388-235-8140	REP	00-16-113
388-160-0575	NEW-P	00-17-158	388-200-1350	AMD-P	00-17-004	388-235-8150	REP-P	00-11-129
388-160-0585	NEW-P	00-17-158	388-200-1400	REP-P	00-17-003	388-235-8150	REP	00-16-113
388-160-0595	NEW-P	00-17-158	388-222-001	PREP	00-16-112	388-235-8200	REP-P	00-11-129
388-160-060	REP-P	00-17-158	388-222-010	PREP	00-16-112	388-235-8200	REP	00-16-113
388-160-0605	NEW-P	00-17-158	388-222-020	PREP	00-16-112	388-235-9000	AMD	00-05-007
388-160-0615	NEW-P	00-17-158	388-235	PREP	00-08-051	388-235-9000	REP-P	00-11-129
388-160-0625	NEW-P	00-17-158	388-235-1500	REP-P	00-11-129	388-235-9000	REP	00-16-113
388-160-0635	NEW-P	00-17-158	388-235-1500	REP	00-16-113	388-235-9100	REP-P	00-11-129
388-160-0645	NEW-P	00-17-158	388-235-5000	REP-P	00-11-129	388-235-9100	REP	00-16-113
388-160-070	REP-P	00-17-158	388-235-5000	REP	00-16-113	388-235-9200	REP-P	00-11-129
388-160-080	REP-P	00-17-158	388-235-5050	REP-P	00-11-129	388-235-9200	REP	00-16-113
388-160-090	REP-P	00-17-158	388-235-5050	REP	00-16-113	388-235-9300	REP-P	00-11-129
388-160-100	REP-P	00-17-158	388-235-5060	REP-P	00-11-129	388-235-9300	REP	00-16-113
388-160-110	REP-P	00-17-158	388-235-5060	REP	00-16-113	388-240-0010	REP-P	00-11-107
388-160-120	REP-P	00-17-158	388-235-5070	REP-P	00-11-129	388-240-0010	REP	00-16-077
388-160-130	REP-P	00-17-158	388-235-5070	REP	00-16-113	388-240-0020	REP-P	00-11-107
388-160-140	REP-P	00-17-158	388-235-5080	REP-P	00-11-129	388-240-0020	REP	00-16-077
388-160-150	REP-P	00-17-158	388-235-5080	REP	00-16-113	388-240-1100	REP-P	00-11-107
388-160-160	REP-P	00-17-158	388-235-5090	REP-P	00-11-129	388-240-1100	REP	00-16-077
388-160-170	REP-P	00-17-158	388-235-5090	REP	00-16-113	388-240-1200	REP-P	00-11-107
388-160-180	REP-P	00-17-158	388-235-5100	REP-P	00-11-129	388-240-1200	REP	00-16-077
388-160-190	REP-P	00-17-158	388-235-5100	REP	00-16-113	388-240-2100	REP-P	00-11-107
388-160-200	REP-P	00-17-158	388-235-5200	REP-P	00-11-129	388-240-2100	REP	00-16-077
388-160-210	REP-P	00-17-158	388-235-5200	REP	00-16-113	388-240-2300	REP-P	00-11-107
388-160-220	REP-P	00-17-158	388-235-5300	REP-P	00-11-129	388-240-2300	REP	00-16-077
388-160-230	REP-P	00-17-158	388-235-5300	REP	00-16-113	388-240-2400	REP-P	00-11-107
388-160-240	REP-P	00-17-158	388-235-5400	REP-P	00-11-129	388-240-2400	REP	00-16-077
388-160-250	REP-P	00-17-158	388-235-5400	REP	00-16-113	388-240-2450	REP-P	00-11-107
388-160-260	REP-P	00-17-158	388-235-5500	REP-P	00-11-129	388-240-2450	REP	00-16-077
388-160-270	REP-P	00-17-158	388-235-5500	REP	00-16-113	388-240-2500	REP-P	00-11-107
388-160-280	REP-P	00-17-158	388-235-5600	REP-P	00-11-129	388-240-2500	REP	00-16-077
388-160-290	REP-P	00-17-158	388-235-5600	REP	00-16-113	388-240-2550	REP-P	00-11-107
388-160-300	REP-P	00-17-158	388-235-5700	REP-P	00-11-129	388-240-2550	REP	00-16-077
388-160-310	REP-P	00-17-158	388-235-5700	REP	00-16-113	388-240-2570	REP-P	00-11-107
388-160-320	REP-P	00-17-158	388-235-5800	REP-P	00-11-129	388-240-2570	REP	00-16-077
388-160-340	REP-P	00-17-158	388-235-5800	REP	00-16-113	388-240-2600	REP-P	00-11-107
388-160-350	REP-P	00-17-158	388-235-5900	REP-P	00-11-129	388-240-2600	REP	00-16-077
388-160-360	REP-P	00-17-158	388-235-5900	REP	00-16-113	388-240-3100	REP-P	00-11-107
388-160-370	REP-P	00-17-158	388-235-6000	REP-P	00-11-129	388-240-3100	REP	00-16-077
388-160-380	REP-P	00-17-158	388-235-6000	REP	00-16-113	388-240-4100	REP-P	00-11-107
388-160-390	REP-P	00-17-158	388-235-7000	REP-P	00-11-129	388-240-4100	REP	00-16-077
388-160-400	REP-P	00-17-158	388-235-7000	REP	00-16-113	388-240-4200	REP-P	00-11-107
388-160-410	REP-P	00-17-158	388-235-7100	REP-P	00-11-129	388-240-4200	REP	00-16-077
388-160-420	REP-P	00-17-158	388-235-7100	REP	00-16-113	388-240-4400	REP-P	00-11-107

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-240-4400	REP	00-16-077	388-290-015	AMD	00-17-005	388-290-920	AMD-E	00-10-090
388-240-4600	REP-P	00-11-107	388-290-280	AMD-P	00-10-089	388-290-920	AMD	00-17-005
388-240-4600	REP	00-16-077	388-290-280	AMD-E	00-10-090	388-290-925	AMD-E	00-08-061
388-240-5100	REP-P	00-11-107	388-290-280	AMD	00-17-005	388-290-925	AMD-P	00-13-105
388-240-5100	REP	00-16-077	388-290-350	AMD-P	00-10-089	388-290-925	AMD	00-16-100
388-240-6100	REP-P	00-11-107	388-290-350	AMD-E	00-10-090	388-290-940	AMD-E	00-08-061
388-240-6100	REP	00-16-077	388-290-350	AMD	00-17-005	388-290-940	AMD-P	00-13-105
388-255	PREP	00-08-054	388-290-450	AMD-P	00-10-089	388-290-940	AMD	00-16-100
388-255-1020	REP-P	00-12-081	388-290-450	AMD-E	00-10-090	388-290-945	AMD-E	00-08-061
388-255-1020	REP	00-15-053	388-290-450	AMD	00-17-005	388-290-945	AMD-P	00-13-105
388-255-1050	REP-P	00-12-081	388-290-475	AMD-P	00-10-089	388-290-945	AMD	00-16-100
388-255-1050	REP	00-15-053	388-290-475	AMD-E	00-10-090	388-290-950	AMD-P	00-10-089
388-255-1100	REP-P	00-12-081	388-290-475	AMD	00-17-005	388-290-950	AMD-E	00-10-090
388-255-1100	REP	00-15-053	388-290-550	REP-P	00-10-089	388-290-950	AMD	00-17-005
388-255-1150	REP-P	00-12-081	388-290-550	REP-E	00-10-090	388-310	PREP	00-16-024
388-255-1150	REP	00-15-053	388-290-550	REP	00-17-005	388-310-0200	AMD-P	00-03-051
388-255-1200	REP-P	00-12-081	388-290-600	AMD-P	00-10-089	388-310-0200	AMD	00-06-062
388-255-1200	REP	00-15-053	388-290-600	AMD-E	00-10-090	388-310-0200	PREP	00-07-102
388-255-1250	REP-P	00-12-081	388-290-600	AMD	00-17-005	388-310-0200	AMD-P	00-11-140
388-255-1250	REP	00-15-053	388-290-650	AMD-P	00-10-089	388-310-0200	AMD	00-16-055
388-255-1300	REP-P	00-12-081	388-290-650	AMD-E	00-10-090	388-310-0200	AMD-P	00-03-051
388-255-1300	REP	00-15-053	388-290-650	AMD	00-17-005	388-310-0300	AMD-P	00-03-051
388-265-1650	PREP	00-07-101	388-290-850	AMD-E	00-08-061	388-310-0300	AMD	00-06-062
388-265-1650	AMD-P	00-16-088	388-290-850	AMD-P	00-13-105	388-310-0400	AMD-P	00-03-051
388-265-1750	PREP	00-07-101	388-290-850	AMD	00-16-100	388-310-0400	AMD	00-06-062
388-265-1750	REP-P	00-16-088	388-290-854	NEW-E	00-08-061	388-310-0400	PREP	00-07-102
388-273-0010	NEW-P	00-12-083	388-290-854	NEW-P	00-13-105	388-310-0500	PREP	00-07-102
388-273-0020	NEW-P	00-12-083	388-290-854	NEW	00-16-100	388-310-0600	PREP	00-07-102
388-273-0025	NEW-P	00-12-083	388-290-858	NEW-E	00-08-061	388-310-0600	AMD-P	00-11-140
388-273-0030	NEW-P	00-12-083	388-290-858	NEW-P	00-13-105	388-310-0600	AMD	00-16-055
388-273-0035	NEW-P	00-12-083	388-290-858	NEW	00-16-100	388-310-0700	AMD-P	00-03-051
388-275-0010	REP-P	00-15-070	388-290-862	NEW-E	00-08-061	388-310-0700	AMD	00-06-062
388-275-0010	REP	00-18-038	388-290-862	NEW-P	00-13-105	388-310-0800	PREP	00-05-109
388-275-0040	REP-P	00-15-070	388-290-862	NEW	00-16-100	388-310-0800	AMD-E	00-06-061
388-275-0040	REP	00-18-038	388-290-866	NEW-E	00-08-061	388-310-0800	AMD-P	00-08-089
388-275-0080	REP-P	00-15-070	388-290-866	NEW-P	00-13-105	388-310-0800	AMD-S	00-10-091
388-275-0080	REP	00-18-038	388-290-866	NEW	00-16-100	388-310-0800	AMD	00-13-106
388-280	AMD-P	00-16-086	388-290-870	NEW-E	00-08-061	388-310-1400	AMD-P	00-03-051
388-280-0010	NEW-P	00-16-086	388-290-870	NEW-P	00-13-105	388-310-1400	AMD	00-06-062
388-280-0020	NEW-P	00-16-086	388-290-870	NEW	00-16-100	388-310-1450	NEW-P	00-03-051
388-280-0030	NEW-P	00-16-086	388-290-874	NEW-E	00-08-061	388-310-1450	NEW	00-06-062
388-280-0040	NEW-P	00-16-086	388-290-874	NEW-P	00-13-105	388-310-1800	PREP	00-07-102
388-280-0050	NEW-P	00-16-086	388-290-874	NEW	00-16-100	388-310-1800	AMD-P	00-11-140
388-280-0060	NEW-P	00-16-086	388-290-878	NEW-E	00-08-061	388-310-1800	AMD	00-16-055
388-280-1010	REP-P	00-16-086	388-290-878	NEW-P	00-13-105	388-310-1850	AMD-E	00-03-013
388-280-1020	REP-P	00-16-086	388-290-878	NEW	00-16-100	388-310-1850	AMD-P	00-04-091
388-280-1030	REP-P	00-16-086	388-290-882	NEW-E	00-08-061	388-310-1850	AMD	00-08-021
388-280-1040	REP-P	00-16-086	388-290-882	NEW-P	00-13-105	388-310-1850	REP-E	00-14-046
388-280-1050	REP-P	00-16-086	388-290-882	NEW	00-16-100	388-310-1850	REP-P	00-18-019
388-280-1060	REP-P	00-16-086	388-290-886	NEW-E	00-08-061	388-330-010	REP-P	00-17-159
388-280-1070	REP-P	00-16-086	388-290-886	NEW-P	00-13-105	388-330-020	REP-P	00-17-159
388-280-1080	REP-P	00-16-086	388-290-886	NEW	00-16-100	388-330-030	REP-P	00-17-159
388-280-1090	REP-P	00-16-086	388-290-888	NEW-E	00-08-061	388-330-035	REP-P	00-17-159
388-280-1100	REP-P	00-16-086	388-290-888	NEW-P	00-13-105	388-330-040	REP-P	00-17-159
388-280-1110	REP-P	00-16-086	388-290-888	NEW	00-16-100	388-330-050	REP-P	00-17-159
388-280-1120	REP-P	00-16-086	388-290-905	AMD-E	00-08-061	388-330-060	REP-P	00-17-159
388-280-1130	REP-P	00-16-086	388-290-905	AMD-P	00-13-105	388-400	PREP	00-11-182
388-280-1140	REP-P	00-16-086	388-290-905	AMD	00-16-100	388-400-0005	AMD	00-05-007
388-280-1150	REP-P	00-16-086	388-290-910	AMD-E	00-08-061	388-400-0010	AMD	00-05-007
388-280-1160	REP-P	00-16-086	388-290-910	AMD-P	00-13-105	388-400-0015	AMD-E	00-13-075
388-290-015	AMD-P	00-10-089	388-290-910	AMD	00-16-100	388-400-0025	PREP	00-08-056
388-290-015	AMD-E	00-10-090	388-290-920	AMD-P	00-10-089	388-400-0025	AMD-P	00-11-128
						388-400-0025	AMD	00-15-017

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-400-0035	REP-E	00-15-071	388-448-0030	NEW-P	00-11-129	388-470	PREP	00-12-078
388-404	PREP	00-11-182	388-448-0030	NEW	00-16-113	388-470-0005	PREP	00-12-079
388-404-0005	AMD	00-05-007	388-448-0035	NEW-P	00-11-129	388-470-0020	PREP	00-12-079
388-406-0015	AMD	00-06-015	388-448-0035	NEW	00-16-113	388-470-0040	PREP	00-12-079
388-406-0060	PREP	00-06-060	388-448-0040	NEW-P	00-11-129	388-470-0075	PREP	00-16-054
388-406-0060	AMD-P	00-10-093	388-448-0040	NEW	00-16-113	388-473-0010	NEW-P	00-12-081
388-406-0060	AMD	00-13-076	388-448-0050	NEW-P	00-11-129	388-473-0010	NEW	00-15-053
388-408	PREP	00-11-182	388-448-0050	NEW	00-16-113	388-473-0010	PREP	00-17-077
388-408-0020	AMD	00-05-007	388-448-0060	NEW-P	00-11-129	388-473-0020	NEW-P	00-12-081
388-408-0025	PREP	00-08-050	388-448-0060	NEW	00-16-113	388-473-0020	NEW	00-15-053
388-408-0035	PREP	00-08-052	388-448-0070	NEW-P	00-11-129	388-473-0030	NEW-P	00-12-081
388-412-0025	PREP	00-13-060	388-448-0070	NEW	00-16-113	388-473-0030	NEW	00-15-053
388-412-0040	PREP	00-13-060	388-448-0080	NEW-P	00-11-129	388-473-0040	NEW-P	00-12-081
388-414-0001	AMD-P	00-07-076	388-448-0080	NEW	00-16-113	388-473-0040	NEW	00-15-053
388-414-0001	AMD	00-11-035	388-448-0090	NEW-P	00-11-129	388-473-0050	NEW-P	00-12-081
388-414-0001	AMD-E	00-15-042	388-448-0090	NEW	00-16-113	388-473-0050	NEW	00-15-053
388-416-0015	AMD-P	00-04-045	388-448-0100	NEW-P	00-11-129	388-473-0060	NEW-P	00-12-081
388-416-0015	AMD	00-08-002	388-448-0100	NEW	00-16-113	388-473-0060	NEW	00-15-053
388-418	PREP	00-16-051	388-448-0110	NEW-P	00-11-129	388-474-0001	AMD-P	00-17-084
388-418-0012	REP-P	00-03-062	388-448-0110	NEW	00-16-113	388-478	PREP	00-11-182
388-418-0012	REP	00-07-077	388-448-0120	NEW-P	00-11-129	388-478-0026	PREP	00-10-030
388-418-0025	AMD-P	00-04-045	388-448-0120	NEW	00-16-113	388-478-0026	NEW-P	00-17-054
388-418-0025	AMD	00-08-002	388-448-0130	NEW-P	00-11-129	388-478-0050	PREP	00-08-053
388-422	PREP	00-11-182	388-448-0130	NEW	00-16-113	388-478-0050	AMD-P	00-12-082
388-424	PREP	00-11-182	388-448-0140	NEW-P	00-11-129	388-478-0050	AMD	00-15-052
388-424-0015	AMD-P	00-05-110	388-448-0140	NEW	00-16-113	388-478-0055	AMD-P	00-08-058
388-424-0015	AMD	00-08-060	388-448-0150	NEW-P	00-11-129	388-478-0055	AMD-E	00-08-059
388-424-0025	AMD-E	00-08-004	388-448-0150	NEW	00-16-113	388-478-0055	AMD	00-11-130
388-424-0025	AMD-P	00-09-082	388-448-0160	NEW-P	00-11-129	388-478-0055	PREP	00-13-035
388-424-0025	AMD	00-13-036	388-448-0160	NEW	00-16-113	388-478-0055	PREP	00-15-015
388-426	PREP	00-09-032	388-448-0170	NEW-P	00-11-129	388-478-0055	AMD-P	00-17-155
388-430-0001	REP	00-05-007	388-448-0170	NEW	00-16-113	388-478-0056	PREP	00-17-078
388-430-0005	REP	00-05-007	388-448-0180	NEW-P	00-11-129	388-478-0070	AMD-P	00-07-075
388-430-0010	REP	00-05-007	388-448-0180	NEW	00-16-113	388-478-0070	AMD	00-10-095
388-430-0015	REP	00-05-007	388-448-0190	NEW-P	00-11-129	388-478-0070	PREP	00-07-054
388-430-0020	REP	00-05-007	388-448-0190	NEW	00-16-113	388-478-0075	AMD-E	00-07-089
388-430-0025	REP	00-05-007	388-448-0200	NEW-P	00-11-129	388-478-0075	AMD-P	00-14-044
388-432-0005	PREP	00-16-112	388-448-0200	NEW	00-16-113	388-478-0075	AMD-E	00-15-041
388-436-0002	AMD-E	00-16-089	388-448-0210	NEW-P	00-11-129	388-478-0075	AMD	00-17-085
388-436-0010	REP-P	00-06-067	388-448-0210	NEW	00-16-113	388-478-0080	AMD-P	00-07-075
388-436-0010	REP	00-10-036	388-450	PREP	00-10-031	388-478-0080	AMD	00-10-095
388-438-0110	PREP	00-14-043	388-450	PREP	00-11-182	388-478-0085	PREP	00-07-054
388-440	PREP	00-09-032	388-450-0005	PREP	00-12-079	388-478-0085	AMD-E	00-07-089
388-440-0001	AMD	00-03-034	388-450-0015	PREP	00-03-060	388-478-0085	AMD-P	00-14-044
388-440-0005	AMD	00-03-034	388-450-0015	AMD-E	00-06-023	388-478-0085	AMD-E	00-15-041
388-442-0010	AMD	00-05-007	388-450-0015	AMD-P	00-09-081	388-478-0085	AMD	00-17-085
388-444-0015	AMD	00-04-006	388-450-0015	AMD-E	00-13-062	388-480-0001	AMD	00-05-007
388-444-0020	AMD-P	00-17-102	388-450-0020	PREP	00-12-079	388-484-0005	PREP	00-18-055
388-444-0035	AMD	00-04-006	388-450-0035	AMD-E	00-02-062	388-490-0005	AMD-P	00-04-092
388-444-0055	AMD	00-04-006	388-450-0035	AMD-P	00-10-087	388-490-0005	AMD	00-08-091
388-444-0065	AMD	00-04-006	388-450-0035	AMD-E	00-10-088	388-492	PREP	00-08-088
388-444-0075	AMD	00-04-006	388-450-0035	AMD	00-18-057	388-501-0050	PREP	00-10-032
388-448-0001	PREP	00-08-055	388-450-0045	PREP	00-17-152	388-501-0125	PREP	00-03-011
388-448-0001	AMD-P	00-11-127	388-450-0070	PREP	00-16-052	388-501-0125	AMD-P	00-14-065
388-448-0001	AMD	00-15-018	388-450-0150	PREP	00-12-079	388-501-0130	REP-P	00-17-161
388-448-0005	PREP	00-08-055	388-450-0210	PREP	00-12-079	388-501-0150	REP-XR	00-09-038
388-448-0005	REP-P	00-12-040	388-452-0005	PREP	00-16-053	388-501-0150	REP	00-14-047
388-448-0005	REP	00-15-051	388-454	PREP	00-11-182	388-501-0160	AMD	00-03-035
388-448-0010	NEW-P	00-11-129	388-458	PREP	00-17-002	388-501-0165	AMD	00-03-035
388-448-0010	NEW	00-16-113	388-466-0007	NEW-E	00-15-071	388-501-0180	AMD-P	00-17-055
388-448-0020	NEW-P	00-11-129	388-466-0030	NEW-P	00-16-087	388-501-0200	AMD-XA	00-07-044
388-448-0020	NEW	00-16-113	388-466-0130	NEW-P	00-18-111	388-501-0200	AMD	00-11-141

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-502-0010	NEW-P	00-09-043	388-530-1125	NEW-P	00-17-056	388-531-0650	NEW-P	00-12-080
388-502-0010	NEW	00-15-050	388-530-1125	NEW-C	00-17-128	388-531-0700	NEW-P	00-12-080
388-502-0010	AMD-XA	00-18-033	388-530-1150	PREP	00-07-087	388-531-0750	NEW-P	00-12-080
388-502-0020	NEW-P	00-09-043	388-530-1150	AMD-P	00-17-080	388-531-0800	NEW-P	00-12-080
388-502-0020	NEW	00-15-050	388-530-1200	PREP	00-07-087	388-531-0850	NEW-P	00-12-080
388-502-0020	AMD-E	00-17-103	388-530-1200	AMD-P	00-17-080	388-531-0900	NEW-P	00-12-080
388-502-0020	AMD-XA	00-18-033	388-530-1250	PREP	00-07-087	388-531-0950	NEW-P	00-12-080
388-502-0030	NEW-P	00-09-043	388-530-1250	AMD-P	00-17-080	388-531-1000	NEW-P	00-12-080
388-502-0030	NEW	00-15-050	388-530-1300	PREP	00-07-087	388-531-1050	NEW-P	00-12-080
388-502-0100	NEW-P	00-09-043	388-530-1300	AMD-P	00-17-056	388-531-1100	NEW-P	00-12-080
388-502-0100	NEW	00-15-050	388-530-1300	AMD-C	00-17-128	388-531-1150	NEW-P	00-12-080
388-502-0110	NEW-P	00-09-043	388-530-1350	PREP	00-07-087	388-531-1200	NEW-P	00-12-080
388-502-0110	NEW	00-15-050	388-530-1350	AMD-P	00-17-056	388-531-1250	NEW-P	00-12-080
388-502-0150	NEW-P	00-09-042	388-530-1350	AMD-C	00-17-128	388-531-1300	NEW-P	00-12-080
388-502-0150	NEW	00-14-067	388-530-1400	PREP	00-07-087	388-531-1350	NEW-P	00-12-080
388-502-0160	NEW-P	00-09-075	388-530-1400	AMD-P	00-17-056	388-531-1400	NEW-P	00-12-080
388-502-0160	NEW	00-14-069	388-530-1400	AMD-C	00-17-128	388-531-1450	NEW-P	00-12-080
388-502-0160	PREP	00-18-110	388-530-1410	NEW-P	00-17-056	388-531-1500	NEW-P	00-12-080
388-502-0205	PREP	00-06-022	388-530-1410	NEW-C	00-17-128	388-531-1550	NEW-P	00-12-080
388-502-0205	REP-P	00-09-043	388-530-1425	NEW-P	00-17-056	388-531-1600	NEW-P	00-12-080
388-502-0205	REP	00-15-050	388-530-1425	NEW-C	00-17-128	388-531-1650	NEW-P	00-12-080
388-502-0210	AMD-P	00-10-064	388-530-1450	PREP	00-07-087	388-531-1700	NEW-P	00-12-080
388-502-0210	AMD	00-15-049	388-530-1450	AMD-P	00-17-056	388-531-1750	NEW-P	00-12-080
388-502-0230	PREP	00-09-037	388-530-1450	AMD-C	00-17-128	388-531-1800	NEW-P	00-12-080
388-502-0230	AMD-P	00-17-163	388-530-1500	PREP	00-07-087	388-531-1850	NEW-P	00-12-080
388-502-0240	NEW-P	00-17-161	388-530-1500	AMD-P	00-17-056	388-531-1900	NEW-P	00-12-080
388-502-0260	NEW-P	00-17-162	388-530-1500	AMD-C	00-17-128	388-532	PREP	00-07-056
388-505-0110	PREP	00-12-079	388-530-1550	PREP	00-07-087	388-532	PREP	00-16-023
388-505-0595	PREP	00-12-078	388-530-1550	AMD-P	00-17-056	388-532-050	NEW-P	00-11-093
388-505-0595	REP-P	00-17-126	388-530-1550	AMD-C	00-17-128	388-532-050	NEW	00-14-066
388-506-0620	PREP	00-12-079	388-530-1600	AMD-P	00-17-056	388-532-100	NEW-P	00-11-093
388-511-1105	PREP	00-12-079	388-530-1600	AMD-C	00-17-128	388-532-100	NEW	00-14-066
388-511-1130	PREP	00-12-079	388-530-1625	NEW-P	00-17-056	388-533-0300	NEW-P	00-09-041
388-511-1130	AMD-P	00-17-083	388-530-1625	NEW-C	00-17-128	388-533-0300	NEW	00-14-068
388-512-1210	REP-P	00-17-084	388-530-1650	PREP	00-07-087	388-533-0350	NEW-P	00-17-082
388-512-1215	REP-P	00-17-084	388-530-1650	AMD-P	00-17-056	388-533-0400	NEW-P	00-14-064
388-512-1220	REP-P	00-17-084	388-530-1650	AMD-C	00-17-128	388-533-0500	NEW-P	00-14-064
388-512-1225	REP-P	00-17-084	388-530-1700	PREP	00-07-087	388-533-0600	NEW-P	00-14-064
388-512-1230	REP-P	00-17-084	388-530-1700	AMD-P	00-17-056	388-534-0100	RECOD	00-11-183
388-512-1235	REP-P	00-17-084	388-530-1700	AMD-C	00-17-128	388-538-001	REP	00-04-080
388-512-1240	REP-P	00-17-084	388-530-1750	PREP	00-07-088	388-538-050	AMD	00-04-080
388-512-1245	REP-P	00-17-084	388-530-1750	AMD-P	00-11-106	388-538-060	AMD	00-04-080
388-512-1250	REP-P	00-17-084	388-530-1750	AMD	00-14-071	388-538-065	NEW	00-04-080
388-512-1255	REP-P	00-17-084	388-530-1850	PREP	00-07-087	388-538-066	NEW	00-04-080
388-512-1260	REP-P	00-17-084	388-530-1850	AMD-P	00-17-080	388-538-070	AMD	00-04-080
388-512-1265	REP-P	00-17-084	388-530-1900	PREP	00-07-087	388-538-080	AMD	00-04-080
388-512-1275	REP-P	00-17-084	388-530-1900	AMD-P	00-17-080	388-538-090	REP	00-04-080
388-513-1380	AMD-E	00-08-003	388-530-1950	PREP	00-07-087	388-538-095	AMD	00-04-080
388-513-1380	AMD-P	00-13-107	388-530-1950	AMD-P	00-17-080	388-538-100	AMD	00-04-080
388-513-1380	AMD	00-17-058	388-530-2050	AMD-P	00-17-080	388-538-110	AMD	00-04-080
388-517-0400	NEW-P	00-17-095	388-531-0050	NEW-P	00-12-080	388-538-120	AMD	00-04-080
388-519-0100	PREP	00-12-079	388-531-0100	NEW-P	00-12-080	388-538-130	AMD	00-04-080
388-526-2610	AMD-P	00-17-164	388-531-0150	NEW-P	00-12-080	388-538-140	AMD	00-04-080
388-529	PREP	00-18-056	388-531-0200	NEW-P	00-12-080	388-538-150	REP	00-04-080
388-529-2940	REP	00-05-039	388-531-0250	NEW-P	00-12-080	388-539	PREP	00-05-038
388-529-2950	REP	00-05-039	388-531-0300	NEW-P	00-12-080	388-539	AMD-P	00-11-062
388-530-1000	PREP	00-07-087	388-531-0350	NEW-P	00-12-080	388-539	AMD	00-14-070
388-530-1000	AMD-P	00-17-080	388-531-0400	NEW-P	00-12-080	388-539-001	REP-P	00-11-062
388-530-1050	PREP	00-07-087	388-531-0450	NEW-P	00-12-080	388-539-001	REP	00-14-070
388-530-1050	AMD-P	00-17-080	388-531-0500	NEW-P	00-12-080	388-539-0200	NEW-P	00-11-062
388-530-1100	PREP	00-07-087	388-531-0550	NEW-P	00-12-080	388-539-0200	NEW	00-14-070
388-530-1100	AMD-P	00-17-080	388-531-0600	NEW-P	00-12-080	388-539-0300	NEW-P	00-17-082

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-539-0350	NEW-P	00-17-082	388-544-1400	NEW-P	00-17-165	388-710-0025	NEW	00-16-032
388-539-050	REP-P	00-11-062	388-545-0500	PREP	00-08-020	388-710-0030	NEW-P	00-12-10
388-539-050	REP	00-14-070	388-545-500	NEW	00-04-019	388-710-0030	NEW	00-16-032
388-539-0500	RECOD	00-11-183	388-545-500	AMD-P	00-12-039	388-710-0035	NEW-P	00-12-103
388-539-0550	RECOD	00-11-183	388-545-500	AMD-W	00-17-113	388-710-0035	NEW	00-16-032
388-539-100	REP-P	00-11-062	388-546-0001	NEW-P	00-17-125	388-710-0040	NEW-P	00-12-103
388-539-100	REP	00-14-070	388-546-0100	NEW-P	00-17-125	388-710-0040	NEW	00-16-032
388-539-150	REP-P	00-11-062	388-546-0150	NEW-P	00-17-125	388-720-0010	RECOD-P	00-17-187
388-539-150	REP	00-14-070	388-546-0200	NEW-P	00-17-125	388-720-0020	RECOD-P	00-17-187
388-542-0050	NEW-P	00-03-061	388-546-0250	NEW-P	00-17-125	388-720-0030	RECOD-P	00-17-187
388-542-0050	NEW	00-07-103	388-546-0300	NEW-P	00-17-125	388-720-0040	RECOD-P	00-17-187
388-542-0100	NEW-P	00-03-061	388-546-0400	NEW-P	00-17-125	388-720-0050	RECOD-P	00-17-187
388-542-0100	NEW	00-07-103	388-546-0450	NEW-P	00-17-125	388-730-0010	RECOD-P	00-17-187
388-542-0125	NEW-P	00-03-061	388-546-0500	NEW-P	00-17-125	388-730-0015	RECOD-P	00-17-187
388-542-0125	NEW	00-07-103	388-546-0600	NEW-P	00-17-125	388-730-0020	RECOD-P	00-17-187
388-542-0150	NEW-P	00-03-061	388-546-0700	NEW-P	00-17-125	388-730-0030	RECOD-P	00-17-187
388-542-0150	NEW	00-07-103	388-546-0800	NEW-P	00-17-125	388-730-0040	RECOD-P	00-17-187
388-542-0200	NEW-P	00-03-061	388-546-1000	NEW-P	00-17-125	388-730-0050	RECOD-P	00-17-187
388-542-0200	NEW	00-07-103	388-546-5000	NEW-P	00-17-096	388-730-0060	RECOD-P	00-17-187
388-542-0250	NEW-P	00-03-061	388-546-5100	NEW-P	00-17-096	388-730-0065	RECOD-P	00-17-187
388-542-0250	NEW	00-07-103	388-546-5200	NEW-P	00-17-096	388-730-0070	RECOD-P	00-17-187
388-542-0275	NEW-P	00-03-061	388-546-5300	NEW-P	00-17-096	388-730-0080	RECOD-P	00-17-187
388-542-0275	NEW	00-07-103	388-546-5400	NEW-P	00-17-096	388-730-0090	RECOD-P	00-17-187
388-542-0300	NEW-P	00-03-061	388-546-5500	NEW-P	00-17-096	388-740-0010	RECOD-P	00-13-074
388-542-0300	NEW	00-07-103	388-547	PREP	00-03-010	388-740-0010	RECOD	00-17-046
388-543-1000	NEW-P	00-13-008	388-548-0100	PREP	00-11-034	388-740-0030	RECOD-P	00-13-074
388-543-1100	NEW-P	00-13-008	388-548-0500	PREP	00-11-034	388-740-0030	RECOD	00-17-046
388-543-1200	NEW-P	00-13-008	388-548-0500	NEW-E	00-11-036	388-740-0040	RECOD-P	00-13-074
388-543-1300	NEW-P	00-13-008	388-550-4500	AMD-W	00-06-046	388-740-0040	RECOD	00-17-046
388-543-1400	NEW-P	00-13-008	388-551-3000	NEW-P	00-17-079	388-740-0060	RECOD-P	00-13-074
388-543-1500	NEW-P	00-13-008	388-556-0100	NEW-P	00-14-045	388-740-0060	RECOD	00-17-046
388-543-1600	NEW-P	00-13-008	388-556-0100	NEW	00-18-032	388-740-0070	RECOD-P	00-13-074
388-543-1700	NEW-P	00-13-008	388-556-0200	NEW-P	00-11-138	388-740-0070	RECOD	00-17-046
388-543-1800	NEW-P	00-13-008	388-556-0200	NEW	00-16-031	388-745-0020	RECOD	00-16-078
388-543-1900	NEW-P	00-13-008	388-556-0300	NEW-P	00-13-104	388-745-0030	RECOD	00-16-078
388-543-2000	NEW-P	00-13-008	388-556-0300	NEW	00-17-057	388-745-0040	RECOD	00-16-078
388-543-2100	NEW-P	00-13-008	388-556-0400	RECOD	00-11-183	388-745-0050	RECOD	00-16-078
388-543-2200	NEW-P	00-13-008	388-556-0500	NEW-P	00-17-053	388-745-0060	RECOD	00-16-078
388-543-2300	NEW-P	00-13-008	388-557-0100	NEW-W	00-10-078	388-750-010	NEW-P	00-18-048
388-543-2400	NEW-P	00-13-008	388-561-0001	NEW-P	00-17-126	388-750-020	NEW-P	00-18-048
388-543-2500	NEW-P	00-13-008	388-561-0100	NEW-P	00-17-126	388-750-030	NEW-P	00-18-048
388-543-2600	NEW-P	00-13-008	388-561-0200	NEW-P	00-17-126	388-750-040	NEW-P	00-18-048
388-543-2700	NEW-P	00-13-008	388-561-0300	NEW-P	00-17-126	388-750-050	NEW-P	00-18-048
388-543-2800	NEW-P	00-13-008	388-700-0005	NEW-P	00-11-139	388-750-060	NEW-P	00-18-048
388-543-2900	NEW-P	00-13-008	388-700-0010	NEW-P	00-11-139	388-750-070	NEW-P	00-18-048
388-543-3000	NEW-P	00-13-008	388-700-0015	NEW-P	00-11-139	388-750-080	NEW-P	00-18-048
388-544-0050	NEW-P	00-17-097	388-700-0020	NEW-P	00-11-139	388-750-090	NEW-P	00-18-048
388-544-0100	NEW-P	00-17-097	388-700-0025	NEW-P	00-11-139	388-750-100	NEW-P	00-18-048
388-544-0150	NEW-P	00-17-097	388-700-0030	NEW-P	00-11-139	388-750-110	NEW-P	00-18-048
388-544-0200	NEW-P	00-17-097	388-700-0035	NEW-P	00-11-139	388-800-0005	NEW-P	00-11-107
388-544-0250	NEW-P	00-17-097	388-700-0040	NEW-P	00-11-139	388-800-0005	NEW	00-16-077
388-544-0300	NEW-P	00-17-097	388-700-0045	NEW-P	00-11-139	388-800-0020	NEW-P	00-11-107
388-544-0350	NEW-P	00-17-097	388-700-0050	NEW-P	00-11-139	388-800-0020	NEW	00-16-077
388-544-0400	NEW-P	00-17-097	388-710-0005	NEW-P	00-12-103	388-800-0025	NEW-P	00-11-107
388-544-0450	NEW-P	00-17-097	388-710-0005	NEW	00-16-032	388-800-0025	NEW	00-16-077
388-544-0500	NEW-P	00-17-097	388-710-0010	NEW-P	00-12-103	388-800-0030	NEW-P	00-11-107
388-544-0550	NEW-P	00-17-097	388-710-0010	NEW	00-16-032	388-800-0030	NEW	00-16-077
388-544-0600	NEW-P	00-17-097	388-710-0015	NEW-P	00-12-103	388-800-0035	NEW-P	00-11-107
388-544-1010	NEW-P	00-17-165	388-710-0015	NEW	00-16-032	388-800-0035	NEW	00-16-077
388-544-1100	NEW-P	00-17-165	388-710-0020	NEW-P	00-12-103	388-800-0040	NEW-P	00-11-107
388-544-1200	NEW-P	00-17-165	388-710-0020	NEW	00-16-032	388-800-0040	NEW	00-16-077
388-544-1300	NEW-P	00-17-165	388-710-0025	NEW-P	00-12-103	388-800-0045	NEW-P	00-11-107

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-800-0045	NEW	00-16-077	388-805-105	NEW-P	00-13-073	388-825-226	AMD-P	00-05-107
388-800-0048	NEW-P	00-11-107	388-805-110	NEW-P	00-13-073	388-825-226	AMD	00-08-090
388-800-0048	NEW	00-16-077	388-805-115	NEW-P	00-13-073	388-825-228	AMD-P	00-05-107
388-800-0050	NEW-P	00-11-107	388-805-120	NEW-P	00-13-073	388-825-228	AMD	00-08-090
388-800-0050	NEW	00-16-077	388-805-125	NEW-P	00-13-073	388-825-254	AMD-P	00-05-107
388-800-0055	NEW-P	00-11-107	388-805-130	NEW-P	00-13-073	388-825-254	AMD	00-08-090
388-800-0055	NEW	00-16-077	388-805-135	NEW-P	00-13-073	388-853-010	RECOD	00-17-151
388-800-0057	NEW-P	00-11-107	388-805-140	NEW-P	00-13-073	388-853-030	RECOD	00-17-151
388-800-0057	NEW	00-16-077	388-805-145	NEW-P	00-13-073	388-853-035	RECOD	00-17-151
388-800-0060	NEW-P	00-11-107	388-805-150	NEW-P	00-13-073	388-853-080	RECOD	00-17-151
388-800-0060	NEW	00-16-077	388-805-155	NEW-P	00-13-073	388-855-0010	RECOD-P	00-17-157
388-800-0065	NEW-P	00-11-107	388-805-200	NEW-P	00-13-073	388-855-0015	RECOD-P	00-17-157
388-800-0065	NEW	00-16-077	388-805-205	NEW-P	00-13-073	388-855-0030	RECOD-P	00-17-157
388-800-0070	NEW-P	00-11-107	388-805-210	NEW-P	00-13-073	388-855-0035	RECOD-P	00-17-157
388-800-0070	NEW	00-16-077	388-805-220	NEW-P	00-13-073	388-855-0045	RECOD-P	00-17-157
388-800-0075	NEW-P	00-11-107	388-805-225	NEW-P	00-13-073	388-855-0055	RECOD-P	00-17-157
388-800-0075	NEW	00-16-077	388-805-230	NEW-P	00-13-073	388-855-0065	RECOD-P	00-17-157
388-800-0080	NEW-P	00-11-107	388-805-240	NEW-P	00-13-073	388-855-0075	RECOD-P	00-17-157
388-800-0080	NEW	00-16-077	388-805-250	NEW-P	00-13-073	388-855-0085	RECOD-P	00-17-157
388-800-0085	NEW-P	00-11-107	388-805-260	NEW-P	00-13-073	388-855-0095	RECOD-P	00-17-157
388-800-0085	NEW	00-16-077	388-805-300	NEW-P	00-13-073	388-855-0105	RECOD-P	00-17-157
388-800-0090	NEW-P	00-11-107	388-805-305	NEW-P	00-13-073	388-875-0010	RECOD-P	00-17-156
388-800-0090	NEW	00-16-077	388-805-310	NEW-P	00-13-073	388-875-0020	RECOD-P	00-17-156
388-800-0100	NEW-P	00-11-107	388-805-315	NEW-P	00-13-073	388-875-0030	RECOD-P	00-17-156
388-800-0100	NEW	00-16-077	388-805-320	NEW-P	00-13-073	388-875-0040	RECOD-P	00-17-156
388-800-0110	NEW-P	00-11-107	388-805-325	NEW-P	00-13-073	388-875-0050	RECOD-P	00-17-156
388-800-0110	NEW	00-16-077	388-805-330	NEW-P	00-13-073	388-875-0060	RECOD-P	00-17-156
388-800-0115	NEW-P	00-11-107	388-805-350	NEW-P	00-13-073	388-875-0070	RECOD-P	00-17-156
388-800-0115	NEW	00-16-077	388-805-400	NEW-P	00-13-073	388-875-0080	RECOD-P	00-17-156
388-800-0120	NEW-P	00-11-107	388-805-410	NEW-P	00-13-073	388-875-0090	RECOD-P	00-17-156
388-800-0120	NEW	00-16-077	388-805-500	NEW-P	00-13-073	388-875-0100	RECOD-P	00-17-156
388-800-0130	NEW-P	00-11-107	388-805-510	NEW-P	00-13-073	388-875-0110	NEW-P	00-17-156
388-800-0130	NEW	00-16-077	388-805-520	NEW-P	00-13-073	388-890-0735	NEW-W	00-02-065
388-800-0135	NEW-P	00-11-107	388-805-530	NEW-P	00-13-073	388-890-0740	NEW-W	00-02-065
388-800-0135	NEW	00-16-077	388-805-540	NEW-P	00-13-073	388-890-0865	NEW-W	00-02-065
388-800-0140	NEW-P	00-11-107	388-805-550	NEW-P	00-13-073	390-05-400	AMD	00-04-058
388-800-0140	NEW	00-16-077	388-805-600	NEW-P	00-13-073	390-13-010	PREP	00-16-137
388-800-0145	NEW-P	00-11-107	388-805-610	NEW-P	00-13-073	390-16-011	AMD-E	00-14-030
388-800-0145	NEW	00-16-077	388-805-620	NEW-P	00-13-073	390-16-011	PREP	00-16-147
388-800-0150	NEW-P	00-11-107	388-805-630	NEW-P	00-13-073	390-16-012	AMD-E	00-14-031
388-800-0150	NEW	00-16-077	388-805-640	NEW-P	00-13-073	390-16-012	PREP	00-16-138
388-800-0155	NEW-P	00-11-107	388-805-700	NEW-P	00-13-073	390-16-044	PREP	00-16-140
388-800-0155	NEW	00-16-077	388-805-710	NEW-P	00-13-073	390-18-010	PREP	00-16-142
388-800-0160	NEW-P	00-11-107	388-805-720	NEW-P	00-13-073	390-20-0101	PREP	00-16-139
388-800-0160	NEW	00-16-077	388-805-730	NEW-P	00-13-073	390-24-010	PREP	00-16-145
388-800-0165	NEW-P	00-11-107	388-805-740	NEW-P	00-13-073	390-24-020	PREP	00-16-146
388-800-0165	NEW	00-16-077	388-805-750	NEW-P	00-13-073	391-08	PREP	00-04-070
388-805-001	NEW-P	00-13-073	388-805-800	NEW-P	00-13-073	391-08-001	AMD-P	00-10-107
388-805-005	NEW-P	00-13-073	388-805-810	NEW-P	00-13-073	391-08-001	AMD	00-14-048
388-805-010	NEW-P	00-13-073	388-805-815	NEW-P	00-13-073	391-08-010	AMD-P	00-10-107
388-805-015	NEW-P	00-13-073	388-805-820	NEW-P	00-13-073	391-08-010	AMD	00-14-048
388-805-020	NEW-P	00-13-073	388-805-830	NEW-P	00-13-073	391-08-120	AMD-P	00-10-107
388-805-030	NEW-P	00-13-073	388-805-840	NEW-P	00-13-073	391-08-120	AMD	00-14-048
388-805-060	NEW-P	00-13-073	388-805-850	NEW-P	00-13-073	391-08-180	AMD-P	00-10-107
388-805-065	NEW-P	00-13-073	388-805-900	NEW-P	00-13-073	391-08-180	AMD	00-14-048
388-805-070	NEW-P	00-13-073	388-805-905	NEW-P	00-13-073	391-08-230	REP-P	00-10-107
388-805-075	NEW-P	00-13-073	388-805-910	NEW-P	00-13-073	391-08-230	REP	00-14-048
388-805-080	NEW-P	00-13-073	388-805-915	NEW-P	00-13-073	391-08-310	AMD-P	00-10-107
388-805-085	NEW-P	00-13-073	388-805-920	NEW-P	00-13-073	391-08-310	AMD	00-14-048
388-805-090	NEW-P	00-13-073	388-805-925	NEW-P	00-13-073	391-08-670	PREP	00-15-067
388-805-095	NEW-P	00-13-073	388-805-930	NEW-P	00-13-073	391-25-050	AMD-P	00-10-107
388-805-100	NEW-P	00-13-073	388-805-935	NEW-P	00-13-073	391-25-050	AMD	00-14-048

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391-25-090	AMD	00-14-048	391-45-270	AMD-P	00-10-107	392-117-045	AMD	00-12-037
391-25-230	AMD-P	00-10-107	391-45-270	AMD	00-14-048	392-122-200	PREP	00-17-089
391-25-230	AMD	00-14-048	391-45-290	AMD-P	00-10-107	392-122-201	PREP	00-17-089
391-25-250	AMD-P	00-10-107	391-45-290	AMD	00-14-048	392-122-202	PREP	00-17-089
391-25-250	AMD	00-14-048	391-45-310	AMD-P	00-10-107	392-122-205	PREP	00-17-089
391-25-270	AMD-P	00-10-107	391-45-310	AMD	00-14-048	392-122-206	PREP	00-17-089
391-25-270	AMD	00-14-048	391-45-330	AMD-P	00-10-107	392-122-207	PREP	00-17-089
391-25-350	AMD-P	00-10-107	391-45-330	AMD	00-14-048	392-122-208	PREP	00-17-089
391-25-350	AMD	00-14-048	391-45-350	AMD-P	00-10-107	392-122-210	PREP	00-17-089
391-25-590	AMD-P	00-10-107	391-45-350	AMD	00-14-048	392-122-211	PREP	00-17-089
391-25-590	AMD	00-14-048	391-45-390	AMD-P	00-10-107	392-122-212	PREP	00-17-089
391-25-650	AMD-P	00-10-107	391-45-390	AMD	00-14-048	392-122-213	PREP	00-17-089
391-25-650	AMD	00-14-048	391-45-410	AMD-P	00-10-107	392-122-220	PREP	00-17-089
391-25-660	AMD-P	00-10-107	391-45-410	AMD	00-14-048	392-122-221	PREP	00-17-089
391-25-660	AMD	00-14-048	391-45-430	AMD-P	00-10-107	392-122-225	PREP	00-17-089
391-25-670	AMD-P	00-10-107	391-45-430	AMD	00-14-048	392-122-230	PREP	00-17-089
391-25-670	AMD	00-14-048	391-45-550	AMD-P	00-10-107	392-122-235	PREP	00-17-089
391-35-030	AMD-P	00-10-107	391-45-550	AMD	00-14-048	392-122-255	PREP	00-17-089
391-35-030	AMD	00-14-048	391-45-552	AMD-P	00-10-107	392-122-265	PREP	00-17-089
391-35-170	AMD-P	00-10-107	391-45-552	AMD	00-14-048	392-122-270	PREP	00-17-089
391-35-170	AMD	00-14-048	391-55-030	AMD-P	00-10-107	392-122-275	PREP	00-17-089
391-35-210	AMD-P	00-10-107	391-55-030	AMD	00-14-048	392-127-011	AMD	00-02-064
391-35-210	AMD	00-14-048	391-55-350	AMD-P	00-10-107	392-127-015	AMD	00-02-064
391-35-250	AMD-P	00-10-107	391-55-350	AMD	00-14-048	392-127-030	REP	00-02-064
391-35-250	AMD	00-14-048	391-65-070	AMD-P	00-10-107	392-127-035	REP	00-02-064
391-45	PREP	00-04-070	391-65-070	AMD	00-14-048	392-127-040	REP	00-02-064
391-45-001	AMD-P	00-10-107	391-95	PREP	00-04-070	392-127-050	REP	00-02-064
391-45-001	AMD	00-14-048	391-95-001	AMD-P	00-10-107	392-127-055	REP	00-02-064
391-45-002	AMD-P	00-10-107	391-95-001	AMD	00-14-048	392-127-060	REP	00-02-064
391-45-002	AMD	00-14-048	391-95-010	AMD-P	00-10-107	392-127-065	AMD	00-02-064
391-45-010	AMD-P	00-10-107	391-95-010	AMD	00-14-048	392-127-070	AMD	00-02-064
391-45-010	AMD	00-14-048	391-95-030	AMD-P	00-10-107	392-127-085	AMD	00-02-064
391-45-030	AMD-P	00-10-107	391-95-030	AMD	00-14-048	392-127-095	REP	00-02-064
391-45-030	AMD	00-14-048	391-95-050	AMD-P	00-10-107	392-127-101	REP	00-02-064
391-45-030	AMD	00-14-048	391-95-050	AMD	00-14-048	392-127-106	REP	00-02-064
391-45-050	AMD-P	00-10-107	391-95-050	AMD	00-14-048	392-127-111	AMD	00-02-064
391-45-050	AMD	00-14-048	391-95-070	AMD-P	00-10-107	392-127-112	NEW	00-02-064
391-45-070	AMD-E	00-03-053	391-95-070	AMD	00-14-048	392-127-810	REP	00-02-064
391-45-070	AMD-P	00-10-107	391-95-090	AMD-P	00-10-107	392-138	PREP	00-16-001
391-45-070	AMD-E	00-11-024	391-95-090	AMD	00-14-048	392-139-001	AMD-P	00-05-061
391-45-070	AMD	00-14-048	391-95-110	AMD-P	00-10-107	392-139-001	AMD	00-09-017
391-45-090	AMD-P	00-10-107	391-95-110	AMD	00-14-048	392-139-005	AMD-P	00-05-061
391-45-090	AMD	00-14-048	391-95-130	AMD-P	00-10-107	392-139-005	AMD	00-09-017
391-45-110	AMD-E	00-03-053	391-95-130	AMD	00-14-048	392-139-007	AMD-P	00-05-061
391-45-110	AMD-P	00-10-107	391-95-150	AMD-P	00-10-107	392-139-007	AMD	00-09-017
391-45-110	AMD-E	00-11-024	391-95-150	AMD	00-14-048	392-139-008	NEW-P	00-05-061
391-45-110	AMD	00-14-048	391-95-170	AMD-P	00-10-107	392-139-008	NEW	00-09-017
391-45-130	AMD-E	00-03-053	391-95-170	AMD	00-14-048	392-139-008	NEW	00-09-017
391-45-130	AMD-P	00-10-107	391-95-190	AMD-P	00-10-107	392-139-310	AMD-P	00-05-061
391-45-130	AMD-E	00-11-024	391-95-190	AMD	00-14-048	392-139-310	AMD	00-09-017
391-45-130	AMD	00-14-048	391-95-230	AMD-P	00-10-107	392-139-320	AMD-P	00-05-061
391-45-170	AMD-P	00-10-107	391-95-230	AMD	00-14-048	392-139-320	AMD	00-09-017
391-45-170	AMD	00-14-048	391-95-250	AMD-P	00-10-107	392-139-605	REP-P	00-05-061
391-45-190	AMD-P	00-10-107	391-95-250	AMD	00-14-048	392-139-605	REP	00-09-017
391-45-190	AMD	00-14-048	391-95-260	AMD-P	00-10-107	392-139-610	AMD-P	00-05-061
391-45-210	AMD-P	00-10-107	391-95-260	AMD	00-14-048	392-139-610	AMD	00-09-017
391-45-210	AMD	00-14-048	391-95-270	AMD-P	00-10-107	392-139-615	AMD-P	00-05-061
391-45-230	REP-P	00-10-107	391-95-270	AMD	00-14-048	392-139-615	AMD	00-09-017
391-45-230	REP	00-14-048	391-95-290	AMD-P	00-10-107	392-139-620	AMD-P	00-05-061
391-45-250	AMD-P	00-10-107	391-95-290	AMD	00-14-048	392-139-620	AMD	00-09-017
391-45-250	AMD	00-14-048	391-95-310	AMD-P	00-10-107	392-139-622	REP-P	00-05-061
391-45-260	AMD-P	00-10-107	391-95-310	AMD	00-14-048	392-139-622	REP	00-09-017

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392-139-623	REP	00-09-017	392-140-908	NEW	00-02-063	415-02-100	AMD-P	00-04-025
392-139-625	AMD-P	00-05-061	392-140-910	NEW	00-02-063	415-02-100	AMD	00-10-016
392-139-625	AMD	00-09-017	392-140-911	NEW	00-02-063	415-02-120	NEW-P	00-04-025
392-139-660	AMD-P	00-05-061	392-140-912	NEW	00-02-063	415-02-120	NEW	00-10-016
392-139-660	AMD	00-09-017	392-140-913	NEW	00-02-063	415-02-130	NEW-P	00-04-025
392-139-661	REP-P	00-05-061	392-140-920	NEW-E	00-13-007	415-02-130	NEW	00-10-016
392-139-661	REP	00-09-017	392-140-920	NEW-P	00-18-029	415-04	PREP	00-04-061
392-139-670	AMD-P	00-05-061	392-140-920	NEW-E	00-13-007	415-08	PREP	00-04-061
392-139-670	AMD	00-09-017	392-140-922	NEW-P	00-18-029	415-10	PREP	00-04-062
392-139-676	AMD-P	00-05-061	392-140-924	NEW-E	00-13-007	415-10-010	AMD-P	00-16-155
392-139-676	AMD	00-09-017	392-140-924	NEW-P	00-18-029	415-10-020	AMD-P	00-16-155
392-140-600	AMD	00-03-015	392-140-925	NEW-E	00-13-007	415-10-030	AMD-P	00-16-155
392-140-601	AMD	00-03-015	392-140-925	NEW-P	00-18-029	415-10-040	AMD-P	00-16-155
392-140-605	AMD	00-03-015	392-140-926	NEW-E	00-13-007	415-10-050	AMD-P	00-16-155
392-140-613	AMD	00-03-015	392-140-926	NEW-P	00-18-029	415-10-080	AMD-P	00-16-155
392-140-625	AMD	00-03-015	392-140-927	NEW-E	00-13-007	415-10-100	AMD-P	00-16-155
392-140-626	NEW	00-03-015	392-140-927	NEW-P	00-18-029	415-10-110	NEW-P	00-16-155
392-140-630	AMD	00-03-015	392-140-928	NEW-E	00-13-007	415-103-215	NEW-P	00-08-085
392-140-660	AMD	00-03-015	392-140-928	NEW-P	00-18-029	415-103-215	NEW	00-11-103
392-140-665	REP	00-03-015	392-140-929	NEW-E	00-13-007	415-104-450	NEW-P	00-04-023
392-140-675	AMD	00-03-015	392-140-929	NEW-P	00-18-029	415-104-450	NEW	00-10-017
392-140-680	AMD	00-03-015	392-140-930	NEW-E	00-13-007	415-108-315	NEW-P	00-04-024
392-140-700	REP	00-02-063	392-140-930	NEW-P	00-18-029	415-108-315	NEW	00-10-015
392-140-701	REP	00-02-063	392-140-935	NEW-E	00-13-007	415-108-710	AMD-W	00-12-027
392-140-702	REP	00-02-063	392-140-935	NEW-P	00-18-029	415-108-720	AMD-W	00-12-027
392-140-710	REP	00-02-063	392-140-937	NEW-E	00-13-007	415-112-025	NEW-W	00-12-027
392-140-711	REP	00-02-063	392-140-937	NEW-P	00-18-029	415-112-125	AMD-P	00-04-024
392-140-712	REP	00-02-063	392-140-938	NEW-E	00-13-007	415-112-125	AMD	00-10-015
392-140-713	REP	00-02-063	392-140-938	NEW-P	00-18-029	415-112-140	AMD-P	00-04-024
392-140-714	REP	00-02-063	392-172-107	NEW-W	00-06-045	415-112-140	AMD	00-10-015
392-140-715	REP	00-02-063	392-172-109	NEW-W	00-06-045	415-112-145	AMD-P	00-04-024
392-140-716	REP	00-02-063	392-172-161	NEW-W	00-06-045	415-112-145	AMD	00-10-015
392-140-720	REP	00-02-063	392-300-070	NEW-E	00-05-099	415-112-155	AMD-P	00-04-024
392-140-721	REP	00-02-063	392-300-070	PREP	00-09-023	415-112-155	AMD	00-10-015
392-140-722	REP	00-02-063	392-300-070	NEW-P	00-17-037	415-112-330	AMD-P	00-04-024
392-140-723	REP	00-02-063	399-30-030	PREP	00-04-096	415-112-330	AMD	00-10-015
392-140-724	REP	00-02-063	399-30-030	AMD-E	00-04-097	415-112-415	AMD-XA	00-08-030
392-140-725	REP	00-02-063	399-30-030	AMD-P	00-08-010	415-112-415	AMD	00-13-001
392-140-726	REP	00-02-063	399-50-010	NEW-C	00-04-100	415-112-460	AMD-P	00-04-024
392-140-727	REP	00-02-063	399-50-010	NEW	00-11-021	415-112-460	AMD	00-10-015
392-140-728	REP	00-02-063	399-50-020	NEW-C	00-04-100	415-112-4605	AMD-P	00-04-024
392-140-730	REP	00-02-063	399-50-020	NEW	00-11-021	415-112-4605	AMD	00-10-015
392-140-731	REP	00-02-063	399-50-030	NEW-C	00-04-100	415-112-4608	AMD-P	00-04-024
392-140-732	REP	00-02-063	399-50-030	NEW	00-11-021	415-112-4608	AMD	00-10-015
392-140-733	REP	00-02-063	399-50-040	NEW-C	00-04-100	415-112-471	AMD-P	00-04-024
392-140-735	REP	00-02-063	399-50-040	NEW	00-11-021	415-112-471	AMD	00-10-015
392-140-736	REP	00-02-063	415-02-010	AMD-P	00-04-025	415-112-473	AMD-P	00-04-024
392-140-740	REP	00-02-063	415-02-010	AMD	00-10-016	415-112-473	AMD	00-10-015
392-140-741	REP	00-02-063	415-02-020	AMD-P	00-04-025	415-112-475	AMD-P	00-04-024
392-140-742	REP	00-02-063	415-02-020	AMD	00-10-016	415-112-475	AMD	00-10-015
392-140-743	REP	00-02-063	415-02-030	AMD-P	00-04-025	415-112-477	AMD-P	00-04-024
392-140-744	REP	00-02-063	415-02-030	AMD	00-10-016	415-112-477	AMD	00-10-015
392-140-745	REP	00-02-063	415-02-040	REP-P	00-04-025	415-112-510	REP-P	00-04-024
392-140-746	REP	00-02-063	415-02-040	REP	00-10-016	415-112-510	REP	00-10-015
392-140-747	REP	00-02-063	415-02-050	AMD-P	00-04-025	415-112-540	AMD	00-11-053
392-140-900	NEW	00-02-063	415-02-050	AMD	00-10-016	415-112-545	AMD	00-11-053
392-140-901	NEW	00-02-063	415-02-060	AMD-P	00-04-025	415-112-548	NEW-W	00-12-027
392-140-902	NEW	00-02-063	415-02-060	AMD	00-10-016	415-112-705	NEW-P	00-04-024
392-140-903	NEW	00-02-063	415-02-070	REP-P	00-04-025	415-112-705	NEW	00-10-015
392-140-905	NEW	00-02-063	415-02-070	REP	00-10-016	415-112-920	NEW-P	00-04-024
392-140-906	NEW	00-02-063	415-02-080	AMD-P	00-04-025	415-112-920	NEW	00-10-015

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415-112-950	NEW-P	00-04-024	415-501-450	RECOD-P	00-08-092	415-504-080	DECOD-P	00-08-092
415-112-950	NEW	00-10-015	415-501-450	RECOD	00-11-104	415-504-080	DECOD	00-11-104
415-501-010	AMD-P	00-08-092	415-501-470	RECOD-P	00-08-092	415-504-090	AMD-P	00-08-092
415-501-010	AMD	00-11-104	415-501-470	RECOD	00-11-104	415-504-090	DECOD-P	00-08-092
415-501-020	AMD-P	00-08-092	415-501-475	RECOD-P	00-08-092	415-504-090	AMD	00-11-104
415-501-020	AMD	00-11-104	415-501-475	RECOD	00-11-104	415-504-090	DECOD	00-11-104
415-501-110	RECOD-P	00-08-092	415-501-480	RECOD-P	00-08-092	415-504-100	AMD-P	00-08-092
415-501-110	RECOD	00-11-104	415-501-480	RECOD	00-11-104	415-504-100	DECOD-P	00-08-092
415-501-120	RECOD-P	00-08-092	415-501-485	RECOD-P	00-08-092	415-504-100	AMD	00-11-104
415-501-120	RECOD	00-11-104	415-501-485	RECOD	00-11-104	415-504-100	DECOD	00-11-104
415-501-130	RECOD-P	00-08-092	415-501-486	RECOD-P	00-08-092	415-504-110	AMD-P	00-08-092
415-501-130	RECOD	00-11-104	415-501-486	RECOD	00-11-104	415-504-110	DECOD-P	00-08-092
415-501-140	RECOD-P	00-08-092	415-501-487	RECOD-P	00-08-092	415-504-110	AMD	00-11-104
415-501-140	RECOD	00-11-104	415-501-487	RECOD	00-11-104	415-504-110	DECOD	00-11-104
415-501-150	RECOD-P	00-08-092	415-501-490	RECOD-P	00-08-092	415-508-010	AMD-P	00-08-092
415-501-150	RECOD	00-11-104	415-501-490	RECOD	00-11-104	415-508-010	DECOD-P	00-08-092
415-501-160	RECOD-P	00-08-092	415-501-495	RECOD-P	00-08-092	415-508-010	AMD	00-11-104
415-501-160	RECOD	00-11-104	415-501-495	RECOD	00-11-104	415-508-010	DECOD	00-11-104
415-501-170	RECOD-P	00-08-092	415-501-500	RECOD-P	00-08-092	415-508-020	DECOD-P	00-08-092
415-501-170	RECOD	00-11-104	415-501-500	RECOD	00-11-104	415-508-020	DECOD	00-11-104
415-501-180	RECOD-P	00-08-092	415-501-510	RECOD-P	00-08-092	415-508-030	DECOD-P	00-08-092
415-501-180	RECOD	00-11-104	415-501-510	RECOD	00-11-104	415-508-030	DECOD	00-11-104
415-501-190	RECOD-P	00-08-092	415-501-520	RECOD-P	00-08-092	415-508-040	DECOD-P	00-08-092
415-501-190	RECOD	00-11-104	415-501-520	RECOD	00-11-104	415-508-040	DECOD	00-11-104
415-501-200	RECOD-P	00-08-092	415-501-530	RECOD-P	00-08-092	415-508-050	AMD-P	00-08-092
415-501-200	RECOD	00-11-104	415-501-530	RECOD	00-11-104	415-508-050	DECOD-P	00-08-092
415-501-210	RECOD-P	00-08-092	415-501-540	RECOD-P	00-08-092	415-508-050	AMD	00-11-104
415-501-210	RECOD	00-11-104	415-501-540	RECOD	00-11-104	415-508-050	DECOD	00-11-104
415-501-300	RECOD-P	00-08-092	415-501-550	RECOD-P	00-08-092	415-512-010	AMD-P	00-08-092
415-501-300	RECOD	00-11-104	415-501-550	RECOD	00-11-104	415-512-010	DECOD-P	00-08-092
415-501-305	RECOD-P	00-08-092	415-501-560	RECOD-P	00-08-092	415-512-010	AMD	00-11-104
415-501-305	RECOD	00-11-104	415-501-560	RECOD	00-11-104	415-512-010	DECOD	00-11-104
415-501-310	RECOD-P	00-08-092	415-501-570	RECOD-P	00-08-092	415-512-015	AMD-P	00-08-092
415-501-310	RECOD	00-11-104	415-501-570	RECOD	00-11-104	415-512-015	DECOD-P	00-08-092
415-501-315	NEW-P	00-08-092	415-501-580	RECOD-P	00-08-092	415-512-015	AMD	00-11-104
415-501-315	NEW	00-11-104	415-501-580	RECOD	00-11-104	415-512-015	DECOD	00-11-104
415-501-320	RECOD-P	00-08-092	415-501-590	RECOD-P	00-08-092	415-512-020	AMD-P	00-08-092
415-501-320	RECOD	00-11-104	415-501-590	RECOD	00-11-104	415-512-020	DECOD-P	00-08-092
415-501-330	RECOD-P	00-08-092	415-501-600	RECOD-P	00-08-092	415-512-020	AMD	00-11-104
415-501-330	RECOD	00-11-104	415-501-600	RECOD	00-11-104	415-512-020	DECOD	00-11-104
415-501-340	RECOD-P	00-08-092	415-501-610	RECOD-P	00-08-092	415-512-030	AMD-P	00-08-092
415-501-340	RECOD	00-11-104	415-501-610	RECOD	00-11-104	415-512-030	DECOD-P	00-08-092
415-501-350	RECOD-P	00-08-092	415-501-710	RECOD-P	00-08-092	415-512-030	AMD	00-11-104
415-501-350	RECOD	00-11-104	415-501-710	RECOD	00-11-104	415-512-030	DECOD	00-11-104
415-501-360	RECOD-P	00-08-092	415-501-720	RECOD-P	00-08-092	415-512-040	AMD-P	00-08-092
415-501-360	RECOD	00-11-104	415-501-720	RECOD	00-11-104	415-512-040	DECOD-P	00-08-092
415-501-370	RECOD-P	00-08-092	415-504-010	AMD-P	00-08-092	415-512-040	AMD	00-11-104
415-501-370	RECOD	00-11-104	415-504-010	DECOD-P	00-08-092	415-512-040	DECOD	00-11-104
415-501-380	RECOD-P	00-08-092	415-504-010	AMD	00-11-104	415-512-050	AMD-P	00-08-092
415-501-380	RECOD	00-11-104	415-504-010	DECOD	00-11-104	415-512-050	DECOD-P	00-08-092
415-501-390	RECOD-P	00-08-092	415-504-020	DECOD-P	00-08-092	415-512-050	AMD	00-11-104
415-501-390	RECOD	00-11-104	415-504-020	DECOD	00-11-104	415-512-050	DECOD	00-11-104
415-501-410	RECOD-P	00-08-092	415-504-030	DECOD-P	00-08-092	415-512-070	AMD-P	00-08-092
415-501-410	RECOD	00-11-104	415-504-030	DECOD	00-11-104	415-512-070	DECOD-P	00-08-092
415-501-415	RECOD-P	00-08-092	415-504-040	DECOD-P	00-08-092	415-512-070	AMD	00-11-104
415-501-415	RECOD	00-11-104	415-504-040	DECOD	00-11-104	415-512-070	DECOD	00-11-104
415-501-420	RECOD-P	00-08-092	415-504-050	DECOD-P	00-08-092	415-512-075	AMD-P	00-08-092
415-501-420	RECOD	00-11-104	415-504-050	DECOD	00-11-104	415-512-075	DECOD-P	00-08-092
415-501-430	RECOD-P	00-08-092	415-504-060	DECOD-P	00-08-092	415-512-075	AMD	00-11-104
415-501-430	RECOD	00-11-104	415-504-060	DECOD	00-11-104	415-512-075	DECOD	00-11-104
415-501-440	RECOD-P	00-08-092	415-504-070	DECOD-P	00-08-092	415-512-080	AMD-P	00-08-092
415-501-440	RECOD	00-11-104	415-504-070	DECOD	00-11-104	415-512-080	DECOD-P	00-08-092

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
415-512-080	AMD	00-11-104	415-560-010	DECOD-P	00-08-092	419-14-120	AMD	00-17-140
415-512-080	DECOD	00-11-104	415-560-010	DECOD	00-11-104	419-14-120	DECOD	00-17-140
415-512-085	AMD-P	00-08-092	415-564-010	AMD-P	00-08-092	419-14-135	DECOD-X	00-13-100
415-512-085	DECOD-P	00-08-092	415-564-010	DECOD-P	00-08-092	419-14-135	DECOD	00-17-140
415-512-085	AMD	00-11-104	415-564-010	AMD	00-11-104	419-14-140	DECOD-X	00-13-100
415-512-085	DECOD	00-11-104	415-564-010	DECOD	00-11-104	419-14-140	DECOD	00-17-140
415-512-086	AMD-P	00-08-092	415-564-020	AMD-P	00-08-092	419-52-010	AMD-XA	00-13-100
415-512-086	DECOD-P	00-08-092	415-564-020	DECOD-P	00-08-092	419-52-010	DECOD-X	00-13-100
415-512-086	AMD	00-11-104	415-564-020	AMD	00-11-104	419-52-010	AMD	00-17-140
415-512-086	DECOD	00-11-104	415-564-020	DECOD	00-11-104	419-52-010	DECOD	00-17-140
415-512-087	AMD-P	00-08-092	415-564-030	DECOD-P	00-08-092	419-52-020	AMD-XA	00-13-100
415-512-087	DECOD-P	00-08-092	415-564-030	DECOD	00-11-104	419-52-020	DECOD-X	00-13-100
415-512-087	AMD	00-11-104	415-564-040	AMD-P	00-08-092	419-52-020	AMD	00-17-140
415-512-087	DECOD	00-11-104	415-564-040	DECOD-P	00-08-092	419-52-020	DECOD	00-17-140
415-512-090	AMD-P	00-08-092	415-564-040	AMD	00-11-104	419-52-030	AMD-XA	00-13-100
415-512-090	DECOD-P	00-08-092	415-564-040	DECOD	00-11-104	419-52-030	DECOD-X	00-13-100
415-512-090	AMD	00-11-104	415-564-050	AMD-P	00-08-092	419-52-030	AMD	00-17-140
415-512-090	DECOD	00-11-104	415-564-050	DECOD-P	00-08-092	419-52-030	DECOD	00-17-140
415-512-095	AMD-P	00-08-092	415-564-050	AMD	00-11-104	419-56-010	AMD-XA	00-13-100
415-512-095	DECOD-P	00-08-092	415-564-050	DECOD	00-11-104	419-56-010	DECOD-X	00-13-100
415-512-095	AMD	00-11-104	415-564-060	DECOD-P	00-08-092	419-56-010	AMD	00-17-140
415-512-095	DECOD	00-11-104	415-564-060	DECOD	00-11-104	419-56-010	DECOD	00-17-140
415-512-110	AMD-P	00-08-092	415-568-010	DECOD-P	00-08-092	419-56-020	AMD-XA	00-13-100
415-512-110	DECOD-P	00-08-092	415-568-010	DECOD	00-11-104	419-56-020	DECOD-X	00-13-100
415-512-110	AMD	00-11-104	415-568-020	DECOD-P	00-08-092	419-56-020	AMD	00-17-140
415-512-110	DECOD	00-11-104	415-568-020	DECOD	00-11-104	419-56-020	DECOD	00-17-140
415-524-010	AMD-P	00-08-092	419-14-020	AMD-XA	00-13-100	419-56-030	AMD-XA	00-13-100
415-524-010	DECOD-P	00-08-092	419-14-020	DECOD-X	00-13-100	419-56-030	DECOD-X	00-13-100
415-524-010	AMD	00-11-104	419-14-020	AMD	00-17-140	419-56-030	AMD	00-17-140
415-524-010	DECOD	00-11-104	419-14-020	DECOD	00-17-140	419-56-030	DECOD	00-17-140
415-528-010	DECOD-P	00-08-092	419-14-030	AMD-XA	00-13-100	419-56-040	AMD-XA	00-13-100
415-528-010	DECOD	00-11-104	419-14-030	DECOD-X	00-13-100	419-56-040	DECOD-X	00-13-100
415-532-010	AMD-P	00-08-092	419-14-030	AMD	00-17-140	419-56-040	AMD	00-17-140
415-532-010	DECOD-P	00-08-092	419-14-030	DECOD	00-17-140	419-56-040	DECOD	00-17-140
415-532-010	AMD	00-11-104	419-14-040	DECOD-X	00-13-100	419-56-050	AMD-XA	00-13-100
415-532-010	DECOD	00-11-104	419-14-040	DECOD	00-17-140	419-56-050	DECOD-X	00-13-100
415-532-020	AMD-P	00-08-092	419-14-050	DECOD-X	00-13-100	419-56-050	AMD	00-17-140
415-532-020	DECOD-P	00-08-092	419-14-050	DECOD	00-17-140	419-56-050	DECOD	00-17-140
415-532-020	AMD	00-11-104	419-14-060	DECOD-X	00-13-100	419-56-060	AMD-XA	00-13-100
415-532-020	DECOD	00-11-104	419-14-060	DECOD	00-17-140	419-56-060	DECOD-X	00-13-100
415-536-010	AMD-P	00-08-092	419-14-070	AMD-XA	00-13-100	419-56-060	AMD	00-17-140
415-536-010	DECOD-P	00-08-092	419-14-070	DECOD-X	00-13-100	419-56-060	DECOD	00-17-140
415-536-010	AMD	00-11-104	419-14-070	AMD	00-17-140	419-56-070	AMD-XA	00-13-100
415-536-010	DECOD	00-11-104	419-14-070	DECOD	00-17-140	419-56-070	DECOD-X	00-13-100
415-540-010	AMD-P	00-08-092	419-14-075	DECOD-X	00-13-100	419-56-070	AMD	00-17-140
415-540-010	DECOD-P	00-08-092	419-14-075	DECOD	00-17-140	419-56-070	DECOD	00-17-140
415-540-010	AMD	00-11-104	419-14-080	DECOD-X	00-13-100	419-56-080	DECOD-X	00-13-100
415-540-010	DECOD	00-11-104	419-14-080	DECOD	00-17-140	419-56-080	DECOD	00-17-140
415-544-010	AMD-P	00-08-092	419-14-085	AMD-XA	00-13-100	419-56-090	AMD-XA	00-13-100
415-544-010	DECOD-P	00-08-092	419-14-085	DECOD-X	00-13-100	419-56-090	DECOD-X	00-13-100
415-544-010	AMD	00-11-104	419-14-085	AMD	00-17-140	419-56-090	AMD	00-17-140
415-544-010	DECOD	00-11-104	419-14-085	DECOD	00-17-140	419-56-090	DECOD	00-17-140
415-548-010	DECOD-P	00-08-092	419-14-090	DECOD-X	00-13-100	419-60-010	AMD-XA	00-13-100
415-548-010	DECOD	00-11-104	419-14-090	DECOD	00-17-140	419-60-010	DECOD-X	00-13-100
415-552-010	AMD-P	00-08-092	419-14-100	AMD-XA	00-13-100	419-60-010	AMD	00-17-140
415-552-010	DECOD-P	00-08-092	419-14-100	DECOD-X	00-13-100	419-60-010	DECOD	00-17-140
415-552-010	AMD	00-11-104	419-14-100	AMD	00-17-140	419-60-020	AMD-XA	00-13-100
415-552-010	DECOD	00-11-104	419-14-100	DECOD	00-17-140	419-60-020	DECOD-X	00-13-100
415-556-010	AMD-P	00-08-092	419-14-110	DECOD-X	00-13-100	419-60-020	AMD	00-17-140
415-556-010	DECOD-P	00-08-092	419-14-110	DECOD	00-17-140	419-60-020	DECOD	00-17-140
415-556-010	AMD	00-11-104	419-14-120	AMD-XA	00-13-100	419-60-030	AMD-XA	00-13-100
415-556-010	DECOD	00-11-104	419-14-120	DECOD-X	00-13-100	419-60-030	DECOD-X	00-13-100

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
419-60-030	AMD	00-17-140	434-334-090	AMD	00-10-009	434-663-430	DECOD-P	00-04-083
419-60-030	DECOD	00-17-140	434-334-110	AMD-P	00-05-094	434-663-430	REP-S	00-13-108
434-55-015	AMD-XA	00-16-118	434-334-110	AMD	00-10-009	434-663-440	AMD-P	00-04-083
434-110-020	AMD-XA	00-16-119	434-334-127	NEW-P	00-05-094	434-663-440	DECOD-P	00-04-083
434-110-030	AMD-XA	00-16-119	434-334-127	NEW	00-10-009	434-663-440	REP-S	00-13-108
434-110-040	AMD-XA	00-16-119	434-334-140	AMD-P	00-05-094	434-663-450	DECOD-P	00-04-083
434-110-050	AMD-XA	00-16-119	434-334-140	AMD	00-10-009	434-663-450	DECOD-S	00-13-108
434-120-015	AMD-XA	00-16-116	434-334-160	AMD-P	00-05-094	434-663-460	REP-P	00-04-083
434-130-020	AMD-XA	00-16-117	434-334-160	AMD	00-10-009	434-663-460	REP-S	00-13-108
434-135-020	AMD-XA	00-16-120	434-334-165	AMD-P	00-05-094	434-663-470	REP-P	00-04-083
434-166-030	AMD-XA	00-16-121	434-334-165	AMD	00-10-009	434-663-470	REP-S	00-13-108
434-180-110	AMD-XA	00-16-122	434-381	PREP	00-09-027	434-663-480	REP-P	00-04-083
434-180-440	AMD-XA	00-17-173	434-381-010	REP-E	00-09-028	434-663-480	REP-S	00-13-108
434-219-020	AMD	00-03-003	434-381-020	REP-E	00-09-028	434-663-490	AMD-P	00-04-083
434-219-120	AMD	00-03-003	434-381-030	REP-E	00-09-028	434-663-490	DECOD-P	00-04-083
434-219-160	AMD	00-03-003	434-381-040	REP-E	00-09-028	434-663-490	REP-S	00-13-108
434-219-160	AMD-E	00-03-036	434-381-050	REP-E	00-09-028	434-663-510	REP-P	00-04-083
434-219-165	NEW	00-03-003	434-381-060	REP-E	00-09-028	434-663-510	REP-S	00-13-108
434-219-170	NEW	00-03-003	434-381-070	REP-E	00-09-028	434-663-520	REP-P	00-04-083
434-219-180	AMD	00-03-003	434-381-080	REP-E	00-09-028	434-663-520	REP-S	00-13-108
434-219-185	NEW	00-03-003	434-381-090	REP-E	00-09-028	434-663-530	AMD-P	00-04-083
434-219-210	AMD	00-03-003	434-381-100	REP-E	00-09-028	434-663-530	AMD-S	00-13-108
434-219-220	AMD	00-03-003	434-381-110	NEW-E	00-09-028	434-663-600	AMD-P	00-04-083
434-219-230	AMD	00-03-003	434-381-120	NEW-E	00-09-028	434-663-600	AMD-S	00-13-108
434-219-240	AMD	00-03-003	434-381-130	NEW-E	00-09-028	434-663-610	AMD-P	00-04-083
434-219-250	AMD	00-03-003	434-381-140	NEW-E	00-09-028	434-663-610	REP-S	00-13-108
434-219-255	NEW	00-03-003	434-381-150	NEW-E	00-09-028	434-663-615	NEW-S	00-13-108
434-219-260	AMD	00-03-003	434-381-160	NEW-E	00-09-028	434-663-620	AMD-P	00-04-083
434-219-270	AMD	00-03-003	434-381-170	NEW-E	00-09-028	434-663-620	REP-S	00-13-108
434-219-280	AMD	00-03-003	434-381-180	NEW-E	00-09-028	434-663-640	NEW-P	00-04-083
434-219-280	AMD-E	00-05-093	434-663-100	AMD-P	00-04-083	434-663-640	NEW-S	00-13-108
434-219-285	NEW	00-03-003	434-663-100	AMD-S	00-13-108	434-663-700	RECOD-P	00-04-083
434-219-290	AMD	00-03-003	434-663-100	RECOD-S	00-13-108	434-663-700	RECOD-S	00-13-108
434-219-300	NEW	00-03-003	434-663-270	NEW-P	00-04-083	434-663-705	NEW-S	00-13-108
434-219-310	AMD	00-03-003	434-663-270	NEW-S	00-13-108	434-663-710	RECOD-P	00-04-083
434-219-320	AMD	00-03-003	434-663-280	NEW-P	00-04-083	434-663-710	RECOD-S	00-13-108
434-230-170	AMD-S	00-07-052	434-663-280	AMD-W	00-17-088	434-663-720	RECOD-P	00-04-083
434-230-170	AMD	00-11-042	434-663-300	AMD-P	00-04-083	434-663-720	RECOD-S	00-13-108
434-230-210	AMD-S	00-07-052	434-663-300	AMD-S	00-13-108	434-663-730	RECOD-P	00-04-083
434-230-210	AMD	00-11-042	434-663-305	NEW-P	00-04-083	434-663-730	NEW-S	00-13-108
434-230-220	NEW-S	00-07-052	434-663-305	NEW-S	00-13-108	434-663-740	RECOD-P	00-04-083
434-230-220	NEW	00-11-042	434-663-310	AMD-P	00-04-083	434-663-740	NEW-S	00-13-108
434-240-202	NEW-E	00-03-036	434-663-310	REP-S	00-13-108	434-663-750	RECOD-P	00-04-083
434-257	AMD-E	00-04-010	434-663-315	NEW-S	00-13-108	434-663-750	RECOD-S	00-13-108
434-257-010	AMD-E	00-04-010	434-663-320	AMD-P	00-04-083	434-663-760	RECOD-P	00-04-083
434-257-020	AMD-E	00-04-010	434-663-320	REP-S	00-13-108	434-663-760	NEW-S	00-13-108
434-257-030	AMD-E	00-04-010	434-663-325	NEW-S	00-13-108	434-663-770	NEW-P	00-04-083
434-257-050	REP-E	00-04-010	434-663-400	AMD-P	00-04-083	434-663-770	NEW-S	00-13-108
434-257-070	AMD-E	00-04-010	434-663-400	DECOD-P	00-04-083	434-663-780	NEW-P	00-04-083
434-257-080	REP-E	00-04-010	434-663-400	AMD-S	00-13-108	434-663-780	NEW-S	00-13-108
434-257-090	AMD-E	00-04-010	434-663-400	DECOD-S	00-13-108	437-20-010	NEW-C	00-07-124
434-257-100	AMD-E	00-04-010	434-663-405	NEW-P	00-04-083	437-20-010	NEW-W	00-11-050
434-257-120	REP-E	00-04-010	434-663-405	AMD-W	00-17-088	437-20-010	NEW-C	00-11-051
434-257-130	AMD-E	00-04-010	434-663-410	AMD-P	00-04-083	437-20-010	NEW	00-11-052
434-257-150	AMD-E	00-04-010	434-663-410	DECOD-P	00-04-083	440-22-001	REP-P	00-13-073
434-262-080	AMD-P	00-05-095	434-663-410	AMD-S	00-13-108	440-22-005	REP-P	00-13-073
434-262-080	AMD	00-10-010	434-663-410	DECOD-S	00-13-108	440-22-010	REP-P	00-13-073
434-262-110	AMD-P	00-05-095	434-663-420	AMD-P	00-04-083	440-22-015	REP-P	00-13-073
434-262-110	AMD	00-10-010	434-663-420	DECOD-P	00-04-083	440-22-020	REP-P	00-13-073
434-262-120	AMD-P	00-05-095	434-663-420	AMD-S	00-13-108	440-22-025	REP-P	00-13-073
434-262-120	AMD	00-10-010	434-663-420	DECOD-S	00-13-108	440-22-030	REP-P	00-13-073
434-334-090	AMD-P	00-05-094	434-663-430	AMD-P	00-04-083	440-22-035	REP-P	00-13-073

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
440-22-040	REP-P	00-13-073	440-22-560	REP-P	00-13-073	458-20-228	AMD-XA	00-17-010
440-22-045	REP-P	00-13-073	440-22-565	REP-P	00-13-073	458-20-234	REP-XR	00-17-008
440-22-050	REP-P	00-13-073	440-22-600	REP-P	00-13-073	458-20-237	REP-XR	00-17-009
440-22-055	REP-P	00-13-073	440-22-610	REP-P	00-13-073	458-20-238	PREP	00-10-115
440-22-060	REP-P	00-13-073	440-22-620	REP-P	00-13-073	458-20-238	AMD-P	00-18-007
440-22-065	REP-P	00-13-073	440-22-900	REP-P	00-13-073	458-20-239	AMD-XA	00-05-015
440-22-070	REP-P	00-13-073	440-22-905	REP-P	00-13-073	458-20-239	AMD	00-09-092
440-22-075	REP-P	00-13-073	440-22-910	REP-P	00-13-073	458-20-260	PREP	00-15-004
440-22-080	REP-P	00-13-073	440-22-915	REP-P	00-13-073	458-20-261	AMD-XA	00-03-001
440-22-085	REP-P	00-13-073	440-22-920	REP-P	00-13-073	458-20-261	AMD	00-11-097
440-22-090	REP-P	00-13-073	440-22-925	REP-P	00-13-073	458-20-264	PREP	00-13-027
440-22-100	REP-P	00-13-073	440-22-930	REP-P	00-13-073	458-30-200	PREP	00-05-074
440-22-105	REP-P	00-13-073	440-22-935	REP-P	00-13-073	458-30-200	AMD-P	00-11-026
440-22-110	REP-P	00-13-073	440-44-020	REP-P	00-13-073	458-30-275	PREP	00-05-074
440-22-115	REP-P	00-13-073	440-44-025	PREP	00-10-062	458-30-275	AMD-P	00-11-026
440-22-120	REP-P	00-13-073	440-44-025	REP-P	00-17-127	458-30-285	PREP	00-05-074
440-22-125	REP-P	00-13-073	440-44-026	PREP	00-10-061	458-30-285	AMD-P	00-11-026
440-22-150	REP-P	00-13-073	440-44-026	REP-P	00-17-127	458-30-295	PREP	00-05-074
440-22-155	REP-P	00-13-073	440-44-028	REP	00-07-045	458-30-295	AMD-P	00-11-026
440-22-160	REP-P	00-13-073	446-30-010	AMD	00-02-069	458-30-300	PREP	00-05-074
440-22-165	REP-P	00-13-073	446-85-005	NEW-P	00-06-037	458-30-300	AMD-P	00-11-026
440-22-175	REP-P	00-13-073	446-85-005	NEW	00-10-092	458-30-305	PREP	00-05-074
440-22-180	REP-P	00-13-073	446-85-010	NEW-P	00-06-037	458-30-305	AMD-P	00-11-026
440-22-200	REP-P	00-13-073	446-85-010	NEW	00-10-092	458-30-310	PREP	00-05-074
440-22-210	REP-P	00-13-073	458-12-125	REP-XR	00-17-007	458-30-310	AMD-P	00-11-026
440-22-220	REP-P	00-13-073	458-12-315	REP-P	00-05-033	458-30-315	PREP	00-05-074
440-22-225	REP-P	00-13-073	458-12-315	REP	00-09-003	458-30-325	PREP	00-05-074
440-22-230	REP-P	00-13-073	458-12-320	AMD-P	00-05-033	458-30-325	AMD-P	00-11-026
440-22-240	REP-P	00-13-073	458-12-320	AMD	00-09-003	458-30-350	PREP	00-05-074
440-22-250	REP-P	00-13-073	458-12-390	REP-XR	00-17-007	458-30-700	PREP	00-09-085
440-22-253	REP-P	00-13-073	458-16-080	AMD-P	00-05-032	458-30-710	PREP	00-09-085
440-22-255	REP-P	00-13-073	458-16-080	AMD	00-09-004	458-40-500	PREP	00-13-116
440-22-257	REP-P	00-13-073	458-16-081	REP-P	00-05-032	458-40-510	PREP	00-13-116
440-22-260	REP-P	00-13-073	458-16-081	REP	00-09-004	458-40-520	PREP	00-13-116
440-22-270	REP-P	00-13-073	458-16A-010	AMD-P	00-06-073	458-40-530	PREP	00-13-116
440-22-280	REP-P	00-13-073	458-16A-010	AMD	00-09-086	458-40-535	PREP	00-13-116
440-22-300	REP-P	00-13-073	458-16A-020	AMD-P	00-06-073	458-40-600	PREP	00-13-116
440-22-310	REP-P	00-13-073	458-16A-020	AMD	00-09-086	458-40-610	PREP	00-13-116
440-22-320	REP-P	00-13-073	458-20-130	REP-XR	00-17-009	458-40-615	PREP	00-13-116
440-22-325	REP-P	00-13-073	458-20-135	AMD-E	00-04-026	458-40-620	PREP	00-13-116
440-22-330	REP-P	00-13-073	458-20-135	AMD-P	00-04-029	458-40-622	PREP	00-13-116
440-22-335	REP-P	00-13-073	458-20-135	AMD	00-11-096	458-40-624	PREP	00-13-116
440-22-350	REP-P	00-13-073	458-20-13501	PREP	00-04-027	458-40-626	PREP	00-13-116
440-22-355	REP-P	00-13-073	458-20-136	AMD-E	00-04-026	458-40-628	PREP	00-13-116
440-22-400	REP-P	00-13-073	458-20-136	AMD-P	00-04-029	458-40-630	PREP	00-13-116
440-22-405	REP-P	00-13-073	458-20-136	AMD	00-11-096	458-40-632	PREP	00-13-116
440-22-406	REP-P	00-13-073	458-20-13601	NEW-E	00-04-026	458-40-634	PREP	00-13-116
440-22-410	REP-P	00-13-073	458-20-13601	NEW-P	00-04-029	458-40-636	PREP	00-13-116
440-22-420	REP-P	00-13-073	458-20-13601	NEW	00-11-096	458-40-640	PREP	00-13-116
440-22-430	REP-P	00-13-073	458-20-161	REP-XR	00-17-008	458-40-650	PREP	00-08-108
440-22-450	REP-P	00-13-073	458-20-18801	PREP	00-08-072	458-40-650	AMD-P	00-13-115
440-22-455	REP-P	00-13-073	458-20-190	PREP	00-13-040	458-40-660	PREP	00-06-053
440-22-460	REP-P	00-13-073	458-20-191	PREP	00-13-040	458-40-660	PREP	00-08-109
440-22-465	REP-P	00-13-073	458-20-192	AMD-P	00-16-014	458-40-660	AMD-P	00-10-055
440-22-500	REP-P	00-13-073	458-20-195	PREP	00-08-110	458-40-660	AMD-P	00-13-119
440-22-505	REP-P	00-13-073	458-20-195	AMD-P	00-12-075	458-40-660	AMD	00-14-011
440-22-510	REP-P	00-13-073	458-20-195	AMD	00-16-015	458-40-660	PREP	00-18-096
440-22-515	REP-P	00-13-073	458-20-213	REP-XR	00-17-009	458-40-670	PREP	00-13-116
440-22-520	REP-P	00-13-073	458-20-217	PREP	00-05-073	458-40-680	PREP	00-13-116
440-22-525	REP-P	00-13-073	458-20-217	AMD-P	00-12-038	458-40-682	PREP	00-13-116
440-22-530	REP-P	00-13-073	458-20-217	AMD	00-16-016	458-40-684	PREP	00-13-116
440-22-550	REP-P	00-13-073	458-20-228	AMD	00-04-028	458-40-686	PREP	00-13-116

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
458- 40-690	PREP	00-13-116	468- 38-070	PREP	00-04-068	480- 15-260	AMD	00-14-010
458- 57-035	AMD-XA	00-14-028	468- 38-070	AMD-P	00-07-072	480- 15-490	AMD-P	00-09-072
458- 57-045	AMD-XA	00-14-028	468- 38-070	AMD	00-11-019	480- 15-490	AMD	00-14-010
458- 61-230	AMD-P	00-04-055	468- 38-090	REP-P	00-07-072	480- 15-560	AMD-P	00-09-079
458- 61-230	AMD	00-09-002	468- 38-090	REP	00-11-019	480- 15-560	AMD	00-14-010
460- 21C-005	NEW-P	00-02-068	468- 38-100	PREP	00-14-001	480- 15-570	AMD-P	00-09-079
460- 21C-005	NEW	00-05-055	468- 38-110	AMD-S	00-07-071	480- 15-570	AMD	00-14-010
460- 21C-010	NEW-P	00-02-068	468- 38-110	AMD	00-11-020	480- 15-620	AMD-P	00-09-079
460- 21C-010	NEW	00-05-055	468- 38-290	AMD-E	00-05-087	480- 15-620	AMD	00-14-010
460- 21C-020	NEW-P	00-02-068	468- 38-290	PREP	00-05-088	480- 15-650	AMD-P	00-09-079
460- 21C-020	NEW	00-05-055	468- 38-290	AMD-P	00-08-047	480- 15-650	AMD	00-14-010
460- 21C-030	NEW-P	00-02-068	468- 38-290	AMD	00-11-038	480- 15-660	AMD-P	00-09-079
460- 21C-030	NEW	00-05-055	468- 38-290	AMD-E	00-12-022	480- 15-660	AMD	00-14-010
460- 21C-040	NEW-P	00-02-068	468- 38-290	AMD-XA	00-12-023	480- 15-740	AMD-P	00-09-079
460- 21C-040	NEW	00-05-055	468- 38-290	AMD-XA	00-17-060	480- 15-740	AMD	00-14-010
460- 24A	PREP	00-17-019	468-100-002	AMD-XA	00-17-061	480- 60-010	AMD	00-04-011
460- 44A-500	AMD	00-04-094	468-100-102	AMD-XA	00-17-061	480- 60-012	NEW	00-04-011
460- 44A-504	AMD	00-04-094	468-100-203	AMD-XA	00-17-061	480- 60-014	NEW	00-04-011
460- 44A-504	AMD-XA	00-16-102	468-100-208	AMD-XA	00-17-061	480- 60-020	AMD	00-04-011
460- 46A-010	REP	00-04-095	468-100-209	NEW-XA	00-17-061	480- 60-030	AMD	00-04-011
460- 46A-020	REP	00-04-095	468-100-306	AMD-XA	00-17-061	480- 60-035	NEW	00-04-011
460- 46A-025	REP	00-04-095	468-300-010	PREP	00-04-086	480- 60-040	AMD	00-04-011
460- 46A-030	REP	00-04-095	468-300-020	PREP	00-04-086	480- 60-050	AMD	00-04-011
460- 46A-040	REP	00-04-095	468-300-040	PREP	00-04-086	480- 60-060	AMD	00-04-011
460- 46A-050	REP	00-04-095	468-300-220	PREP	00-04-086	480- 60-070	REP	00-04-011
460- 46A-055	REP	00-04-095	474- 02-010	AMD	00-11-084	480- 60-080	AMD	00-04-011
460- 46A-061	REP	00-04-095	474- 02-020	AMD	00-11-084	480- 60-090	AMD	00-04-011
460- 46A-065	REP	00-04-095	478-132-010	AMD	00-04-038	480- 60-99002	REP	00-04-011
460- 46A-071	REP	00-04-095	478-132-030	AMD	00-04-038	480- 60-99003	REP	00-04-011
460- 46A-072	REP	00-04-095	478-324-020	AMD	00-04-039	480- 62-235	NEW-E	00-12-009
460- 46A-090	REP	00-04-095	478-324-030	AMD	00-04-039	480- 66-010	REP	00-04-011
460- 46A-091	REP	00-04-095	478-324-040	AMD	00-04-039	480- 66-020	REP	00-04-011
460- 46A-092	REP	00-04-095	478-324-045	NEW	00-04-039	480- 66-030	REP	00-04-011
460- 46A-095	REP	00-04-095	478-324-050	REP	00-04-039	480- 66-040	REP	00-04-011
460- 46A-100	REP	00-04-095	478-324-060	AMD	00-04-039	480- 66-050	REP	00-04-011
460- 46A-105	REP	00-04-095	478-324-070	AMD	00-04-039	480- 66-060	REP	00-04-011
460- 46A-110	REP	00-04-095	478-324-090	AMD	00-04-039	480- 66-070	REP	00-04-011
460- 46A-115	REP	00-04-095	478-324-110	AMD	00-04-039	480- 66-100	NEW	00-04-011
460- 46A-145	REP	00-04-095	478-324-120	AMD	00-04-039	480- 66-110	NEW	00-04-011
460- 46A-150	REP	00-04-095	478-324-130	AMD	00-04-039	480- 66-120	NEW	00-04-011
460- 46A-155	REP	00-04-095	478-324-140	AMD	00-04-039	480- 66-140	NEW	00-04-011
460- 46A-160	REP	00-04-095	478-324-150	AMD	00-04-039	480- 66-150	NEW	00-04-011
460- 46A-165	REP	00-04-095	478-324-170	AMD	00-04-039	480- 66-160	NEW	00-04-011
468- 14-010	REP-XR	00-07-027	478-324-180	AMD	00-04-039	480- 66-170	NEW	00-04-011
468- 14-010	REP	00-11-133	478-324-190	AMD	00-04-039	480- 66-200	NEW	00-04-011
468- 14-020	REP-XR	00-07-027	478-324-200	AMD	00-04-039	480- 66-210	NEW	00-04-011
468- 14-020	REP	00-11-133	478-324-210	AMD	00-04-039	480- 66-220	NEW	00-04-011
468- 14-030	REP-XR	00-07-027	479- 05-190	AMD-E	00-16-124	480- 66-230	NEW	00-04-011
468- 14-030	REP	00-11-133	479- 05-190	AMD-P	00-18-114	480- 66-300	NEW	00-04-011
468- 14-040	REP-XR	00-07-027	479- 14-130	AMD-E	00-16-124	480- 66-310	NEW	00-04-011
468- 14-040	REP	00-11-133	479- 14-130	AMD-P	00-18-114	480- 66-320	NEW	00-04-011
468- 14-050	REP-XR	00-07-027	479- 14-200	NEW-E	00-13-067	480- 66-330	NEW	00-04-011
468- 14-050	REP	00-11-133	479- 14-200	NEW-P	00-13-081	480- 66-400	NEW	00-04-011
468- 16-080	PREP	00-07-026	480- 15-010	AMD-P	00-09-079	480- 66-410	NEW	00-04-011
468- 16-080	AMD-P	00-11-134	480- 15-010	AMD	00-14-010	480- 66-420	NEW	00-04-011
468- 16-080	AMD	00-14-055	480- 15-020	AMD-P	00-09-079	480- 66-430	NEW	00-04-011
468- 16-100	PREP	00-07-026	480- 15-020	AMD	00-14-010	480- 66-440	NEW	00-04-011
468- 16-100	AMD-P	00-11-134	480- 15-030	REP-P	00-09-079	480- 66-450	NEW	00-04-011
468- 16-100	AMD	00-14-055	480- 15-030	REP	00-14-010	480- 66-460	NEW	00-04-011
468- 16-150	PREP	00-07-026	480- 15-035	NEW-P	00-09-079	480- 66-470	NEW	00-04-011
468- 16-150	AMD-P	00-11-134	480- 15-035	NEW	00-14-010	480- 66-480	NEW	00-04-011
468- 16-150	AMD	00-14-055	480- 15-260	AMD-P	00-09-079	480- 66-490	NEW	00-04-011

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-66-500	NEW	00-04-011	495A-121-027	NEW-P	00-05-017	495C-116-160	AMD-P	00-08-105
480-66-510	NEW	00-04-011	495A-121-027	NEW	00-11-147	495C-116-160	AMD	00-12-019
480-66-520	NEW	00-04-011	495A-121-028	NEW-P	00-05-017	495C-116-170	AMD-P	00-08-105
480-66-600	NEW	00-04-011	495A-121-028	NEW	00-11-147	495C-116-170	AMD	00-12-019
480-66-620	NEW	00-04-011	495A-121-029	NEW-P	00-05-017	495C-116-190	AMD-P	00-08-105
480-75	PREP	00-17-134	495A-121-029	NEW	00-11-147	495C-116-190	AMD	00-12-019
480-80-335	AMD-P	00-11-044	495A-121-040	NEW-P	00-05-017	495C-116-210	AMD-P	00-08-105
480-80-335	AMD	00-17-048	495A-121-040	NEW	00-11-147	495C-116-210	AMD	00-12-019
480-110-255	AMD-S	00-11-043	495A-121-041	NEW-P	00-05-017	495C-116-260	AMD-P	00-08-105
480-110-255	AMD	00-17-135	495A-121-041	NEW	00-11-147	495C-116-260	AMD	00-12-019
480-120-071	AMD-P	00-10-086	495A-121-042	NEW-P	00-05-017	495C-120-010	AMD-P	00-08-105
480-120-071	AMD-S	00-17-168	495A-121-042	NEW	00-11-147	495C-120-010	AMD	00-12-019
480-120-139	AMD	00-03-047	495A-121-043	NEW-P	00-05-017	495C-120-020	AMD-P	00-08-105
480-120-560	NEW-P	00-17-114	495A-121-043	NEW	00-11-147	495C-120-020	AMD	00-12-019
480-120-990	NEW-S	00-07-047	495A-121-044	NEW-P	00-05-017	495C-120-040	AMD-P	00-08-105
480-122	PREP	00-17-167	495A-121-044	NEW	00-11-147	495C-120-040	AMD	00-12-019
490-105-040	AMD-XA	00-16-127	495A-121-045	NEW-P	00-05-017	495C-120-041	NEW-P	00-08-105
495A-120-010	REP	00-11-148	495A-121-045	NEW	00-11-147	495C-120-041	NEW	00-12-019
495A-120-020	REP	00-11-148	495A-121-046	NEW-P	00-05-017	495C-120-045	AMD-P	00-08-105
495A-120-030	REP	00-11-148	495A-121-046	NEW	00-11-147	495C-120-045	AMD	00-12-019
495A-120-040	REP	00-11-148	495A-121-047	NEW-P	00-05-017	495C-120-050	AMD-P	00-08-105
495A-120-041	REP	00-11-148	495A-121-047	NEW	00-11-147	495C-120-050	AMD	00-12-019
495A-120-042	REP	00-11-148	495A-121-048	NEW-P	00-05-017	495C-120-080	AMD-P	00-08-105
495A-120-043	REP	00-11-148	495A-121-048	NEW	00-11-147	495C-120-080	AMD	00-12-019
495A-120-045	REP	00-11-148	495A-121-049	NEW-P	00-05-017	495C-120-090	AMD-P	00-08-105
495A-120-050	REP	00-11-148	495A-121-049	NEW	00-11-147	495C-120-090	AMD	00-12-019
495A-120-060	REP	00-11-148	495A-121-060	NEW-P	00-05-017	495C-120-100	AMD-P	00-08-105
495A-120-070	REP	00-11-148	495A-121-060	NEW	00-11-147	495C-120-100	AMD	00-12-019
495A-120-080	REP	00-11-148	495A-121-061	NEW-P	00-05-017	495C-120-120	AMD-P	00-08-105
495A-120-090	REP	00-11-148	495A-121-061	NEW	00-11-147	495C-120-120	AMD	00-12-019
495A-120-100	REP	00-11-148	495A-121-062	NEW-P	00-05-017	495C-120-125	NEW-P	00-08-105
495A-120-110	REP	00-11-148	495A-121-062	NEW	00-11-147	495C-120-125	NEW	00-12-019
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